



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2026-27A

Jenny Barnhouse, Executive Director
Oklahoma Board of Nursing
P.O. Box 52926
Oklahoma City, Oklahoma 73152

April 28, 2026

Re: Lemay, Case No. 10.2025070112.26

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Board of Nursing (“Board”) intends to take in the above-referenced case. On July 2, 2025, the Applicant submitted to the Board a complete RN Endorsement Application for a U.S. Educated Nurse requesting a Single State License to practice registered nursing in Oklahoma (the “Application”).

The Oklahoma Nursing Practice Act (“Act”) authorizes the Board to impose discipline when a nurse “[i]s guilty of unprofessional conduct”¹ and “[h]as had disciplinary actions taken against the individual’s registered . . . nursing license . . . in this or any state, territory or country.” 59 O.S.Supp.2023, § 567.8 (B)(7), (10).

On or about April 24, 2025, Applicant and the North Dakota Board of Nursing (“NDBON”) entered into an agreed Stipulation for Settlement Order (“DNBON Order”) related to three (3) Potential Violation Reports (“PVR”) for Applicant’s high-risk behaviors involving patient safety. The first PVR alleged that on September 18, 2023, Applicant allowed an intubated patient, on full ventilator support and ordered to have nothing to eat or drink by mouth, to swallow liquids by inflating and reinflating the patient’s tracheostomy tube. A second PVR alleged that on August 30, 2023, Applicant was caring for an intubated patient who had a history of impulsive behavior and attempts to self-extubate. When the incoming Registered Nurse (“RN”) entered the room, the door to the patient’s room had been closed, the lights were turned off in the room, the curtain was pulled so that there was no ability to directly visualize the patient from outside of the room, and alarms could not be heard outside of the room. Further, the incoming RN observed that (i) the patient was at the edge of the bed, appeared to be about to fall onto the floor, and was covered in dry stool, (ii) the patient had partially self-extubated, and (iii) the patient’s restraints were not on properly. The incoming RN also found that (i) the Applicant had not turned the patient’s bed check

¹ Unprofessional conduct includes “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(H).

alarm on, (ii) the patient's sedation pumps had been alarming for 40 minutes because they had not been running, contrary to the medical provider's order, and (iii) Applicant had failed to address the stopped sedation pumps. There were additional violations discovered when investigating these two PVR's.

And, again, on February 29, 2024, the Board received the third PVR, which alleges that the Applicant continued to demonstrate several high-risk behaviors. Specifically, during the weekend beginning February 2, 2024, Applicant demonstrated a lack of clinical judgment skills and engaged in several high-risk behaviors involving patient safety.

The terms of the NDBON Order include the following regarding the Applicant's North Dakota registered nurse license: issuance and acceptance of a reprimand; Applicant's license designated single state, without any multistate licensure privilege; for a period of three (3) years, Applicant must provide all future North Dakota employers of nursing practice a copy of the NDBON Order; and payment of a seven hundred dollar (\$700.00) penalty fee. On July 9, 2025, NDBON staff confirmed with Oklahoma Board of Nursing staff that the Applicant paid the ordered penalty in full on June 24, 2025.

On August 26, 2025, the Texas Board of Nursing (TXBON) denied the Applicant's Temporary License/Endorsement Application to practice as a registered nurse in the State of Texas, based on the disciplinary action taken by the NDBON. On or about January 6, 2026, Oklahoma Board of Nursing staff verified with the TXBON staff that the denial of licensure was disciplinary action. On or about January 30, 2026, Applicant was offered an agreed settlement by the Oklahoma Board of Nursing staff, including approval of the Application. On February 19, 2026, Oklahoma Board of Nursing staff contacted Applicant, and Applicant declined the agreed settlement offered on January 30, 2026, and verbalized understanding of the implications of declining said offer. Therefore, the Oklahoma Board of Nursing denies the Application.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Nursing has adequate support for the conclusion that this action advances the State's policy to protect public health, safety, and welfare by ensuring nurses meet minimum standards of professional conduct.



CHERYL DIXON

Deputy General Counsel