



OFFICE OF THE ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2026-3A

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

January 8, 2026

Re: Samples, Case No. 3.2025040283.26

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding the action that the Oklahoma Board of Nursing intends to take in the above-referenced case. Respondent is licensed with a single-state licensed practical nursing (LPN) license that is currently temporarily suspended pursuant to an Emergency Order of Temporary Suspension issued by the Board (AG Opinion 2019-270A) after an October 4, 2019 Complaint. On or about April 21, 2025, Respondent submitted a written request for a hearing on the October 4, 2019 Complaint.

The Oklahoma Nursing Practice Act authorizes the Board to impose discipline when a nurse “[i]s guilty of a felony, or any offense substantially related to the qualifications, functions or duties of any licensee . . . whether or not sentence is imposed, or any conduct resulting in the revocation of a deferred or suspended sentence or probation imposed pursuant to such conviction,”<sup>1</sup> or “[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing” in a way that “unnecessarily exposes a patient or other person to risk of harm[.]” “[i]s guilty of unprofessional conduct[.]”<sup>2</sup> or “[i]s guilty of any act that jeopardizes a patient’s life, health or safety[.]”<sup>3</sup> 59 O.S.2021, § 567.8(B)(2-3), (7-8).

On September 29, 2025, a Board Nurse Investigator filed an Amended Complaint against the Respondent’s LPN license for the following violations:

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<sup>1</sup> “[S]ubstantially related’ means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation.” 59 O.S.2021, § 567.8(B)(2).

<sup>2</sup> Unprofessional conduct includes “verbally or physically abusing patients” or “conduct detrimental to the public interest.” OAC 485:10-11-1(b)(3)(B), (H).

<sup>3</sup> Conduct that jeopardizes a patient’s life, health, and safety includes failing to utilize appropriate judgment in “administering safe nursing practice” and “patient care[.]” OAC 485:10-11-1(b)(4)(D).

- On November 22, 2017, Respondent was charged with the following Felony: Domestic Abuse by Strangulation, 21 O.S. § 644. Respondent entered a plea of Guilty and the Court ordered a 7-year deferred sentence (until April 21, 2026) and payment of a fine and fee.
- On December 22, 2017, Respondent was charged with the following misdemeanor: Violation of Protective Order, to which Respondent entered a plea of Guilty and the Court ordered a 7-year deferred sentence (until May 29, 2026) and payment of a fine and Victim Compensation Assessment.
- On June 18-19, 2018, Respondent, while working as a charge nurse on the 7:00 p.m. to 7:00 a.m. shift at a Living Center, physically and verbally abused Resident #1 by stomping on Resident #1's feet and calling Resident #1 a "bitch" and a "baby". Resident #1 had bruising to their feet. Respondent was suspended and terminated from employment on June 19, 2018, at the Living Center.
- On March 13, 2019, Respondent was charged with the following Felony: Abuse by Caretaker, 21 O.S. § 843, to which Respondent entered a plea of Guilty and the Court ordered a 10 year deferred sentence (until May 8, 2029); Respondent must surrender his nursing license; Respondent cannot have employment with elderly, minors, or any disabled or vulnerable adult; as well as payment of Court costs, investigative costs to Attorney General, Victim Compensation Assessment, and Judicial Assessment.
- On September 19, 2019, Respondent was placed on the Office of Inspector General U.S. Department of Health & Human Services Exclusion list, exclusion type 1128(a)(2) – Patient Abuse/Neglect Conviction.
- On May 8, 2025, Respondent, during a telephonic investigative conference with Board staff, admitted to Board staff to having a substance use problem with drugs and/or alcohol, specifically Methamphetamine. Respondent admitted to last using Methamphetamine a week prior to the telephonic investigative conference with Board staff.

At a hearing held November 19, 2025, the Board found that Respondent violated the Oklahoma Nursing Practice Act and rules promulgated by the Board related to the practice of practical nursing and proposed the following discipline: Respondent's single-state LPN license is revoked for five (5) years.

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*