



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2026-43A

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

July 29, 2026

Re: James Edward Beaver, Multi-state License No. R0135215

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding the summary suspension that the Oklahoma Board of Nursing (“Board”) intends to take against of James Edward Beaver (“Respondent”).

The Oklahoma Nursing Practice Act (“Act”) authorizes the Board to summarily suspend a license or certification “[w]hen a majority of the officers of the Board, which constitutes the President, Vice President and Secretary/Treasurer, find that preservation of the public health, safety or welfare requires immediate action.” 59 O.S.Supp.2023, § 567.8(O); *see also* 75 O.S. 2021, § 314.1. Summary suspension “may be ordered before the filing of a sworn complaint or at any other time before the outcome of an individual proceeding . . . without compliance with the requirements of the Oklahoma Open Meeting Act.” *Id.*

In the above-referenced case, Tulsa County District Attorney Steve Kunzweiler indicted Respondent with one count of first degree rape by instrumentation. *See State of Oklahoma v. James Edward Beaver RN*, CF-2026-2916. The indictment alleges that Respondent raped a patient at Hillcrest Hospital South while he was on duty as a nurse.¹ Based on the seriousness of the allegations set forth in the indictment, a majority of the Board’s officers determined that immediate action was necessary for the preservation of public health, safety and welfare and decided to summarily suspend Respondent’s multi-state license as authorized by section 567.8(O). Also, in accordance with section 567.8(O), the Board has notified the Respondent of the summary suspension. The notice also included a proposed hearing date on the complaint, September 23, 2026. The proposed hearing date falls within the statutory ninety-day period. *Id.*

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Nursing has adequate support for the conclusion that this emergency action (summary suspension)

¹ Title 59, section 567.8(B)(13) of the Oklahoma Statutes prohibits a licensee from “[e]ngag[ing] in sexual misconduct . . . with a current or former patient” If proven, “[t]he Board shall impose disciplinary action.” *Id.* § 567.8(B).

advances the State's policy to protect public health, safety, and welfare by ensuring nurses comport themselves with the standards of professional conduct at all times, *especially* while on duty.

A handwritten signature in blue ink, appearing to read "Thomas R. Schneider". The signature is fluid and cursive, with a large initial "T" and "S".

THOMAS R. SCHNEIDER
Deputy General Counsel