



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2026-48A

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

September 1, 2026

Re: Brianna Renea Hale, Case Number 3.013.27

Dear Executive Director Barnhouse:

This office has received your request for a written Attorney General Opinion regarding the emergency temporary suspension that the Oklahoma Board of Nursing ("Board") intends to take against the multi-state licensed practical nursing license No. 209685 of Brianna Renea Hale ("Respondent"). Respondent is licensed with a multi-state licensed practical nursing ("LPN") license that is currently lapsed.

The Oklahoma Nursing Practice Act ("Act") authorizes the Board to impose a disciplinary action when a nurse "[f]ails to adequately care for patients or to conform to the minimum standards of acceptable nursing . . . practice that, in the opinion of the Board unnecessarily exposes a patient or other person to risk of harm;" "[i]s intemperate in the use of alcohol or drugs, which use the Board determines endangers or could endanger patients;" or "[i]s guilty of unprofessional conduct as defined in the rules of the Board;"¹ or "[i]s guilty of any act that jeopardizes a patient's life, health or safety;"² or "[v]iolated a rule promulgated by the Board, . . . or a state or federal law relating to the practice of registered . . . nursing . . . or a state or federal narcotics or controlled dangerous substance law[.]" 59 O.S.Supp.2023, § 567.8(B)(3), (B)(4), (B)(7), (B)(8) and (B)(9).

On June 25, 2026, a Complaint was filed against Respondent's LPN license for the following violations. On February 26, 2023, while working on the Ortho/Trauma Unit at a hospital, Respondent was under the influence and in possession of alcohol while on duty. Respondent was terminated from the hospital on March 6, 2023, for violating the hospital's policy related to Controlled Substances in the Workplace and testing positive on a blood alcohol test.

¹ Unprofessional conduct means "conduct detrimental to the public interest;" or "failure to cooperate with a lawful investigation by Board of Nursing staff." OAC 485:10-11-1(b)(3)(H), (V).

² Conduct which jeopardizes a patient's life, health, or safety means "[f]ailure to utilize appropriate judgment in administering safe nursing practice or patient care assignment based upon the level of nursing for which the individual is licensed[.]" OAC 485:10-11-1(b)(4)(D).

On February 10, 2026, and on March 11, 2026, Respondent failed to cooperate with a lawful investigation by Board staff when she failed to participate in a telephonic investigative conference with Board staff. Correspondence for the telephonic investigative conference mailed to Respondent to the address on record by certified mail was returned to the Board office on March 12, 2026, with the information “Return to Sender”/“Unclaimed”/“Unable to Forward”. The Respondent did not submit any change of address in writing to the Board. On June 25, 2026, the Complaint and Notice of Hearing were mailed to Respondent by Certified/Restricted delivery mail via the United States Postal Service and on July 22, 2026, were returned to the Board office marked “Return to Sender”/“Undeliverable as Addressed”/“Unable to Forward.” Respondent did not respond to electronic mail correspondence sent to her electronic address of record, nor did she answer the phone calls from the Nurse Investigator.

After a hearing on July 30, 2026, due to the seriousness of the allegations against Respondent, the Board proposes an emergency order to temporarily suspend Respondent’s license to practice licensed practical nursing pending a hearing on the merits of the Complaint.

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) 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 black ink, appearing to read "Cheryl Dixon", written in a cursive style.

CHERYL DIXON

Deputy General Counsel