



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2026-49A

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

September 1, 2026

Re: Jennifer Carol Cupicciotti, Case No. 10.006.27

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 ("Board") intends to take regarding Jennifer Carol Cupicciotti ("Applicant"). On February 12, 2026, Applicant submitted to the Board a complete LPN Endorsement Application for U.S. Educated Nurse requesting a Multistate License to practice licensed practical nursing ("Application").

The Oklahoma Nursing Practice Act ("Act") authorizes the Board to impose a disciplinary action against the person upon proof that the person "[i]s guilty of deceit or material misrepresentation in procuring or attempting to procure a license to practice registered nursing;"¹ "[i]s guilty of unprofessional conduct as defined in the rules of the Board;"² and "[h]as had disciplinary actions taken against the individual's registered or practical nursing license." §§567.8.(B)(1)(a), (B)(7) and (B)(10).

In the above-referenced case, Applicant falsified the Application by failing to disclose discipline and a crime when responding to the question whether Applicant has ever had disciplinary action taken against a nursing license in any state, territory, or country not previously reported in writing to the Oklahoma Board of Nursing. Applicant failed to disclose the fact that on October 6, 2025, the State of Illinois Department of Financial and Professional Regulation Division of Professional Regulation (ILBON), in a Suspension Order, suspended Applicant's LPN license, License No. 043.120847, for "unpaid tax liability and/or that a return was not filed and

¹ Board Rules define "deceit or material misrepresentation" in procuring or attempting to procure a license as "false representation of facts in connection with an application for licensure, certification, prescriptive authority recognition, and/or authorization to order, select, obtain and administer drugs and/or renewal of any of the above." 485:10-11-1.(b)(1)(A).

² Unprofessional conduct means "conduct detrimental to the public interest;" "falsifying documents submitted to the Board of Nursing;" "conduct detrimental to the public interest;" and "failure to cooperate with a lawful investigation by Board of Nursing staff." OAC 485:10-11-1(b)(3)(E), (b)(3)(H) and (b)(3)(V).

being duly advised in the premises.” Applicant also failed to disclose the fact that on July 29, 2013, she was charged with felony “driving while under the influence of alcohol with no valid insurance” when responding to a question whether Applicant has ever been charged and/or convicted of any criminal offense.

Additionally, on May 26, 2026, and June 16, 2026, Applicant failed to participate in a telephonic investigative conference with Board staff. Based on Applicant’s failure to cooperate, the Board intends to deny Applicant’s 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.

A handwritten signature in black ink, appearing to read "Cheryl Dixon". The signature is fluid and cursive, with the first name "Cheryl" written in a larger, more prominent script than the last name "Dixon".

CHERYL DIXON
Deputy General Counsel