



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-140A

Eric Ashmore, Executive Director
State Board of Behavioral Health Licensure
3815 N. Santa Fe, Suite 110
Oklahoma City, OK 73118

March 14, 2019

Dear Executive Director Ashmore:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Behavioral Health Licensure intends to take with Licensed Professional Counselor (“LPC”) applicant, D.J. The applicant was found guilty of sexual battery, a felony that the Board has found constitutes a crime of moral turpitude. The Board proposes to deny the application.

The Licensed Professional Counselors Act authorizes the Board to deny any license of any person who engages in “unprofessional conduct as defined by the rules established by the Board[.]” 59 O.S.Supp.2018, § 1912(A)(5). The Board’s rules state that unprofessional conduct includes “[p]lead[ing] guilty to or no contest to or be[ing] convicted of a state or federal statute if the violation directly relates to the duties and responsibilities of the counselor or if the violation involves moral turpitude.” OAC 86:10-3-4(a). The Board may reasonably believe that the proposed action is necessary to uphold the standards of LPCs.

It is, therefore, the official opinion of the Attorney General that the State Board of Behavioral Health Licensure has adequate support for the conclusion that this action advances the State’s policy of protecting public from unprofessional conduct by an applicant.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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