



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-59A

Richard Pierson, Executive Director
Oklahoma Board of Licensed Alcohol
and Drug Counselors
P.O. Box 54388
Oklahoma City, OK 73154

February 22, 2019

Dear Executive Director Pierson:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Board of Licensed Alcohol and Drug Counselors intends to take with respect to licensed alcohol and drug counselor licensee, A.G. The licensee allegedly has used the term “psychology” in a description of services. The Board proposes to issue a Letter of Caution.

The Licensed Alcohol and Drug Counselors Act provides that the Board may “[i]nitiate disciplinary, prosecution and injunctive proceedings against any person . . . who violates any of the provisions of the Licensed Alcohol and Drug Counselors Act, or any rule promulgated or order issued pursuant thereto[.]” 59 O.S.Supp.2018, § 1875(9). Board rules make it professional misconduct for a licensee to “violate a state or federal statute.” OAC 38:10-2-4(a). Oklahoma law provides that “[n]o person shall represent himself or herself as a psychologist or engage in the practice of psychology unless the person is licensed pursuant to the provisions of the [Act].” 59 O.S.Supp.2018, § 1353. A person who “represents himself to be a psychologist or engages in the practice of psychology . . . without being licensed or exempted [from the Act]” is in violation of the Act. *Id.* § 1374. The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Licensed Alcohol and Drug Counselors has adequate support for the conclusion that the proposed action advances the State’s policy to ensure the public is not misled concerning the credentials of those who provide psychological services.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL