



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2020-11A

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

February 27, 2020

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 respect to Licensed Professional Counselor ("LPC") applicant, P.J. The applicant was previously denied a license as an Alcohol and Drug Counselor by the Oklahoma State Board of Licensed Alcohol and Drug Counselors because he misrepresented himself as a Licensed Alcohol and Drug Counselor while still a candidate for that license and falsely claimed to have performed psychotherapy counseling services when billing clients' insurance providers. The Board proposes to deny the application for lack of fitness.

The Licensed Professional Counselors Act authorizes the Board to deny a license of any person who has "[e]ngaged in fraud or deceit in connection with services rendered or in establishing needed qualifications pursuant to the provisions of this act [.]" 59 O.S.Supp.2019, § 1912(A)(2). 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 the public from an applicant that has not passed required tests.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Ethan Shaner in black ink.

ETHAN SHANER
DEPUTY GENERAL COUNSEL