



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-872A

Teanne Rose, Executive Officer
State Board of Examiners of Psychologists
421 NW 13th Street, Ste. 180
Oklahoma City, Oklahoma 73103

December 14, 2017

Dear Executive Officer Rose:

This office has received your request for a written Attorney General Opinion regarding action that the Board of Examiners of Psychologists intends to take regarding case number UC 17-4, which involves an unlicensed individual representing himself as being able to practice psychology in Oklahoma. While the individual is a Licensed Professional Counselor, he is not licensed to practice psychology pursuant to the Psychologists Licensing Act. The Board proposes to issue a letter of concern regarding the individual's use of the protected term "psychological" in his evaluations.

The Psychologists Licensing Act 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.2017, § 1353. The Act does not apply to "[q]ualified members of other professions, including . . . licensed professional counselors . . . doing work of a psychological nature consistent with their training and consistent with the code of ethics of their respective professions provided they do not hold themselves out to the public by any title or description incorporating the word psychological, psychologist, or psychology." *Id.* § 1353(2). However, 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 State Board of Examiners of Psychologists 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.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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