



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-75A

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

February 28, 2018

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 complaint number 17-LPC-29. The licensee was charged with DUI and possession of CDS in February 2017. The Board proposes to suspend the license for six months, assess a fine of \$500, require licensee to complete an ethics course, and after the suspension is lifted, require licensee to be supervised for an additional six months.

The Licensed Professional Counselors Act authorizes the Board to “deny, revoke, suspend or place on probation” any license of a person who engages in “unprofessional conduct as defined by the rules established by the Board[.]” 59 O.S.Supp.2017, § 1912(A)(5). Under the Board’s rules, it is considered unprofessional conduct to “plead guilty to or no contest to or be 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 deter future violations.

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 a licensee.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL