



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-523A

Richard Pierson, Executive Director
Oklahoma Board of Licensed Alcohol and Drug Counselors
101 N.E. 51st Street
Oklahoma City, Oklahoma 73105

August 17, 2016

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 the application of Tasha Sherman-Harris. The proposed action is to deny the application for licensure for failure to pass the examination after 14 attempts.

The Licensed Alcohol and Drug Counselors Act, 59 O.S.2011 & Supp.2015, §§ 1870–1885, authorizes the Board to deny or approve applications for licenses, 59 O.S.2011, § 1875(5), (6)(a). An application for licensure can only be approved upon passage of an examination. 59 O.S.2011 & Supp.2015, §§ 1876(C)(2), 1877(A)(1). The action seeks to ensure that those providing alcohol and drug counseling services have qualifications shown by passage of an examination. The Board may reasonably believe that denying the application of someone who has failed the examination 14 times will advance that policy.

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 this action advances the State of Oklahoma's policy that Oklahomans receive drug and alcohol treatment from competent, qualified providers.

A handwritten signature in black ink that reads "Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA