



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-521A

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 Dawn Lewis. The proposed action is to void the application for failure to register for the examination within one year of notice of eligibility.

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). Prior to September 21, 2014, the Board's administrative rules required that a person must register for the exam within one year of receiving written notice of eligibility. OAC 38:10-7-7(d)(3)(repealed at 31 Ok Reg 761, eff. 9-21-14). These rules continue to apply to applicants who submitted applications before September 21, 2014. 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 voiding the application of an applicant who failed to register for the examination within a reasonable time may 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 alcohol and drug abuse treatment from competent, qualified providers.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA