



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-454A

James Marks, Executive Director
State Board of Licensed Social Workers
3700 N. Classen Blvd., Suite 162
Oklahoma City, Oklahoma 73118

August 1, 2016

Dear Executive Director Marks:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Licensed Social Workers intends to take pursuant to a consent agreement with respect to Board complaint 2015-21. The proposed action is to reprimand the licensee, require training as to the legal requirements of reporting child abuse, and require the licensee to provide a written report on the corrective actions. The licensee failed to alert proper authorities after receiving a report of child abuse. The licensee pled no contest to subsequent criminal charges based on failing to report the abuse.

The Social Worker's Licensing Act, 59 O.S.2011 & Supp.2015, §§ 1250-1273, authorizes the Board to discipline licensees who violate state laws which pertain to the practice of social work, 59 O.S.Supp.2015, § 1266.1(A)(7). The Board may resolve a complaint against a social worker by entering a consent decree which is agreed to by the Board and the licensee. OAC 675:3-1-3(d)(6)(D). Pursuant to the Oklahoma Children's Code, 10A O.S.2011 & Supp.2015, §§ 1-1-101-1-10-103, an individual may be charged criminally for failing to promptly report suspected child abuse, 10A O.S.Supp.2015, § 1-2-101(C). The action seeks to protect vulnerable and imperiled children by ensuring that social workers do not disregard reports of child abuse, but instead promptly report the abuse. The Board may reasonably believe that its corrective steps will ensure the licensee reports suspected child abuse in the future.

It is, therefore, the official opinion of the Attorney General that the State Board of Licensed Social Workers has adequate support for the conclusion that this action advances the State of Oklahoma's policy that social workers report suspected child abuse.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA