



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-189A

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

December 9, 2015

Dear Executive Director Ashmore:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Behavioral Health Licensure intends to take. The proposed action is to deny an application for licensure by endorsement by applicant John Koppenhaver, IV. The applicant is licensed as a Licensed Clinical Psychotherapist in Kansas, not as a Licensed Professional Counselor or Licensed Clinical Professional Counselor—the potential Kansas equivalents of an Oklahoma Licensed Professional Counselor.

The Licensed Professional Counselors Act, 59 O.S.2011 & Supp.2015, §§ 1901–1920, provides that individuals may apply for licensure by endorsement so long as they are “licensed in another state to practice as a licensed professional counselor” and the applicant has “qualifications comparable to those required under the Licensed Professional Counselors Act,” 59 O.S.Supp.2015, § 1909. Under Kansas law, a licensed clinical psychotherapist diagnoses mental disorders pursuant to the Diagnostic and Statistical Manual. KAN. STAT. ANN. § 74-5361(d). Licensed professional counseling in Oklahoma covers a broader array of topics, including the “facilitat[ion] [of] human development and adjustment throughout the life span,” “prevent[ing], diagnos[ing] or treat[ing] mental, emotional or behavioral disorders,” and more. 59 O.S.Supp2015, § 1902(3). The Board may reasonably believe that the applicant’s Kansas license is not the equivalent of the Oklahoma Licensed Professional Counselor license.

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 of Oklahoma’s policy to protect the public health, safety, and welfare.

A handwritten signature in black ink, appearing to read "Scott Pruitt", is written over a faint, larger version of the signature.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA