



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-520A

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 Jeffrey Beed. The proposed action is to deny the application for co-occurring disorders certification (LADC/MH) for failure to meet the minimum education requirement. Specifically, the applicant's Master's degree in behavioral science lacks a clinical application.

The Licensed Alcohol and Drug Counselors Act, 59 O.S.2011 & Supp.2015, §§ 1870–1885, requires that applicants for certification for co-occurring disorders “[m]eet the requirements promulgated by the Board to establish the applicant’s competency,” 59 O.S.Supp.2015, § 1876(J)(3). To be eligible for approval of co-occurring disorders certification (LADC/MH), the Board’s rules require an applicant “[h]ave a minimum education of a Master's degree in co-occurring disorders or behavioral science field *with a clinical application.*” OAC 38:10-7-10(c)(1) (emphasis added). The rule reflects the Board’s determination that a clinical component develops necessary knowledge as part of a behavioral science program. The action enforces that policy by holding the application for certification incomplete. The Board may reasonably believe that denying the application is necessary since the applicant has not met the educational requirements for certification.

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 licensed alcohol and drug counselors meet minimum educational requirements.

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

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA