



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-22A

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

January 7, 2016

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 declare a degree program not content equivalent for qualifying for licensure as a Licensed Professional Counselor. The degree being declared not content equivalent for Licensed Professional Counselor licensure is East Central University's Master's Degree of Education in Special Education.

The Licensed Professional Counselors Act, 59 O.S.2011 & Supp.2015, §§ 1901–1920, requires that an applicant have a “at least sixty (60) graduate semester hours . . . of counseling-related course work. These sixty (60) hours shall include at least a master’s degree in a counseling field.” 59 O.S.Supp.2015, §1906(C)(1). The Board’s rules require, among other things, that such a degree “follow a planned, sequenced mental health program of study” and “include a program whose primary focus is clearly to prepare the applicant for a career in counseling.” OAC 86:10-9-1(1)–(2). The Board may believe that, based on the purpose of the above-mentioned degree and the coursework required to obtain it, it does not qualify applicants for licensure as counselors.

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 that reads "E. Scott Pruitt".

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA