



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2016-319A

Richard Pierson, Executive Director
Oklahoma Board of Licensed Alcohol
and Drug Counselors
101 NE 51st Street
Oklahoma City, Oklahoma 73105

May 31, 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 for licensure of Deborah Payton. The proposed action is to deny the application. The licensee has about 30 graduate credit hours related to counseling, which falls below the statutory requirements for licensure.

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 if the applicant has specific qualifications, including “at least a master’s degree in alcohol and substance abuse counseling or other clinical counseling field.” 59 O.S.Supp.2015, § 1876(D)(1). A qualifying master’s degree must include several pieces of coursework, including courses in alcohol and drug addiction, human development, treatment of behavioral health problems, family systems theory, and more; the total number of required hours amounts to 45 graduate credit hours. *See id.* The Legislature connected licensure in this context to educational requirements because a licensee may engage in the “assessment, diagnosis, and treatment of mental health disorders.” *Id.* § 1876(E). This action seeks to enforce the Legislature’s straightforward statutory requirements—the Board may reasonably believe that the applicant lacks a qualifying degree.

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 to ensure Oklahomans receive alcohol and drug abuse treatment from providers who can meet minimum standards of competence.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA