



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-116A

Teanne Rose, Executive Officer
State Board of Examiners of Psychologists
421 NW 13th Street, Ste. 180
Oklahoma City, Oklahoma 73103

April 30, 2018

Dear Executive Officer Rose:

This office has received your request for a written Attorney General Opinion regarding action that the Board of Examiners of Psychologists intends to take regarding case number UC 18-1, which involves an unlicensed individual representing himself as being able to practice psychology in Oklahoma. While the individual is a "certified school psychologist," he is not licensed to practice psychology pursuant to the Psychologists Licensing Act. The Board proposes to issue a cease and desist letter regarding the individual's use of the protected term "psychologist."

The Psychologists Licensing Act provides that "[n]o person shall represent himself or herself as a psychologist or engage in the practice of psychology unless the person is licensed pursuant to the provisions of the [Act]." 59 O.S.Supp.2017, § 1353. The Act does not apply to "[i]ndividuals who have been certified as school psychologists by the State Department of Education. They shall be permitted to use the term "certified school psychologist". Such persons shall be restricted in their practice to employment within those settings under the purview of the State Board of Education." *Id.* § 1353(7). However, the individual in this case has used the protected term "school psychologist," though he is only permitted to use the term "certified school psychologist." The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Examiners of Psychologists has adequate support for the conclusion that the proposed action advances the State's policy to ensure the public is not misled concerning the credentials of those who provide psychological services.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL