



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-143A

James Marks, Executive Director
Board of Licensed Social Workers
3700 N. Classen Blvd., Suite 162
Oklahoma City, Oklahoma 73118

May 2, 2018

Dear Executive Director Marks:

This office has received your request for a written Attorney General Opinion regarding action that the Board of Licensed Social Workers (“Board”) intends to take pursuant to consent decree with respect to Complaint 2016-07. A citizen complaint was filed with the Oklahoma Attorney General (“OAG”) alleging that the licensee billed for treatment sessions that were not rendered. As a result, the licensee entered an agreement of deferred prosecution with the OAG. The Board proposes to place the license on probation until December 31, 2019, require the licensee to pay a fine of \$500 and investigative costs of \$1,006, and if the OAG agreement of deferred prosecution is terminated, temporarily suspend the license pending a hearing with the Board.

The Social Worker’s Licensing Act provides that “the [Board is] responsible for the control and regulation of the practice of social work in this state” including licensing and “[t]he establishment and enforcement of compliance with professional standards of practice and rules of conduct of social workers [.]” 59 O.S.2011, § 1256.1(A)(1)-(3). The Board may discipline licensees who engage in “[u]nprofessional conduct as determined by the Board.” 59 O.S.Supp.2017, § 1266.1(A)(1). The Board’s Code of Professional Conduct provides that “[a] social worker . . . shall not represent that he/she performed services which the social worker did not perform.” OAC 675:20-1-4(g). The Board may reasonably believe that its proposed action is necessary to uphold the professional standards of clinical social workers.

It is, therefore, the official opinion of the Attorney General that the Board of Licensed Social Workers has adequate support for the conclusion that this action advances the State’s policy to safeguard the welfare of the people of the State of Oklahoma.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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