



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-157A

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

May 9, 2018

Dear Executive Director Ashmore:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Behavioral Health Licensure intends to take with Licensed Professional Counselor ("LPC") applicant, D.J. The applicant was charged with a felony. Due to the serious nature of the charge, the Board proposes to delay granting the applicant's LPC license pending the hearing on the felony charge.

The Licensed Professional Counselors Act authorizes the Board to deny any license of a person who has "[b]een convicted of a felony crime that substantially relates to the practice of counseling or poses a reasonable threat to public safety." 59 O.S.Supp.2017, § 1912(A)(1). Additionally, Board rules allow for a delay in licensure of an applicant for violating the LPC Rules of Professional Conduct. OAC 86:10-5-2(3). The Board may reasonably believe that the proposed action is necessary to uphold the standards of LPCs.

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's policy of protecting the public from unprofessional conduct by an applicant.

A handwritten signature in black ink, appearing to read "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Amanda Otis".

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL