



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-159A

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 respect to complaint number 17-LPC-115. The licensee was allegedly negligent in attempting to restrain a student in a therapeutic setting. The Board proposes to require the licensee to complete one course in client restraint and impose a fine of \$725.

The Licensed Professional Counselors Act and Board rules authorize the Board to assess an administrative penalty on any LPC who engages in negligence or wrongful actions in the performance of their duties. 59 O.S.Supp.2017, § 1913.1(B)(1); OAC 86:10-29-14. 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 Behavioral Health Licensure has adequate support for the conclusion that this action advances the State's policy of protecting public from unprofessional conduct by a licensee.

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