



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2018-160A

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

May 11, 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 Licensed Professional Counselor ("LPC") applicant, C.E. The applicant has submitted seven previous applications for licensure, which were all denied. The applicant failed to provide a passing score on the required exam eleven times and was previously disciplined by the Board for engaging in private practice in violation of the Board's rules. The applicant has now submitted an eighth application. The Board proposes to deny the application for lack of fitness.

The Licensed Professional Counselors Act requires all applicants to "comply with the rules promulgated by the Board[.]" 59 O.S.Supp.2017, § 1906(B)(5). Board rules state that the Board may deny an application when the applicant has exhibited a "[l]ack of necessary skills and abilities to provide adequate services." OAC 86:10-5-2(1). 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 public from the unfitness of 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