



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-232A

Richard Pierson, Executive Director
Oklahoma Board of Licensed Alcohol
and Drug Counselors
P.O. Box 54388
Oklahoma City, OK 73154

June 26, 2018

Dear Executive Director Pierson:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Board of Licensed Alcohol and Drug Counselors intends to take with regard to licensee #829. The Board investigated a complaint alleging that the licensee billed for alcohol and drug counseling services while working for an agency not certified to provide substance abuse services and that none of the of the claims indicated that the client had a substance use disorder diagnosis. The Board determined that formal disciplinary action is not merited, but proposes to issue a Letter of Caution regarding licensee's scope of practice.

The Licensed Alcohol and Drug Counselors Act provides that the Board may “[i]nvestigate alleged violations of the...Act[.]” 59 O.S.Supp.2017, § 1875(10). The scope of practice of a Licensed Drug and Alcohol Counselor (LADC) may not include the treatment of mental health disorders unrelated to a substance use or substance abuse disorder unless the LADC has been approved by the Board as meeting the qualification for the “MH” designation. *See id.* §§ 1876(E)-(F), 1871(7). The Board may reasonably believe that the issuance of a Letter of Caution is necessary to ensure that in the future the licensee does not provide services beyond the authorized scope of practice.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Board of Licensed Alcohol and Drug Counselors has adequate support for the conclusion that this action advances the State of Oklahoma's policy to ensure Oklahomans receive drug and alcohol treatment from competent, qualified providers.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

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