



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-303A

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

August 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 intends to take pursuant to consent decree with respect to Complaint 2018-07. The licensee failed to meet continuing education ("CE") requirements and misrepresented in a 2018 renewal application the nature of the CE courses that were attended. The licensee also was sanctioned by another State's licensing board for similar conduct. The Board proposes to require the licensee to complete the required CE hours for 2018, to audit the licensee's CE hours for 2019 and 2020, and to impose a \$900 fine.

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. 59 O.S.2011, § 1256.1(A). The Act imposes annual CE requirements on licensees. *Id.* § 1261.1a(B). "No person may engage in . . . social work unless that person . . . continues to meet [the] continuing education requirements set by the Board." *Id.* § 1261.1(D)(2). The Board is authorized to discipline licensees that "misrepresent[] . . . a material fact . . . in securing or attempting to secure the issuance or renewal of a license, . . . use[] any false, fraudulent, or deceptive statement connected with the practice of social work," or are the "subject of [a] . . . disciplinary sanction . . . related to a . . . license issued . . . in another jurisdiction." *Id.* § 1266.1(A)(3), (8), (14); *see also id.* § 1270(B)(5). The Board may reasonably believe the 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.

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 "Ryan Chaffin".

RYAN CHAFFIN
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL