



OFFICE OF THE ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2021-32A

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

June 21, 2021

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 (“Board”) intends to take with respect to Licensed Professional Counselor (“LPC”) applicant, J.H. The Applicant has reapplied for his LPC license, after engaging in a dual relationship with a client and voluntarily surrendering his license in March 2019. The Board proposes to deny the application for lack of fitness.

The Licensed Professional Counselors Act authorizes the Board to deny any license of a person who engages in “unprofessional conduct as defined by the rules established by the Board[.]” 59 O.S.Supp.2020, § 1912(A)(4). The Board defines its professional standards and prohibits sexual conduct with clients. OAC 86:10-3-4(c)(1). 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 "Dawn Elizabeth Cash".

DAWN ELIZABETH CASH
ACTING ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Ethan Shaner".

ETHAN SHANER
DEPUTY GENERAL COUNSEL