



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-815A

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

December 1, 2017

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 Licensed Professional Counselor (“LPC”) applicant, C.E. The applicant was discovered to be the sole owner of a counseling agency at which the applicant employed the applicant’s own LPC supervisor. The proposed action is to deny the application of the LPC candidate for violating the rules of professional conduct.

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.2017, § 1912(A)(5). Under the Board’s rules of professional conduct, “[n]o person may...open a facility with the intent of providing private or independent counseling practice unless that person: (1) is licensed under this Act as a Licensed Professional Counselor.” OAC 86:10-3-3(g). 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 an applicant.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

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