



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-816A

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, K.M. The applicant was discovered to have inaccurately reported hours of direct client contact. The Board proposes to deny the application 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, "LPCs shall not participate in, condone, or be associated with dishonesty, fraud, deceit or misrepresentation." OAC 86:10-3-1. The rules further state that an applicant "shall not knowingly make a false statement of material fact." OAC 86:10-3-4(e)(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 the public from unprofessional conduct by an applicant.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Amanda Otis".

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL