



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2016-747A

Richard Pierson, Executive Director  
Oklahoma Board of Licensed Alcohol and Drug Counselors  
101 N.E. 51st Street  
Oklahoma City, Oklahoma 73105

December 19, 2016

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 respect to complaint 493-0816. The proposed action is to deny the application for licensure for failure to follow supervision guidelines. The applicant admitted to ignoring the Executive Director's instruction on supervision and recertification; keeping poor records, including missing signatures, inverted identification numbers, and poor notes; and failing to notify the Board that supervision hours had not been received. The applicant also failed to submit supervision logs to the Board.

The Licensed Alcohol and Drug Counselors Act, 59 O.S.2011 & Supp.2016, §§ 1870–1885, authorizes the Board to deny or approve applications for licenses, 59 O.S.2011, § 1875(5), (6)(a). An application for licensure can only be approved upon successful completion of at least one year of full-time supervised work experience. 59 O.S.Supp.2016, § 1876, OAC 38:10-7-2(3)(B). The Board's rules provide specific guidelines for the manner in which supervision is to be obtained, OAC 38:10-9-5. The Board's rules also require the applicant to submit to the Board supervision logs every three months. OAC 38:10-9-2. The action seeks to ensure that those providing alcohol and drug counseling services have qualifications shown by successful work experience. The Board may reasonably believe that denying the application of someone who has failed to comply with the Board's clearly stated licensing requirements will advance that policy.

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 that Oklahomans receive drug and alcohol treatment from competent, qualified providers.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt".

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA