



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-8A

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

September 16, 2015

Dear Executive Director Ashmore:

This office has received your request for a written Attorney General Opinion regarding agency actions that the State Board of Behavioral Health Licensure intends to take. The proposed actions are to deem non-qualifying the applications for licensure as Licensed Professional Counselors (LPCs) and Licensed Marital and Family Therapists (LMFTs) of some twenty-eight applicants because their academic transcripts do not include all of the coursework required in the administrative rules of the State Board of Behavioral Health Licensure. The applicants, the licenses they seek, and the deficiencies in their coursework are attached as Appendix A.

Both the Licensed Professional Counselors Act, 59 O.S.2011 & Supp.2014, §§ 1901–1920, and the Marital and Family Therapist Licensure Act, 59 O.S.2011 & Supp.2014, §§ 1925.1–1925.18, impose educational requirements on applicants for licensure. The Licensed Professional Counselors Act requires, among other things, that an applicant have at least sixty semester hours of counseling-related course work, including at least a master's degree in a counseling field. 59 O.S.Supp.2014, § 1906(C)(1). The Board has the power under the statute to “define what course work qualifies as ‘counseling-related’” as well as what qualifies as a “‘counseling field.’” *Id.* The Board's implementing rules for Section 1906 make those determinate, OAC 86:11-9-1, and lay out several knowledge areas necessary for a qualifying degree, OAC 86:11-9-2. Those areas include at least one course in human growth and development; one course in abnormal human behavior; two courses in appraisal and assessment techniques; at least two courses in counseling theories and methods; a professional orientation or ethics course; a course in research; a practicum or internship with at least 300 clock hours; and at least five courses from a substantial list of relevant knowledge areas. OAC 86:11-9-2(a). An additional requirement is that any remaining coursework needed to arrive at sixty semester hours must also come from any knowledge area listed above. OAC 86:11-9-2(b).

Likewise, the Marital and Family Therapist Licensure Act requires that applicants have a “master's degree or a doctoral degree in marital and family therapy, or a content-equivalent degree as defined by the Board.” 59 O.S.Supp.2014, § 1925.6(C)(1). The Board's implementing rules for content-equivalent degrees require three courses in theoretical foundations of marital

and family systems; three courses in assessment and treatment in marital and family therapy; three courses in human development; a course in ethics and professional studies; a course on research; and a practicum or internship with at least 300 clock hours. OAC 86:16-7-5.

Each of these statutes reveals the Legislature's policy that these particular professions—LPCs and LMFTs—be educationally qualified before they practice. The action seeks to enforce that policy by holding as incomplete the applications of those individuals who have not completed all education requirements and offering them the opportunity to complete the additional requirements to obtain licensure.

It is, therefore, the official opinion of the Attorney General that the Board of Behavioral Health Licensure has adequate support for the conclusion that this action advances the State of Oklahoma's policy to ensure Licensed Professional Counselors and Licensed Marital and Family Therapists obtain educational qualifications before practicing their professions.

A handwritten signature in black ink, appearing to read "Scott Pruitt", with a long horizontal flourish extending to the right.

E. SCOTT PRUITT

ATTORNEY GENERAL OF OKLAHOMA

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APPENDIX A**

1.	Amy Register	LPC	One course in abnormal human behavior;  One additional course in any knowledge area listed in OAC 86:10-9-2(a)
2.	Andrea Brown	LMFT	Two courses in human development
3.	Angela Bond	LPC	One additional course in appraisal and assessment techniques
4.	Angela Gilmore	LMFT	One course in human development
5.	Angela Williams-Smith	LPC	One course in abnormal human behavior
6.	Bethany Ford	LPC	One additional course in counseling theories and methods
7.	Brennan Hunter	LMFT	One additional course in assessment and treatment in marital and family therapy;  Three courses in human development;  One course that is a practicum or internship
8.	Cassie Latimer	LPC	One course in abnormal human behavior;  One course in professional orientation or ethics
9.	Catherine Rose	LPC	One additional course in appraisal and assessment techniques
10.	Christopher Bentley	LPC	One additional course in appraisal and assessment techniques

11.	Claudia Mays	LPC	One additional course in appraisal and assessment techniques
12.	Deborah Chesser	LPC	One course in abnormal human behavior
13.	Dustie Nelson	LPC	One additional course in any knowledge area listed in OAC 86:10-9-2(a)
14.	Elizabeth Young	LPC	One course in human growth and development;  One course in abnormal human behavior;  One additional course in appraisal and assessment techniques;  One additional course in counseling theories and methods;  One course in professional orientation or ethics
15.	Elizabeth Zanetti	LPC	One additional course in appraisal or assessment techniques
16.	Gina Rappa-Serrao	LPC	One course in abnormal human behavior;  One additional course in appraisal and assessment techniques
17.	Juliann Gillette	LPC	Two additional courses in any knowledge areas listed in OAC 86:10-9-2(a)
18.	Kellie Schultz	LPC	One course in abnormal human behavior;  One additional course in appraisal and assessment techniques;  Two additional courses in any knowledge areas listed in OAC 86:10-9-2(a)

19.	Kenyotta Eugene Cross	LPC	One additional course in appraisal and assessment techniques;  One course in professional orientation or ethics;  Two additional courses in any knowledge areas listed in OAC 86:10-9-2(a)
20.	Linda Shepherd	LPC	One course in abnormal human behavior
21.	Lori Metcalf	LPC	One course in abnormal human behavior;  One course in professional orientation or ethics
22.	Maria Cicio	LPC	One course in abnormal human behavior
23.	Martin Stampley, Jr.	LPC	One additional course in appraisal and assessment techniques;  One additional course in any knowledge area listed in OAC 86:10-9-2(a)
24.	Mary Densman	LPC	One additional course in any knowledge area listed in OAC 86:10-9-2(a)
25.	Nicole Lawson	LMFT	Two courses in theoretical foundations of marital and family systems
26.	Ronald Wood	LPC	One additional course in any knowledge area listed in OAC 86:10-9-2(a)
27.	Shyreeta Hearne	LPC	One additional course in any knowledge area listed in OAC 86:10-9-2(a)

28. Rebecca Mary

LMFT Two additional courses in theoretical foundations of marital and family systems;

Two additional courses in assessment and treatment in marital and family therapy;

Two additional courses in human development;

One course in ethics and professional studies;

One course that is a practicum or internship