



OFFICE OF THE ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2024-26A

Oklahoma State Board of Cosmetology and Barbering  
2401 N.W. 23 St., Suite 84  
Oklahoma City, Oklahoma 73107

May 15, 2024

Re: Reynolds, Case No. 2024-001

To Whom It May Concern:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma State Board of Cosmetology and Barbering intends to take in case 2024-001.

The Massage Therapy Practice Act authorizes the Board to take disciplinary action in cases where the licensee has committed “an act of unprofessional conduct”<sup>1</sup> or violates a rule or law. 59 O.S.2021, § 4200.11(B)(2). Board rules state that a licensee shall be “fully-clothed and professional in dress and appearance”; shall not “engage in an activity . . . that conflicts with the licensee’s obligation to act in the best interest of the client”; and shall not “exploit a relationship with a client for the licensee’s personal advantage, including . . . [a] sexual . . . relationship.” OAC § 175:20-9-1(b-d).

According to a Board complaint, Respondent established a therapist-client relationship with ZD, performed a massage on ZD in his place of business, and then removed all his clothes and had sexual relations with ZD in July 2023. During a Board hearing, Respondent admitted to removing his clothes and having sexual relations with ZD in his place of business but maintains ZD was a sexual partner instead of a client. At the conclusion of the hearing, the Board issued an Emergency Order of Suspension, pending a final order of revocation. The Board denied Respondent’s Motion for Rehearing, Reopening or Reconsideration. Finding clear and convincing evidence of grounds for discipline under 59 O.S.2021, § 4200.11(B)(2) and OAC § 175:20-9-1(b-d), the Board proposes to revoke Respondent’s license and order Respondent pay \$914.50 in costs. The Board may reasonably believe the proposed action is necessary to presently protect the public and deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma State Board of Cosmetology and Barbering has adequate support for the conclusion that this action advances the State’s policy to protect public health, safety, and welfare by ensuring massage therapists meet minimum standards of professional conduct and do not cause harm to their clients.



ROB JOHNSON  
GENERAL COUNSEL

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<sup>1</sup>According to Board rule, violation of any provision of the Massage Therapy Practice Act constitutes unprofessional conduct. OAC 175:20-9-1(r).