Dear Ms. Gabel:

As Executive Director for the behavioral sciences regulatory board, you have requested our opinion regarding the Kansas registration of masters level psychologists act. Specifically, you ask whether the "grandfather clause" of K.S.A. 1989 Supp. 74-5363(c) applies to persons who apply for registration after October 1, 1988.
The qualifications for registration as a registered masters level psychologist (RMLP) appear at K.S.A. 1989 Supp. 74-5363. Subsection (c) states:

"Until October 1, 1988, the board shall waive the educational or degree and supervision requirements, or all such requirements, under subsection (b) so long as the person applying for registration as a registered masters level psychologist has a graduate degree and [meets the requirements of paragraph (1) or (2)]."

The legislative intent is evident from the statutory language. There is no indication that a perpetual exemption from the police power regulation was contemplated. Rather, a waiver of some qualifications was granted if, prior to or on October 1, 1988, an application for registration was made. After October 1, 1988, the waiver is not directed by the statute.

In conclusion, it is our opinion that an applicant for registration as a masters level psychologist who submits an application after October 1, 1988 is not statutorily entitled to a waiver of certain educational requirements.

Very truly yours,

Robert T. Stephan
ROBERT T. STEPHAN
ATTORNEY GENERAL OF KANSAS

Mark W. Stafford
Assistant Attorney General

RTS:JLM:MWS:bas