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ATTORNEY GENERAL OPINION NO. 90- 104

Mary Ann Gabel  
Executive Director  
Behavioral Sciences Regulatory Board  
Landon State Office Bldg., 855-S  
Topeka, Kansas 66612

Re: State Boards, Commissions and Authorities --  
Regulation of Psychologists -- Registration of  
Masters Level Psychologists; Qualifications for  
Registration

Synopsis: To be registered as a master's level psychologist,  
an applicant must first obtain a master's degree in  
psychology as specified by statute. A person  
engaged in a doctoral psychology program which does  
not also confer a master's degree, and who  
completes all course requirements except the  
dissertation, may not be registered as a master's  
level psychologist unless the applicant has met the  
educational requirements through a separate  
master's program. Cited herein: K.S.A. 1989  
Supp. 74-5363, as amended by L. 1990, ch. 286,  
§ 6.

\* \* \*

Dear Ms. Gabel:

On behalf of the behavioral sciences regulatory board, you  
have requested our opinion concerning educational requirements  
for registration as a master's level psychologist (RMLP).  
Specifically, you ask whether a person engaged in a doctoral  
psychology program which does not confer a master's degree,

and who completes all course requirements but not the dissertation may be registered under the RMLP act.

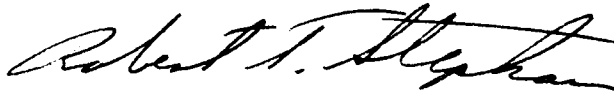
Persons desiring registration under the RMLP act must meet the requirements of K.S.A. 1989 Supp. 74-5363, as amended by L. 1990, ch. 286, § 6. Subsection (b)(2) was not amended by the 1990 law, and states that the applicant must have

"received at least a master's degree in clinical psychology . . . or . . . a master's degree in psychology and during such graduate program completed a minimum of 12 semester hours or its equivalent in psychological foundation courses . . . and 24 semester hours or its equivalent in professional care courses. . . ." K.S.A. 1989 Supp. 74-5363(b)(2), as amended by L. 1990, ch. 286, § 6.

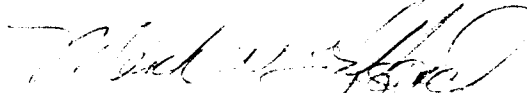
Based upon the grammatical construction of the statute, the phrase "or its equivalent" refers the number of hours of course work and not to the academic degree conferred or the type of courses required. C.f., Fox v. Board of Regents of State of N.Y., 527 N.Y.S.2d 652, 653 (A.D. 3 Dept. 1988). Thus, a master's degree must have been conferred on the applicant prior to registration as an RMLP.

In conclusion, it is our opinion that a person engaged in a doctoral psychology program which does not also confer a master's degree, and who completes all course requirements except the dissertation, may not be registered as a master's level psychologist unless the applicant has met the educational requirements through a separate master's program.

Very truly yours,



ROBERT T. STEPHAN  
ATTORNEY GENERAL OF KANSAS



Mark W. Stafford  
Assistant Attorney General