



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612-1597

ROBERT T. STEPHAN
ATTORNEY GENERAL

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MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751
TELECOPIER: 296-6296

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.

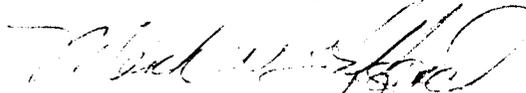
Based upon the grammatical construction of the statute, the phrase "or its equivalent" refers the number of hours of course work and not to the academic degree conferred or the type of courses required. C.f., Fox v. Board of Regents of State of N.Y., 527 N.Y.S.2d 652, 653 (A.D. 3 Dept. 1988). Thus, a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