



**THE ATTORNEY GENERAL
OF TEXAS**

**CRAWFORD C. MARTIN
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AUSTIN, TEXAS 78711

February 4, 1971

Dr. Carl F. Hereford, Chairman
Texas State Board of Examiners
of Psychologists
P. O. Box 5429
Austin, Texas 78703

Opinion No. M- 785

Re: Questions relating to
qualifications for cer-
tification as a psycholo-
gist under Article 4512c,
Section 15, Vernon's Civil
Statutes (the Psychologists'
Certification and Licensing
Act.)

Dear Dr. Hereford:

In your letter requesting an opinion from this office, you ask whether the Texas State Board of Examiners of Psychologists is authorized by the provisions of Section 15(b)(2) of Article 4512c, Vernon's Civil Statutes, to certify as a psychologist an applicant who filed his application prior to December 31, 1970, and is otherwise qualified under the provisions of Section 15(b) and who possesses a Masters degree from an accredited institution based on a program which is not primarily psychological but who has passed additional courses in psychology at an accredited institution, and in addition thereto has had eight years of professional psychological experience.

The provisions of Article 4512c, Vernon's Civil Statutes, (the Psychologists' Certification and Licensing Act) most pertinent to our discussion are quoted as follows:

"Sec. 15(b) Until December 31, 1970, a person who is at least twenty-one years of age, a resident of this state, of good moral character, and is a citizen of the United States or has legally declared his intention of becoming a citizen may, upon application and payment of the certification fee, be certified without examination by the Board as a psychologist if

"(1) he has a doctor's degree from an accredited institution based upon a program which is primarily psychological or the substantial equivalent thereof in both subject and extent of training, and, in addition, has

had three years of professional experience satisfactory to the Board, or

"(2) has a master's degree from an accredited institution based upon a program which is primarily psychological and, in addition, has had eight years of professional psychological experience.

". . ." (Emphasis supplied.)

It is our opinion that the language of the above quoted statutory provisions is clear and unambiguous. Where wording of a statute is unambiguous, it is applied and enforced as it reads, regardless of its policy or purpose or the justice of its effect. Franklin v. Pietzsch, 334 S.W.2d 214 (Tex.Civ.App. 1930, error ref. n.r.e.). Under the authority of Section 15(b), an applicant for certification as a psychologist may be certified by the Board without an examination under the provisions of either Section 15(b)(1) or Section 15(b)(2). In this regard it is noted that the primary distinction between the provisions of Sections 15(b)(1) and 15(b)(2) in degree program requirements is that under Section 15(b)(1) an applicant may possess a doctor's degree which is the substantial equivalent in both subject and extent of training to a doctor's degree which is primarily psychological, while an applicant filing his application prior to December 31, 1970, and seeking to be certified under the provisions of Section 15(b)(2) must possess a master's degree which is primarily psychological.

Consequently, on the basis of the foregoing discussion, you are advised that the Board of Examiners of Psychologists is not authorized under the provisions of Section 15(b)(2) to certify persons who filed their applications prior to December 31, 1970, for certification as psychologists who do not possess a master's degree from an accredited institution which is primarily psychological, notwithstanding the number of educational courses successfully completed by those persons which are psychological in nature.

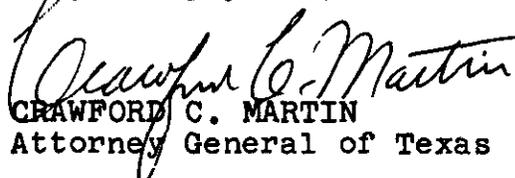
S U M M A R Y

The Texas State Board of Examiners of Psychologists is not authorized under the provisions of Section 15(b)(2) to certify persons who filed their applications prior to December 31, 1970, for certification as psychologists who do not possess a master's degree from an accredited institution which is primarily psychological, notwithstanding

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the number of educational courses successfully completed which are psychological in nature.

Very truly yours,


CRAWFORD C. MARTIN
Attorney General of Texas

Prepared by Ivan R. Williams, Jr.
Assistant Attorney General

APPROVED:
OPINION COMMITTEE

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