

OFFICE OF THE ATTORNEY GENERAL

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CHARLES A. GRADDICK
ATTORNEY GENERAL
STATE OF ALABAMA
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ADMINISTRATIVE BUILDING
64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 834-5150

JAMES R. SOLOMON, JR.
DEPUTY ATTORNEY GENERAL
WILLIAM M. BEKURS, JR.
EXECUTIVE ASSISTANT
WALTER S. TURNER
CHIEF ASSISTANT ATTORNEY GENERAL
JANIE NOBLES
ADMINISTRATIVE ASSISTANT

Crystal K. Kelley, Ph.D.
Chairperson
Alabama Board of Examiners
In Psychology
P.O. Box 4389
Montgomery, Alabama 36101

Board of Examiners in
Psychology - Licenses and
Permits - Psychology

The "substantial equivalency"
standard does not apply to
applicants who had applied for
licensure but who had not been
approved at the effective date
of Code of Alabama 1975,
§34-26-41, as amended.

Dear Dr. Kelley:

The Office of the Attorney General has received your
opinion request concerning the amendment to Code of
Alabama 1975, §34-26-41. Section 34-26-41, which deals
with the qualifications of applicants, was amended as
follows:

. . . .(3) He has received a
doctorate degree in psychology
from an educational institution
accredited and recognized by
national and regional accredit-
ing agencies as maintaining
satisfactory standards. ~~or, in-~~
~~lieu-of-said-degree, a~~
doctorate-degree-in-a-closely
allied-field, -if-the-training

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Chairperson, Alabama Board of
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~~received-therefore-is-sub-
stantially-similar-to-that
required-of-doctorates-obtained
from-departments-of-psychology;~~

You state in your request that at the effective date of the amendment there were a handful of applications being processed, some of which might arguably have qualified under the "substantial equivalency" clause. In light of such, your question is:

Which standard should be applied to those applicants who had already applied when the law changed?

Act No. 82-152, which amended §34-26-41, provided that:

This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. (Emphasis supplied).

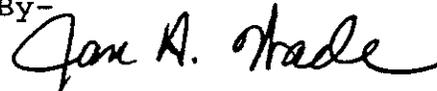
It was approved on March 30, 1982. It is our opinion that as of March 30, 1982, all applications, even those previously submitted but not approved, were subject to the qualification requirement in §34-26-41, as amended. Thus, the handful of applications being processed at the time of passage of the Act can not legally be processed under the "substantial equivalency" clause.

I do hope this response sufficiently answers your inquiry. If, however, we may be of further assistance, please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
ATTORNEY GENERAL

By-



JAN A. WADE
Assistant Attorney General

CAG/JAW/ks