

**OPINION
58-91**

January 16, 1958 (OPINION)

EDUCATION

RE: Scholarships - Psychiatric - Personnel

We have received your letter dated January 7, 1958, wherein you ask whether in our opinion House Bill 535, now appearing as Chapter 144 of the Laws of 1957, is applicable to students of clinical psychology.

Chapter 144 of the Laws of 1957 reads as follows:

Training of psychiatric personnel: Scholarships.) The North Dakota state medical center, under the direction of the state board of higher education, is hereby authorized and directed to provide or encourage means for providing for the training of such psychiatrists and other psychiatric personnel as may be necessary to properly staff state institutions and agencies providing services in the field of mental health. The board of higher education shall be authorized to execute contracts with any suitable public or private agency providing such training services and facilities and to pay for such services from funds of the medical center as provided in section 15-5209.

The board is specifically authorized and directed, acting through the medical center, to provide scholarships or stipends in such amounts as may be necessary for the use of qualified physicians during periods in which such physicians are in training in the field of psychiatry. Such scholarships shall be conditioned upon service upon the staffs of state institutions and agencies by such psychiatrists after the completion of their formal training for such term as the board may prescribe. Failure to serve for the prescribed period of time or to satisfactorily complete the course of training required by the board shall cause the amount of the scholarship or stipend paid to such persons to become due and repayable to the medical center with interest as prescribed by the board."

The question then is whether clinical psychology students can be considered as psychiatric personnel, so that the board of higher education could enter into contracts for their training with a suitable public or private agency and pay for such services from Medical Center Funds. The scholarship feature of this law, of course, applies only to qualified physicians who wish to pursue a course of study in psychiatry.

It is our understanding that psychiatrists and clinical psychologists work in teams and that, roughly speaking, psychologists are to a psychiatrist what medical and X-ray technicians are to the physician and surgeon. In other words, a clinical psychologist administers the tests and deals with mental illnesses in the living subject upon which, in part, the psychiatrist bases his findings and diagnosis.

This being the case, it seems to us that a clinical psychologist can be classed as psychiatric personnel.

We believe that under this law it would be permissible for the board of higher education to pay the cost or such part thereof as it deems advisable for clinical psychology students and enter into agreements with the university to furnish such education to these individuals. Students receiving this training would, of course, have to agree to serve at one of our state institutions or a public agency in the field of mental health in this state for such period of time as the board shall prescribe or repay the cost of the education with interest.

Since the number of such trained personnel will no doubt be limited, the board, would, of course, have to use sound judgment in selecting those who are to receive the training and would not be justified in providing training for a greater number of clinical psychologists than will be required to fill the needs of our state institutions and agencies.

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