

(2) WAIVED ANY CLAIM OF PRIVILEGE AS TO THE TESTIMONY OR EXAMINATION REPORTS OF THE EXAMINING PSYCHOLOGIST OR PHYSICIAN.

(C) THE FAILURE OR REFUSAL OF THE LICENSEE TO SUBMIT TO AN EXAMINATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IS PRIMA FACIE EVIDENCE OF THE LICENSEE'S INABILITY TO PRACTICE PSYCHOLOGY COMPETENTLY, UNLESS THE BOARD FINDS THAT THE FAILURE OR REFUSAL WAS BEYOND THE CONTROL OF THE LICENSEE.

(D) THE BOARD SHALL PAY THE COST OF ANY EXAMINATION MADE UNDER THIS SECTION.

Article - Education

2-205.

(m) (1) With the advice of the State Superintendent, the State Board shall adopt bylaws, rules, and regulations for the certification of teachers and other professional personnel in accordance with this article.

(2) An individual who is otherwise qualified may not be denied the right to receive credentials from the State Board, to receive training to become a teacher, or to practice teaching in any school because that individual is totally or partially blind.

(3) A county board may not refuse to contract with or engage a teacher because of blindness if the blind teacher is capable of performing the duties of the position for which he has applied.

{(4) The right of a school psychologist, who is certified by the State Board to practice school psychology consistent with the provisions of that certification, may not be limited by Title 16 of the Health Occupations Article with respect to the practice of school psychology in an educational institution.}

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

Approved May 27, 1988.

-----