Introduced by Representatives Townsend of South Burlington, Cina of Burlington, Colburn of Burlington, Cordes of Lincoln, Fagan of Rutland City, Masland of Thetford, Noyes of Wolcott, Scheuermann of Stowe, Troiano of Stannard, and Yacovone of Morristown

Referred to Committee on

Subject: Professional regulation; psychologists; prescribing

Statement of purpose of bill as introduced: This bill proposes to allow the Board of Psychological Examiners to confer prescribing authority upon doctoral-level psychologists who have completed specific educational and training requirements.

An act relating to prescribing by doctoral-level psychologists

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 26 V.S.A. § 3019 is added to read:

§ 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

(a) In accordance with applicable State and federal laws, the Board shall issue a certificate conferring the authority to prescribe, administer, discontinue, and distribute controlled substances, as defined in 21 C.F.R. Part 1308, that are
recognized in or customarily used in the diagnosis, treatment, and management
of a person with a psychiatric, cognitive, nervous, emotional, or behavioral

disorder to a psychologist-doctorate who:

(1) is licensed pursuant to this chapter;

(2) has a postdoctoral master’s degree in clinical psychopharmacology
designated as meeting the necessary coursework requirements by the American
Psychological Association or by another health professional association
qualified to designate necessary coursework requirements; and

(3) has passed an examination developed by a nationally recognized
body and approved by the Board that is relevant to establishing competence for
prescribing.

(b) The degree described in subdivision (a)(2) of this section shall include:

(1) a structured sequence of study in an organized program offering
intensive didactic education, including basic life sciences; neurosciences;
clinical and research pharmacology and psychopharmacology; clinical
medicine and pathophysiology; physical assessment and laboratory
examinations; clinical pharmacotherapeutics; and research on professional,
ethical, and legal issues; and

(2) relevant clinical experience, including at least 100 patient
consultations, sufficient to attain competency in the psychopharmacological
treatment of a diverse patient population in collaboration with and under the
direction of a qualified practitioner, including a physician licensed pursuant to chapter 23 or 33 of this title; an advanced practice registered nurse licensed pursuant to chapter 28, subchapter 2 of this title; or a prescribing psychologist-doctorate with five or more years of experience.

(c)(1) A psychologist-doctorate who has received a prescribing certificate from the Board shall only prescribe for a patient who has a primary care provider or psychiatrist of record.

(2) A psychologist-doctorate who has received a prescribing certificate from the Board shall consult and collaborate with a patient’s primary care provider or psychiatrist of record to obtain a concurrence prior to initiating, making changes to, or terminating a medication treatment plan.

(3) A psychologist-doctorate who has received a prescribing certificate from the Board shall not delegate his or her prescribing authority to any other person.

(d) A prescription issued by a psychologist-doctorate who has received a prescribing certificate from the Board shall:

(1) comply with applicable State and federal laws; and

(2) be identified as written by a psychologist-doctorate, in a manner determined by the Board.
(e) A psychologist-doctorate who has received a prescribing certificate from the Board shall maintain a record of all relevant prescribing history and consultations with a patient’s primary care provider or psychiatrist of record.

(f) The Board shall:

(1) maintain records on each psychologist-doctorate who has received a prescribing certificate, including the psychologist-doctorate’s Drug Enforcement Administration registration and number;

(2) transmit to the Vermont Board of Pharmacy, on a quarterly basis, a list of those psychologist-doctorates holding a current prescribing certificate from the Board; and

(3) adopt rules pursuant to 3 V.S.A. chapter 25 to develop and implement procedures for:

(A) Reviewing the education and training credentials for issuing prescribing certificates to psychologist-doctorates in accordance with current standards of professional practice.

(B) Appropriate consultation and collaboration between a prescribing psychologist-doctorate and a patient’s primary care provider or psychiatrist of record.

(C) Renewal of a psychologist-doctorate’s prescribing certificate in conjunction with the renewal of his or her license. The Board shall require that a psychologist-doctorate seeking to renew his or her prescribing certificate
present evidence to the Board demonstrating completion of 18 hours of continuing medical education relevant to prescribing authority during the previous term of licensure.

(g) As used in this section, “primary care provider” means a physician licensed pursuant to chapter 23 or 33 of this title who provides the majority of a patient’s primary care and assists in coordinating a patient’s specialty care; an advanced practice registered nurse licensed pursuant to chapter 28, subchapter 2 of this title; and a physician assistant licensed pursuant to chapter 31 of this title.

Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2019.