

1 S.81

2 Introduced by Senators McCormack, Bray, Hardy, Lyons, Pearson, Rodgers,

3 Starr and Westman

4 Referred to Committee on

5 Date:

6 Subject: Professional regulation; psychologists; prescribing

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

11 An act relating to prescribing by doctoral-level psychologists

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

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

14 § 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

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

1           (1) is licensed pursuant to this chapter;

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

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

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

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

16           (2) relevant clinical experience, including at least 100 patient  
17           consultations, sufficient to attain competency in the psychopharmacological  
18           treatment of a diverse patient population in collaboration with and under the  
19           direction of a qualified practitioner, including a physician licensed pursuant to  
20           chapter 23 or 33 of this title; an advanced practice registered nurse licensed

1 pursuant to chapter 28, subchapter 2 of this title; or a prescribing psychologist-  
2 doctorate with five or more years of experience.

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

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

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

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

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

16 (2) be identified as written by a psychologist-doctorate, in a manner  
17 determined by the Board.

18 (e) A psychologist-doctorate who has received a prescribing certificate  
19 from the Board shall maintain a record of all relevant prescribing history and  
20 consultations with a patient's primary care provider or psychiatrist of record.

1        (f) The Board shall:

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

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

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

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

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

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

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

7        Sec. 2. EFFECTIVE DATE

8        This act shall take effect on July 1, 2019.