

1 H.237

2 Introduced by Representatives McFaun of Barre Town, Cina of Burlington,
3 Cordes of Bristol, Demar of Enosburgh, Galfetti of Barre Town,
4 Goldman of Rockingham, and Page of Newport City

5 Referred to Committee on

6 Date:

7 Subject: Professional regulation; health; doctoral-level psychologist;
8 prescribing

9 Statement of purpose of bill as introduced: This bill proposes to authorize
10 prescribing by doctoral-level psychologists.

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. § 3001 is amended to read:

14 § 3001. DEFINITIONS

15 As used in this chapter:

16 (1) “Practice of psychology” means rendering or offering to render to
17 individuals, groups, or organizations, for a consideration, any service involving
18 the application of principles, methods, and procedures of understanding,
19 predicting, and influencing behavior that are primarily drawn from the science
20 of psychology. The science of psychology includes assessment, diagnosis,

1 prevention, and amelioration of adjustment problems and emotional and
2 mental disorders of individuals and groups.

3 (2) “Psychologist” or “practicing psychologist” means a person who is
4 licensed to practice psychology under this chapter.

5 (3) “Psychologist-doctorate” means a person who is so licensed under
6 this chapter.

7 (4) “Psychologist-master” means a person who is so licensed under this
8 chapter.

9 (5) “Board” means the Board of Psychological Examiners established
10 under this chapter.

11 * * *

12 (12) “Collaborating practitioner” means a physician licensed to practice
13 medicine pursuant to chapter 23 or 33 of this title or other prescribing provider
14 as approved by the Board who generally prescribes prescription drugs for the
15 treatment of a mental health condition to the physician’s or prescribing
16 provider’s patients in the normal course of the physician’s or prescribing
17 provider’s medical practice.

18 (13) “Drug” means an agent related to the diagnosis, treatment, or
19 management of a mental, nervous, emotional, behavioral, cognitive, or
20 substance misuse disorder.

1 (14) “Prescribing psychologist” means a licensed, doctoral-level
2 psychologist who has undergone specialized training, has passed an
3 examination as determined by rule, and has received a current prescribing
4 specialty under section 3019 of this title that has not been revoked or
5 suspended by the Board.

6 (15) “Prescription drug” has the same meaning as in section 2022 of this
7 title.

8 (16) “Prescriptive authority” means the authority to prescribe or
9 discontinue prescription drugs. “Prescriptive authority” shall exclude the
10 authority to dispense, administer, or distribute prescription drugs.

11 Sec. 2. 26 V.S.A. § 3009a is amended to read:

12 § 3009a. POWERS AND DUTIES OF BOARD

13 (a) The Board shall adopt rules necessary to perform its duties under this
14 chapter, including rules that:

15 (1) specify educational and other prerequisites for obtaining licensure;

16 (2) ~~explain complaint and appeal procedures to licensees, applicants,~~
17 ~~and the public;~~

18 ~~(3) explain continuing education requirements; and~~

19 (3) regulate prescribing psychologist licensees pursuant to section 3019
20 of this title, including the length of clinical rotations, appropriate instructional
21 settings, and prescribing authority; and

1 (4) ~~explain how the Board shall investigate suspected unprofessional~~
2 ~~conduct regulate collaborative practice agreements pursuant to section 3019 of~~
3 ~~this title, including collaborating practitioner qualifications and annual~~
4 ~~competency evaluations.~~

5 * * *

6 Sec. 3. 26 V.S.A. § 3019 is added to read:

7 § 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

8 (a) Prescribing psychologist license. A psychologist-doctorate may apply
9 to the Board for a prescribing psychologist license. The application shall be
10 made on a form approved by the Board, include the payment of any required
11 fees, and be accompanied by evidence satisfactory to the Board that the
12 applicant:

13 (1) holds a current license to practice psychology at the doctoral level in
14 the State;

15 (2) has successfully completed the following minimum educational and
16 training requirements either during the doctoral program required for licensure
17 under this section or in an accredited undergraduate or master-level program
18 prior to or subsequent to the doctoral program required under this section:

19 (A) a postdoctoral training program in psychopharmacology
20 accredited by the American Psychological Association or its successor; and

1 (B) two years of supervised practice for not less than 20 hours per
2 week in a clinical setting agreed upon by both the psychologist-doctorate and
3 collaborating practitioner;

4 (3) has completed a national certifying exam, as determined by rule; and

5 (4) meets all other requirements for obtaining a prescribing psychologist
6 license, as determined by rule.

7 (b) Criteria for prescribing medication.

8 (1) A written collaborative agreement is required for all prescribing
9 psychologists practicing under a prescribing psychologist license issued
10 pursuant to this section.

11 (2) The issuance of prescriptive authority by a collaborating practitioner
12 to a prescribing psychologist may only include prescription drugs for the
13 treatment of mental health conditions that the collaborating practitioner
14 generally provides to patients in the normal course of practice, except
15 prescriptive authority for the following shall not be authorized:

16 (A) patients who are less than 18 years of age or 80 years of age or
17 older; and

18 (B) patients during pregnancy.

19 (3) The collaborating practitioner shall file the collaborative agreement
20 with the Board and notice of any termination of the agreement.

1 (4) Issuance of prescribing authority for Schedule II through V
2 controlled substances shall identify the specific controlled substance by brand
3 name or generic name. Prescription or administration of a controlled substance
4 by injection shall not be allowed.

5 (c) Specialty by endorsements. The Director of the Board may, upon
6 payment of the required fee, grant a prescribing specialty without examination
7 if:

8 (1) the applicant holds active psychologist prescribing authority in
9 another U.S. or Canadian jurisdiction; and

10 (2) the requirements for psychologist prescribing authority in that
11 jurisdiction are, in the judgement of the Director, substantially equivalent to
12 the requirements of this section.

13 Sec. 4. EFFECTIVE DATES

14 (a) This section and Sec. 2 (power and duties of the Board) shall take effect
15 on July 1, 2025.

16 (b) All remaining sections shall take effect on July 1, 2026.