

1 H.237

2 An act relating to prescribing by doctoral-level psychologists

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

4 Sec. 1. 26 V.S.A. § 3001 is amended to read:

5 § 3001. DEFINITIONS

6 As used in this chapter:

7 (1) “Practice of psychology” means rendering or offering to render to
8 individuals, groups, or organizations, for a consideration, any service involving
9 the application of principles, methods, and procedures of understanding,
10 predicting, and influencing behavior that are primarily drawn from the science
11 of psychology. The science of psychology includes assessment, diagnosis,
12 prevention, and amelioration of adjustment problems and emotional and
13 mental disorders of individuals and groups.

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

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

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

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

22 * * *

1 (12) “Collaborating practitioner” means a physician licensed to practice
2 medicine pursuant to chapter 23 or 33 of this title with a specialty in
3 psychiatry.

4 (13) “Drug” has the same meaning as in section 2022 of this title.

5 (14) “DSM” means the Diagnostic and Statistical Manual of Mental
6 Disorders current at the time of practice.

7 (15) “Prescribing psychologist” means a licensed, doctoral-level
8 psychologist who has undergone specialized training, has passed an
9 examination as determined by rule, and has received a current prescribing
10 specialty under section 3019 of this title that has not been revoked or
11 suspended by the Board.

12 (16) “Prescription drug” has the same meaning as in section 2022 of this
13 title.

14 (17) “Prescriptive authority” means the authority to prescribe or
15 discontinue prescription drugs solely for the purpose of diagnosing, treating, or
16 managing a condition recognized in the DSM. Prescriptive authority excludes
17 the authority to:

18 (A) dispense, administer, or distribute prescription drugs; and

19 (B) prescribe or discontinue prescription drugs for patients who are
20 less than 18 years of age, over 80 years of age, or pregnant.

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

2 § 3009a. POWERS AND DUTIES OF BOARD

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

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

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

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

9 (3) regulate prescribing psychologist licensees pursuant to section 3019
10 of this title, including:

11 (A) the settings of clinical rotations;

12 (B) the minimum requirements for the curriculum of a postdoctoral
13 psychopharmacology program; and

14 (C) prescriptive authority, including the designation of conditions
15 and drugs excluded from that authority, as well as requirements for the

16 prescribing of particular drugs; and

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

21 * * *

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

2 § 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

3 SPECIALTY

4 (a) Prescribing psychologist specialty. A psychologist-doctorate may apply
5 to the Board for a prescribing psychologist specialty. The application shall be
6 made in a manner approved by the Board and include the payment of any
7 required fees.

8 (b) Specialty by examination. A psychologist-doctorate shall be eligible
9 for the prescribing specialty if the psychologist-doctorate:

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

12 (2) has successfully completed a postdoctoral training program in
13 psychopharmacology designated by the American Psychological Association
14 or its successor;

15 (3) has completed clinical rotations over a total of not less than 14
16 months in not less than five practice settings, to include psychiatry, geriatrics,
17 family or internal medicine, emergency medicine, and neurology;

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

19 (5) meets all other requirements for obtaining a prescribing psychologist
20 specialty, as determined by rule.

1 (c) Criteria for prescribing medication.

2 (1) A written collaborative agreement is required for all prescribing
3 psychologists practicing under a prescribing psychologist specialty issued
4 pursuant to this section.

5 (2) The issuance of prescriptive authority by a collaborating practitioner
6 to a prescribing psychologist shall only include prescription drugs for the
7 treatment of mental health conditions that the collaborating practitioner
8 generally provides to patients in the normal course of practice.

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

11 (4) Issuance of prescribing authority for Schedule II–V controlled
12 substances shall identify the specific controlled substance by brand name or
13 generic name. Prescription or administration of a controlled substance by
14 injection shall not be allowed.

15 (d) Specialty by endorsement. The Director of the Board may, upon
16 payment of any required fee, grant a prescribing specialty without examination
17 if:

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

1 (2) the requirements for psychologist prescribing authority in that
2 jurisdiction are, in the judgment of the Director, substantially equivalent to the
3 requirements of this section.

4 Sec. 4. REPORT; PRESCRIBING PSYCHOLOGISTS

5 On or before November 15, 2032, the Office of Professional Regulation
6 shall submit a written report to the House Committee on Health Care and to the
7 Senate Committee on Health and Welfare regarding:

8 (1) the number of psychologists with a prescribing specialty pursuant to
9 26 V.S.A. § 3019;

10 (2) the status of available collaborative practitioners; and

11 (3) whether any updates to the qualifications of prescribing
12 psychologists are necessary to expand access to care while also ensuring public
13 protection.

14 Sec. 5. EFFECTIVE DATES

15 (a) This section and Sec. 2 (power and duties of the Board) shall take effect
16 on July 1, 2026.

17 (b) All remaining sections shall take effect on July 1, 2029.