

H.237

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. § 3001 is amended to read:

§ 3001. DEFINITIONS

As used in this chapter:

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

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

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

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

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

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

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

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

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as determined by rule, and has received a current prescribing specialty under section 3019 of this title that has not been revoked or suspended by the Board.

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

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

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

(B) prescribe or discontinue prescription drugs for patients who are 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; and

12 (B) prescriptive authority, including designation of conditions and
13 drugs excluded from that authority, as well as requirements for the prescribing
14 of particular drugs; and

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

19 * * *

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 for
9 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 nine practice settings, to include psychiatry, pediatrics,
17 geriatrics, family medicine, internal medicine, emergency medicine, obstetrics
18 and gynecology, surgery, and one elective;

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

20 (5) meets all other requirements for obtaining a prescribing psychologist
21 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 through V
12 controlled substances shall identify the specific controlled substance by brand
13 name or generic name. Prescription or administration of a controlled substance
14 by 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 judgement of the Director, substantially equivalent to
3 the requirements of this section.

4 Sec. 4. EFFECTIVE DATES

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

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