

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Health Care to which was referred House Bill No. 237
3 entitled “An act relating to prescribing by doctoral-level psychologists”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

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

8 § 3001. DEFINITIONS

9 As used in this chapter:

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

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

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

- 1 (A) dispense, administer, or distribute prescription drugs; and
2 (B) prescribe or discontinue prescription drugs for patients who are
3 less than 18 years of age, over 80 years of age, or pregnant.

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

5 § 3009a. POWERS AND DUTIES OF BOARD

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

- 8 (1) specify educational and other prerequisites for obtaining licensure;
9 (2) ~~explain complaint and appeal procedures to licensees, applicants,~~
10 ~~and the public;~~
11 (3) explain continuing education requirements; ~~and~~
12 (3) regulate prescribing psychologist licensees pursuant to section 3019

13 of this title, including:

- 14 (A) the settings of clinical rotations; and
15 (B) prescriptive authority, including designation of conditions and
16 drugs excluded from that authority, as well as requirements for the prescribing
17 of particular drugs; and

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

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

§ 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

SPECIALITY

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

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

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

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

(3) has completed clinical rotations over a total of not less than 14 months in not less than nine practice settings, to include psychiatry, pediatrics, geriatrics, family medicine, internal medicine, emergency medicine, obstetrics and gynecology, surgery, and one elective;

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

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

3 (c) Criteria for prescribing medication.

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

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

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

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

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

20 (1) the applicant holds active psychologist prescribing authority in
21 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.

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12 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE