

1 TO THE HONORABLE SENATE:

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

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

9 § 3001. DEFINITIONS

10 As used in this chapter:

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

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

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

5 * * *

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

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

19 (17) “Prescriptive authority” means the authority to prescribe or
20 discontinue prescription drugs solely for the purpose of diagnosing, treating, or

1 managing a condition recognized in the DSM. Prescriptive authority excludes

2 the authority to:

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

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

5 less than 18 years of age, over 80 years of age, or pregnant.

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

7 § 3009a. POWERS AND DUTIES OF BOARD

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

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

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

13 (3) explain continuing education requirements; and

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

16 (A) the settings of clinical rotations;

17 (B) the minimum requirements for the curriculum of a designated
18 postdoctoral psychopharmacology program; and

19 (C) prescriptive authority, including the designation of conditions
20 and drugs excluded from that authority, as well as requirements for the
21 prescribing of particular drugs; 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:

§ 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

SPECIALTY

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

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

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

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

20 (3) has completed clinical rotations over a total of not less than 14
21 months in not less than nine practice settings, to include psychiatry, pediatrics,

1 geriatrics, family medicine, internal medicine, emergency medicine, obstetrics
2 and gynecology, surgery, and one elective;

3 (4) has completed a national certifying exam, as determined by rule; and
4 (5) meets all other requirements for obtaining a prescribing psychologist
5 specialty, as determined by rule.

6 (c) Criteria for prescribing medication.

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

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

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

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

1 (d) Specialty by endorsement. The Director of the Board may, upon
2 payment of any required fee, grant a prescribing specialty without examination
3 if:
4 (1) the applicant holds active psychologist prescribing authority in
5 another U.S. or Canadian jurisdiction; and
6 (2) the requirements for psychologist prescribing authority in that
7 jurisdiction are, in the judgment of the Director, substantially equivalent to the
8 requirements of this section.

9 Sec. 4. EFFECTIVE DATES

10 (a) This section and Sec. 2 (power and duties of the Board) shall take effect
11 on July 1, 2026.
12 (b) All remaining sections shall take effect on July 1, 2028.

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(Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE