

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

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

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

(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as determined by rule, and has received a current prescribing specialty under section 3019 of this title that has not been revoked or suspended by the Board.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

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

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## § 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

(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.

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

(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,

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.

