

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as determined by rule, and has received a current prescribing specialty under section 3019 of this title that has not been revoked or suspended by the Board.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

1 managing a condition recognized in the DSM. “Prescriptive authority”

2 excludes 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; and

17 (B) prescriptive authority, including designation of conditions and
18 drugs excluded from that authority, as well as requirements for the prescribing
19 of particular drugs; and

20 ~~(4) explain how the Board shall investigate suspected unprofessional~~
21 ~~conduct~~ regulate collaborative practice agreements pursuant to section 3019 of

1 this title, including collaborating practitioner qualifications and annual
2 competency evaluations.

3 * * *

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

5 § 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

6 SPECIALTY

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

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

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

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

18 (3) has completed clinical rotations over a total of not less than 18
19 months in not fewer than five practice settings, to include psychiatry,
20 geriatrics, family medicine or internal medicine, emergency medicine, and
21 neurology;

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

4 (c) Criteria for prescribing medication.

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

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

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

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

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

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

Sec. 4. EFFECTIVE DATES

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

(b) All remaining sections shall take effect on July 1, 2028.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE