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H.280

Introduced by Representative Donahue of Northfield

Referred to Committee on

Date:

Subject: Professional regulation; psychologists; prescribing

Statement of purpose of bill as introduced: This bill proposes to allow the Board of Psychological Examiners to confer prescribing authority upon doctoral-level psychologists who have completed specific educational and training requirements.

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. § 3019 is added to read:

§ 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

(a) In accordance with applicable State and federal laws, the Board shall issue a certificate conferring the authority to prescribe, administer, discontinue, and distribute controlled substances, as defined in 21 C.F.R. Part 1308, that are recognized in or customarily used in the diagnosis, treatment, and management of a person with a psychiatric, cognitive, nervous, emotional, or behavioral disorder to a psychologist-doctorate who:

(1) is licensed pursuant to this chapter;

1 (2) has a postdoctoral master's degree in clinical psychopharmacology
2 from a regionally accredited institution of higher education or has completed
3 equivalent training approved by the Board; and

4 (3) has passed an examination developed by a nationally recognized
5 body and approved by the Board that is relevant to establishing competence for
6 prescribing.

7 (b)(1) The degree or training described in subdivision (a)(2) of this section
8 shall include a structured sequence of study in an organized program offering
9 intensive didactic education, including in basic life sciences, neurosciences,
10 clinical and research pharmacology and psychopharmacology, clinical
11 medicine and pathophysiology, physical assessment and laboratory
12 examinations, clinical pharmacotherapeutics and research on professional,
13 ethical, and legal issues. The didactic portion of the required education shall
14 consist of at least 400 hours.

15 (2) The degree or training described in subdivision (a)(2) of this section
16 shall include relevant clinical experience sufficient to attain competency in the
17 psychopharmacological treatment of a diverse patient population under the
18 direction of qualified practitioners, including physicians or prescribing
19 psychologists, as determined by the Board.

20 (c)(1) A psychologist-doctorate who has received a prescribing certificate
21 from the Board shall only prescribe for a patient who has a physician of record.

1 (2) A psychologist-doctorate who has received a prescribing certificate
2 from the Board shall consult and collaborate with a patient's physician of
3 record to obtain the physician's concurrence prior to initiating, making changes
4 to, or terminating a medication treatment plan. A psychologist-doctorate who
5 has received a prescribing certificate from the Board shall not delegate his or
6 her prescribing authority to any other person.

7 (d) A prescription issued by a psychologist-doctorate who has received a
8 prescribing certificate from the Board shall:

9 (1) comply with applicable State and federal laws; and

10 (2) be identified as written by a psychologist-doctorate, in a manner
11 determined by the Board.

12 (e) A psychologist-doctorate who has received a prescribing certificate
13 from the Board shall maintain a record of all relevant prescribing history and
14 consultations with a patient's physician of record in the patient's medical
15 record.

16 (f) The Board shall:

17 (1) maintain records on each psychologist-doctorate who has received a
18 prescribing certificate, including the psychologist-doctorate's Drug
19 Enforcement Administration registration and number;

1 (2) transmit to the Vermont Board of Pharmacy, on a quarterly basis, a
2 list of those psychologist-doctorates holding a current prescribing certificate
3 from the Board; and

4 (3) adopt rules pursuant to 3 V.S.A. chapter 25 to develop and
5 implement procedures for:

6 (A) Reviewing the education and training credentials for issuing
7 prescribing certificates to psychologist-doctorates in accordance with current
8 standards of professional practice.

9 (B) Appropriate consultation and collaboration between a prescribing
10 psychologist-doctorate and a patient's physician of record.

11 (C) Renewal of a psychologist-doctorate's prescribing certificate in
12 conjunction with the renewal of his or her license. The Board shall require that
13 a psychologist-doctorate seeking to renew his or her prescribing certificate
14 present evidence to the Board demonstrating 18 hours of continuing medical
15 education relevant to prescribing authority during the previous term of
16 licensure.

17 (g) As used in this section, "physician of record" means a physician
18 licensed pursuant to chapter 23 or 33 of this title who provides the majority of
19 a patient's primary care and assists in coordinating a patient's specialty care.

20 Sec. 2. EFFECTIVE DATE

21 This act shall take effect on July 1, 2017.