

1 H.139

2 Introduced by Representatives Townsend of South Burlington, Cina of
3 Burlington, Colburn of Burlington, Cordes of Lincoln, Fagan of
4 Rutland City, Masland of Thetford, Noyes of Wolcott,
5 Scheuermann of Stowe, Troiano of Stannard, and Yacovone of
6 Morristown

7 Referred to Committee on

8 Date:

9 Subject: Professional regulation; psychologists; prescribing

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

14 An act relating to prescribing by doctoral-level psychologists

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 Sec. 1. 26 V.S.A. § 3019 is added to read:

17 § 3019. PRESCRIBING BY DOCTORAL-LEVEL PSYCHOLOGISTS

18 (a) In accordance with applicable State and federal laws, the Board shall
19 issue a certificate conferring the authority to prescribe, administer, discontinue,
20 and distribute controlled substances, as defined in 21 C.F.R. Part 1308, that are

1 recognized in or customarily used in the diagnosis, treatment, and management
2 of a person with a psychiatric, cognitive, nervous, emotional, or behavioral
3 disorder to a psychologist-doctorate who:

4 (1) is licensed pursuant to this chapter;

5 (2) has a postdoctoral master's degree in clinical psychopharmacology
6 designated as meeting the necessary coursework requirements by the American
7 Psychological Association or by another health professional association
8 qualified to designate necessary coursework requirements; and

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

12 (b) The degree described in subdivision (a)(2) of this section shall include:

13 (1) a structured sequence of study in an organized program offering
14 intensive didactic education, including basic life sciences; neurosciences;
15 clinical and research pharmacology and psychopharmacology; clinical
16 medicine and pathophysiology; physical assessment and laboratory
17 examinations; clinical pharmacotherapeutics; and research on professional,
18 ethical, and legal issues; and

19 (2) relevant clinical experience, including at least 100 patient
20 consultations, sufficient to attain competency in the psychopharmacological
21 treatment of a diverse patient population in collaboration with and under the

1 direction of a qualified practitioner, including a physician licensed pursuant to
2 chapter 23 or 33 of this title; an advanced practice registered nurse licensed
3 pursuant to chapter 28, subchapter 2 of this title; or a prescribing psychologist-
4 doctorate with five or more years of experience.

5 (c)(1) A psychologist-doctorate who has received a prescribing certificate
6 from the Board shall only prescribe for a patient who has a primary care
7 provider or psychiatrist of record.

8 (2) A psychologist-doctorate who has received a prescribing certificate
9 from the Board shall consult and collaborate with a patient's primary care
10 provider or psychiatrist of record to obtain a concurrence prior to initiating,
11 making changes to, or terminating a medication treatment plan.

12 (3) A psychologist-doctorate who has received a prescribing certificate
13 from the Board shall not delegate his or her prescribing authority to any other
14 person.

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

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

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

1 (e) A psychologist-doctorate who has received a prescribing certificate
2 from the Board shall maintain a record of all relevant prescribing history and
3 consultations with a patient's primary care provider or psychiatrist of record.

4 (f) The Board shall:

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

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

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

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

16 (B) Appropriate consultation and collaboration between a prescribing
17 psychologist-doctorate and a patient's primary care provider or psychiatrist of
18 record.

19 (C) Renewal of a psychologist-doctorate's prescribing certificate in
20 conjunction with the renewal of his or her license. The Board shall require that
21 a psychologist-doctorate seeking to renew his or her prescribing certificate

1 present evidence to the Board demonstrating completion of 18 hours of
2 continuing medical education relevant to prescribing authority during the
3 previous term of licensure.

4 (g) As used in this section, “primary care provider” means a physician
5 licensed pursuant to chapter 23 or 33 of this title who provides the majority of
6 a patient’s primary care and assists in coordinating a patient’s specialty care;
7 an advanced practice registered nurse licensed pursuant to chapter 28,
8 subchapter 2 of this title; and a physician assistant licensed pursuant to
9 chapter 31 of this title.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on July 1, 2019.