



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

FACT SHEET FOR S.B. 1457

psychologists; prescribing authority

Purpose

Allows a licensed psychologist with a prescription certificate or a conditional prescription certificate to prescribe psychotropic medication and any other medication approved by the U.S. Food and Drug Administration (FDA) to treat mental disorders. Outlines certification and prescribing requirements for the applicant psychologist and the Board of Psychologist Examiners (Board).

Background

The Board is the state regulatory body that oversees the professions of psychology and behavior analysis. The Board licenses individuals to practice psychology and behavior analysis, provides information about licensees to the public, investigates complaints of unprofessional conduct and administers disciplinary actions ([A.R.S. § 32-2063](#)).

In order to become licensed as a psychologist, an applicant must demonstrate that they have: 1) met the education and training qualifications for licensure; 2) passed any required examination or examinations; 3) a professional record free of any prior action or conduct that constitutes grounds for disciplinary action against a licensee; 4) not had a license or certificate to practice psychology refused, revoked, suspended or restricted by a state, territory, district or country for reasons that relate to unprofessional conduct; 5) not surrendered a license in another regulatory jurisdiction while under investigation for unprofessional conduct; 6) no complaints, allegations or investigations pending relating to unprofessional conduct in another regulatory jurisdiction; and 7) obtained a fingerprint clearance card ([A.R.S. § 32-2071.01](#)).

The *practice of psychology* is the psychological assessment, diagnosis, treatment or correction of mental, emotional, behavioral or psychological abilities, illnesses or disorders ([A.R.S. § 32-2061](#)). Psychologists are not authorized to engage in the practice of medicine authorized for a medical, osteopathic or homeopathic physician but may diagnose, treat and correct human conditions ordinarily within the scope of practice of a psychologist ([A.R.S. § 32-2076](#)).

The FDA is responsible for protecting the public health by ensuring the safety, efficacy, and security of human and veterinary drugs, biological products, and medical devices; and by ensuring the safety of our nation's food supply, cosmetics, and products that emit radiation. The FDA is responsible for advancing the public health by helping to speed innovations that make medical products more effective, safer, and more affordable and by helping the public get the accurate, science-based information they need to use medical products and foods to maintain and improve their health (FDA). The FDA keeps a list of all FDA-approved drugs, including drugs used to treat mental disorders (FDA).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

Prescribing Practices

1. Allows a prescribing psychologist or a psychologist with a conditional prescription certificate to administer and prescribe psychotropic medication and any other medication approved by the FDA to treat mental disorders within the recognized scope of the profession, including ordering and reviewing laboratory tests in conjunction with the prescription, to treat mental disorders.
2. Requires each prescription written by a prescribing psychologist or a psychologist with a conditional prescription certificate to:
 - a) comply with applicable state and federal laws;
 - b) indicate that the prescription is issued by a psychologist who is certified to prescribe; and
 - c) include the psychologist's board-assigned identification number.
3. Prohibits a prescribing psychologist or a psychologist with a conditional prescription certificate from delegating prescriptive authority to any other person.
4. Requires records of all prescriptions to be maintained in patient records.
5. Requires a prescribing psychologist or a psychologist with a conditional prescription certificate, if authorized to prescribe controlled substances, to file all individual U.S. Drug Enforcement Administration registrations and numbers with the Board.
6. Requires the Board, the Arizona Medical Board (AMB) and the Arizona Board of Osteopathic Examiners (ABOE) to maintain current records on each psychologist who has prescriptive authority, including federal registrations and numbers.
7. Requires the Board to provide the Arizona State Board of Pharmacy, the AMB and the ABOE an annual list of prescribing psychologists and psychologists with conditional prescription certificates that contains the information agreed on between the boards.
8. Requires the Board to promptly notify the Arizona State Board of Pharmacy of psychologists who are added to or deleted from the list of prescribing psychologists.

Prescription Certificate

9. Allows a psychologist to apply to the Board for a prescription certificate on a Board-approved form that includes evidence satisfactory to the Board that the applicant meets all of the following requirements:
 - a) has been issued a conditional prescription certificate and successfully completed two years of prescribing psychotropic medication and any other medication approved by the FDA to treat mental disorders as certified by the supervising physician;
 - b) successfully underwent a process of independent peer review approved by the Board, the AMB and the ABOE;
 - c) holds a current license to practice psychology in Arizona;

- d) has malpractice insurance in place that is sufficient to satisfy the Board-adopted rules and that will cover the applicant as a prescribing psychologist; and
- e) all other requirements determined by the Board in rule for obtaining a prescription certificate.

10. Requires the Board to issue a prescription certificate if the applicant meets all requirements.

11. Allows a psychologist with a prescription certificate to prescribe psychotropic medication and any other medication approved by the FDA to treat mental disorders if the psychologist:

- a) continues to hold a current license to practice psychology in Arizona;
- b) continues to maintain malpractice insurance; and
- c) annually satisfies the continuing education requirements for prescribing psychologists as set by the Board, which must require at least 20 hours each year.

Conditional Prescription Certificate

12. Allows a psychologist to apply to the Board for a conditional prescription certificate on a Board-approved form.

13. Requires a psychologist applying for a conditional prescription certificate to include satisfactory evidence to the Board that the applicant:

- a) completed a doctoral program in psychology from an accredited institution of higher education or professional school or, if the program was not accredited at the time of the applicant's graduation, the program meets professional standards deemed acceptable by the Board;
- b) holds a current license to practice psychology in Arizona;
- c) successfully completed pharmacological training from an institution of higher education or a provider of continuing education that is approved by the Board, the AMB or the ABOE in medicine and surgery;
- d) passed a national certification examination approved by the Board, the AMB and the ABOE in medicine and surgery that tests the applicant's knowledge of pharmacology in diagnosing, caring for and treating mental disorders;
- e) has malpractice insurance in place that satisfies the rules of the Board, the AMB and the ABOE in medicine and surgery and that will cover the applicant during the period the conditional prescription certificate is in effect; and
- f) has met all other requirements prescribed by the Board.

14. Requires a psychologist applying for a conditional prescription certificate, within five years immediately preceding the date of application, to have successfully completed an organized education program that is approved by the Board, the AMB and the ABOE in medicine and surgery that consists of didactic instruction in at least 450 classroom hours in:

- a) neuroscience;
- b) pharmacology;
- c) psychopharmacology;
- d) physiology;
- e) pathophysiology;
- f) physical and laboratory assessment; and
- g) clinical pharmacotherapeutics.

15. Requires a psychologist applying for a conditional prescription certificate, within five years immediately preceding the date of application, to have been certified by each of the applicant's supervising physicians for successfully completing a supervised and relevant clinical experience that is approved by the Board, the AMB and the ABOE in medicine and surgery that includes:
 - a) a practicum of at least 80 hours in clinical assessment and pathophysiology under the supervision of a medical or osteopathic physician; and
 - b) an additional supervised practicum of at least 400 hours treating at least 100 patients with mental disorders that is determined by the Board, the AMB and the ABOE in medicine and surgery to be sufficient to competently train the applicant in treating a diverse patient population.
16. Specifies that the additional supervised practicum hours must be one-on-one supervision that is provided either in person, telephonically or by video conference.
17. Requires the Board to issue a conditional prescription certificate to an applicant that has met all certification requirements.
18. Specifies that a conditional prescription certificate is valid for two years and that an applicant may reapply upon expiration of the certificate.
19. Specifies that a certificated psychologist's ability to prescribe under supervision is contingent on the:
 - a) psychologist continuing to hold a current license to practice psychology in Arizona;
 - b) psychologist notifying the Board of the supervising physician's name; and
 - c) psychologist's supervising physician providing their applicable licensing board the name of each psychologist under their supervision.
20. Holds a supervising physician harmless from liability for any acts of a psychologist under their supervision, unless the injury or loss arises from an act under the direction and control of the physician.
21. Allows a medical or osteopathic physician to supervise a psychologist who holds a conditional prescription certificate to prescribe psychotropic medication and any other medication approved by the FDA to treat mental disorders.

Board Rules for Certification

22. Requires the Board to adopt rules that:
 - a) provide for the procedures for obtaining a conditional prescription certificate, a prescription certificate and certificate renewals;
 - b) establish application and renewal fees; and
 - c) establish the grounds for denial, suspension or revocation of conditional prescription certificates and prescription certificates, including a provision for suspending or revoking a license to practice psychology on the suspension or revocation of the psychologist's conditional prescription certificate or prescription certificate.
23. Requires the denial, suspension or revocation of conditional prescription certificates and prescription certificates to be in accordance with uniform administrative hearing procedures.

Collaborative Relationship

24. Requires a prescribing psychologist or a psychologist with a conditional prescription certificate, when prescribing authorized medication, to maintain an ongoing collaborative relationship with the health care practitioner who oversees the patient's general medical care to ensure that:
 - a) necessary medical examinations are conducted;
 - b) the psychotropic medication or other prescribed medication is appropriate for the patient's medical condition; and
 - c) significant changes in the patient's medical or psychological condition are discussed.
25. Requires the ongoing collaborative relationship to be maintained in accordance with guidelines developed by the Board, AMB and ABOE.
26. Requires the Board, AMB and ABOE guidelines to ensure that the prescribing psychologist or the psychologist with a conditional prescription certificate and the health care practitioner coordinate and collaborate on the care of the patient to provide optimal care.
27. States that the ongoing collaborative relationship does not require a prescribing psychologist or a psychologist with a conditional prescription certificate to give prior notice to or obtain prior approval from a health care practitioner to prescribe approved medication to the patient.
28. Requires the psychologist to provide written notice of the prescription to the patient's health care practitioner within 24 hours of issuing the prescription to the patient.

Miscellaneous

29. Defines terms.
30. Exempts the Board from statutory rulemaking requirements for one year for purposes of adopting rules relating to the certification of prescribing psychologists.
31. Makes technical and conforming changes.
32. Becomes effective on the general effective date.

Prepared by Senate Research

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MM/slp