



General Assembly

January Session, 2019

Raised Bill No. 966

LCO No. 4942



Referred to Committee on PUBLIC HEALTH

Introduced by:
(PH)

AN ACT CONCERNING THE PRESCRIPTIVE AUTHORITY OF PSYCHOLOGISTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this
2 section:

3 (1) "Clinical preceptorship" means a mentored experience in which a
4 primary care provider gives personal instruction, training and
5 supervision;

6 (2) "Primary care provider" means a physician licensed pursuant to
7 chapter 370 of the general statutes, advanced practice registered nurse
8 licensed pursuant to chapter 378 of the general statutes or physician
9 assistant licensed pursuant to chapter 370 of the general statutes who
10 provides primary care services.

11 (b) A psychologist licensed under chapter 383 of the general statutes
12 may apply to the Department of Public Health for certification to
13 prescribe, administer and dispense, without charge, drugs and
14 controlled substances in schedule II, III, IV or V. Each psychologist

15 seeking certification to prescribe shall submit to the department proof
16 of (1) a license to practice under chapter 383 of the general statutes, (2)
17 successful completion of a master's degree program in clinical
18 psychopharmacology approved by the department and with an
19 appropriate number of hours in didactic instruction as determined by
20 the department, (3) successful completion of an examination in
21 psychopharmacology approved by the department, and (4) completion
22 of not less than eighty hours of clinical preceptorship with a primary
23 care provider.

24 (c) Upon receiving certification to prescribe, administer and
25 dispense drugs and controlled substances pursuant to subsection (b) of
26 this section, a psychologist shall engage in a supervised clinical
27 practice, for at least one year and not less than one thousand hours,
28 under the direct supervision of a physician licensed pursuant to
29 chapter 370 of the general statutes who is certified in psychiatry by the
30 American Board of Psychiatry and Neurology, or an advanced practice
31 registered nurse licensed pursuant to chapter 378 of the general
32 statutes who is certified as a psychiatric and mental health clinical
33 nurse specialist or nurse practitioner by the American Nurses
34 Credentialing Center. Prior to engaging in the supervised clinical
35 practice, the psychologist and the supervising physician or advanced
36 practice registered nurse shall establish (1) the frequency at which the
37 psychologist's practice and performance will be reviewed, (2) a plan
38 for patient care coverage in the psychologist's absence, and (3)
39 methods to review patient outcomes and disclose the supervisory
40 relationship to the patient. Such supervised clinical practice by the
41 psychologist shall include (A) experience with direct prescription drug
42 treatment or management services for at least one hundred patients
43 and not less than four hundred hours, (B) documentation of all cases,
44 (C) evaluations by the supervising physician or advanced practice
45 registered nurse of the psychologist's competency in his or her practice
46 and of his or her clinical performance, and (D) experience with a broad
47 spectrum of psychiatric, psychological, mental health, cognitive,
48 nervous, emotional, substance use and behavioral disorders and

49 diagnoses.

50 (d) A psychologist who (1) is certified to prescribe, administer and
51 dispense drugs and controlled substances pursuant to subsection (b) of
52 this section, (2) has maintained such certification for at least one year,
53 and (3) has engaged in a supervised clinical practice in accordance
54 with the provisions of subsection (c) of this section, may (A) prescribe,
55 administer and dispense, without charge, drugs and controlled
56 substances in schedule II, III, IV or V relevant to the practice of
57 psychology and customarily used in the diagnosis, treatment and
58 management of persons with psychiatric, psychological, mental health,
59 cognitive, nervous, emotional, substance use or behavioral disorders,
60 and (B) order laboratory, physical and diagnostic tests for the purposes
61 of diagnosing a patient and providing the appropriate pharmacologic
62 management of the patient's disorder. Such psychologist shall
63 maintain a record of all prescriptions issued to a patient in the patient's
64 medical record and coordinate care of a patient with the patient's
65 primary care provider. No such psychologist may delegate the
66 authority to prescribe drugs and controlled substances to any other
67 person. Each prescription issued by a psychologist under this
68 subsection shall contain the signature, name, address and license
69 number of the psychologist and comply with all state and federal laws.

70 (e) A psychologist certified to prescribe, administer and dispense
71 drugs and controlled substances pursuant to subsection (b) of this
72 section and applying to the department for a renewal of such
73 certification shall, in addition to satisfying the continuing education
74 requirements set forth in section 20-191c of the general statutes,
75 complete a minimum of forty hours of continuing education in clinical
76 pharmacology, neuropharmacology, clinical psychopharmacology and
77 medically assisted substance use disorder treatment.

78 (f) The Department of Public Health may adopt regulations in
79 accordance with the provisions of chapter 54 of the general statutes to
80 carry out the provisions of this section.

81 Sec. 2. Subdivision (3) of section 20-14c of the general statutes is
82 repealed and the following is substituted in lieu thereof (*Effective*
83 *October 1, 2019*):

84 (3) "Prescribing practitioner" means a physician, dentist, podiatrist,
85 optometrist, physician assistant, advanced practice registered nurse,
86 nurse-midwife, [or] veterinarian or psychologist licensed by the state
87 [of Connecticut] and authorized to prescribe medication within the
88 scope of such person's practice.

89 Sec. 3. Section 21a-252 of the general statutes is repealed and the
90 following is substituted in lieu thereof (*Effective October 1, 2019*):

91 (a) A physician licensed pursuant to chapter 370, in good faith and
92 in the course of the physician's professional practice only, may
93 prescribe, administer and dispense controlled substances, or may
94 cause the same to be administered by a physician assistant, nurse or
95 intern under the physician's direction and supervision, for
96 demonstrable physical or mental disorders but not for drug
97 dependence except in accordance with state and federal laws and
98 regulations adopted thereunder. Notwithstanding the provisions of
99 this subsection the Department of Consumer Protection may approve
100 protocols allowing the dispensing of take-home doses of methadone,
101 by a registered nurse or licensed practical nurse, to outpatients in duly
102 licensed substance abuse treatment facilities. Such dispensing shall be
103 done pursuant to the order of a licensed prescribing practitioner and
104 using computerized dispensing equipment into which bulk supplies of
105 methadone are dispensed by a pharmacist. The quantity of methadone
106 dispensed by such nurse shall not exceed at any one time that amount
107 allowed under federal or state statutes or regulations governing the
108 treatment of drug dependent patients. The Department of Consumer
109 Protection shall conduct inspections of such treatment facilities to
110 ensure that the computerized dispensing equipment and related
111 dispensing procedures documented in the approved protocols are
112 adhered to.

113 (b) A dentist licensed pursuant to chapter 379, in good faith and in
114 the course of the dentist's professional practice only, may prescribe,
115 administer or dispense controlled substances, or may cause the same
116 to be administered by a nurse under the dentist's direction and
117 supervision, to the extent permitted by the federal Controlled
118 Substances Act, federal food and drug laws and state laws and
119 regulations relating to dentistry.

120 (c) A podiatrist licensed pursuant to chapter 375, in good faith and
121 in the course of the podiatrist's professional practice only, may
122 prescribe, administer and dispense controlled substances in schedules
123 II, III, IV or V, or may cause the same to be administered by a nurse
124 under the podiatrist's direction and supervision, to the extent
125 permitted by the federal Controlled Substances Act, the federal food
126 and drug laws and state laws and regulations relating to podiatry.

127 (d) A veterinarian licensed pursuant to chapter 384, in good faith in
128 the course of the veterinarian's professional practice only, and not for
129 use by a human being, may prescribe, administer and dispense
130 controlled substances, and may cause them to be administered by an
131 assistant or orderly under the veterinarian's direction and supervision,
132 to the extent permitted by the federal Controlled Substances Act, the
133 federal food and drug laws and state laws and regulations relating to
134 veterinary medicine.

135 (e) An advanced practice registered nurse licensed pursuant to
136 [section 20-94a] chapter 378, in good faith and in the course of such
137 nurse's professional practice only, may prescribe, dispense, and
138 administer controlled substances in schedule II, III, IV or V, or may
139 cause the same to be administered by a registered nurse or licensed
140 practical nurse under the advanced practice registered nurse's
141 direction and supervision, to the extent permitted by the federal
142 Controlled Substances Act, the federal food and drug laws and state
143 laws and regulations relating to advanced nursing practice.

144 (f) A nurse-midwife licensed [under] pursuant to chapter 377, in

145 good faith and in the course of the nurse-midwife's professional
146 practice only, may prescribe, dispense, and administer controlled
147 substances in schedules II, III, IV and V, or may cause the same to be
148 administered by a registered nurse or licensed practical nurse under
149 the nurse-midwife's direction and supervision, to the extent permitted
150 by the federal Controlled Substances Act, the federal food and drug
151 laws and state laws.

152 (g) A physician assistant licensed pursuant to [section 20-12b]
153 chapter 370, in good faith and in the course of the physician assistant's
154 professional practice only, may prescribe, dispense, and administer
155 controlled substances in schedule II, III, IV or V, or may cause the same
156 to be administered by a registered nurse or licensed practical nurse
157 who is acting under a physician's direction, to the extent permitted by
158 the federal Controlled Substances Act, the federal food and drug laws
159 and state laws and regulations relating to physician assistant practice.

160 (h) An optometrist licensed pursuant to chapter 380 and authorized
161 to practice advanced optometrical care, in good faith and in the course
162 of the optometrist's professional practice only and who is duly
163 authorized by section 20-127, may prescribe, administer or dispense
164 controlled substances in schedule II, III, IV or V to the extent permitted
165 by the federal Controlled Substances Act, the federal food and drug
166 laws and state laws and regulations relating to optometry.

167 (i) A psychologist licensed pursuant to chapter 383 and certified to
168 prescribe, administer and dispense controlled substances pursuant to
169 section 1 of this act, in good faith and in the course of the
170 psychologist's professional practice only, may prescribe, dispense and
171 administer controlled substances in schedule II, III, IV or V, to the
172 extent permitted by the federal Controlled Substances Act, the federal
173 food and drug laws and state laws and regulations relating to
174 psychology.

175 (j) Any person who has obtained directly from a physician, dentist,
176 podiatrist, optometrist, veterinarian, physician assistant, advanced

177 practice registered nurse, [or] nurse-midwife or psychologist any
178 controlled substance for self-administration or administration to a
179 patient during the absence of such physician, dentist, podiatrist,
180 optometrist, veterinarian, physician assistant, advanced practice
181 registered nurse, [or] nurse-midwife or psychologist shall return to
182 such physician, dentist, podiatrist, optometrist, veterinarian, physician
183 assistant, advanced practice registered nurse, [or] nurse-midwife or
184 psychologist any unused portion of such controlled substance, when it
185 is no longer required by the person or the patient, or may surrender
186 such controlled substance to the Commissioner of Consumer
187 Protection for proper disposition.

188 [(j)] (k) (1) A prescribing practitioner, as defined in section 20-14c, as
189 amended by this act, shall not, except in an emergency, prescribe,
190 dispense or administer controlled substances in schedules II to IV,
191 inclusive, to a member of his or her immediate family. For purposes of
192 this section, "immediate family member" means a spouse, parent,
193 child, sibling, parent-in-law, son or daughter-in-law, brother or sister-
194 in-law, step-parent, step-child, step-sibling or other relative residing in
195 the same residence as the prescribing practitioner and shall not include
196 an animal in the residence. In an emergency, a prescribing practitioner
197 may prescribe, dispense or administer not more than a seventy-two-
198 hour supply of such controlled substances to an immediate family
199 member only when there is no other qualified prescribing practitioner
200 available.

201 (2) A prescribing practitioner who prescribes, dispenses or
202 administers any controlled substance to a member of his or her
203 immediate family pursuant to subdivision (1) of this subsection shall
204 perform an assessment for the care and treatment of the patient,
205 medically evaluate the patient's need for such controlled substance and
206 document such assessment and need in the normal course of his or her
207 business. The prescribing practitioner shall document the emergency
208 that gave rise to the prescription, dispensing or administering of such
209 controlled substance to the immediate family member.

210 [(k)] (l) A prescribing practitioner, as defined in section 20-14c, as
211 amended by this act, shall not, except in an emergency, prescribe,
212 dispense or administer controlled substances in schedules II to IV,
213 inclusive, for his or her own use. In an emergency, a prescribing
214 practitioner may prescribe, dispense or administer not more than a
215 seventy-two-hour emergency supply of such controlled substances for
216 self-use only when there is no other qualified prescribing practitioner
217 available.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section
Sec. 2	<i>October 1, 2019</i>	20-14c(3)
Sec. 3	<i>October 1, 2019</i>	21a-252

Statement of Purpose:

To allow licensed psychologists to apply for certification from the Department of Public Health to prescribe, administer and dispense drugs and controlled substances.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]