
Health Care & Wellness Committee

HB 1041

Brief Description: Authorizing the prescriptive authority of psychologists.

Sponsors: Representatives Bateman, Macri, Ryu, Simmons, Goodman, Reed, Taylor, Callan, Doglio, Reeves, Wylie, Gregerson, Stonier, Kloba and Ormsby.

Brief Summary of Bill

- Grants limited prescriptive authority to a licensed psychologist who has been certified as a prescribing psychologist by the Examining Board of Psychology (Board).
- Establishes requirements related to certification, scope of practice, and continuing education.
- Makes changes to the composition and duties of the Board.
- Amends the definition of practitioner to include prescribing psychologists in statutes related to pharmacy, nursing care, and controlled substances.

Hearing Date: 1/13/23

Staff: Ingrid Lewis (786-7293).

Background:

Licensing and Scope of the Practice of Psychology.

The practice of psychology is licensed by the Department of Health (Department). To become licensed as a psychologist by the Department, an applicant must meet specific education, examination, and experience standards. Requirements for licensure are a doctoral degree from a

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regionally accredited institution, no fewer than two years of supervised experience, and passing an examination. Applicants for a license to practice psychology may receive a license through an endorsement process under certain circumstances, and the Department must issue a probationary license to an applicant who has held a license within the prior 12 months in another state with a substantially equivalent scope of practice.

The Examining Board of Psychology (Board), which consists of nine psychologists and two public members, is responsible for the development of rules, policies, and procedures as it relates to the qualifications, licensing, discipline, education, and training of psychologists in Washington.

In 2020 (amended February 2021), the Department conducted a sunrise review to evaluate a proposal to establish a certification for prescribing psychologists which would grant prescriptive authority for psychologists who obtain additional training. Providers in Washington with prescriptive authority include allopathic and osteopathic physicians and physician assistants, advanced registered nurse practitioners, dentists, naturopaths, optometrists, and podiatric physicians.

While the Department acknowledged the need to increase access to behavioral healthcare and believes the public may benefit from having a wider array of prescribers, the sunrise review found that the criteria for increasing the scope of psychologist's scope of practice as provided in the submitted proposal was not met due to the following: (1) there was insufficient evidence that the proposed education and training was adequate to train psychologists to prescribe controlled substances; (2) the description of prescriptive authority did not include appropriate safeguards such as physician or other prescriber collaboration, was not clear about which controlled substances could be prescribed, and did not include non-controlled legend drugs, which omits many classes of medications to treat mental health conditions; and (3) the Board did not have the expertise to establish education and practice standards or evaluate potential prescribing violations.

Controlled Substances.

A controlled substance means a drug or substance included in Schedules I through V, with some exceptions. Drugs and substances are placed on schedules based on their potential for abuse, medical use, and safety. Substances in Schedule I are the most tightly controlled, while those in Schedule V are the least tightly controlled.

Summary of Bill:

A prescribing psychologist is authorized to prescribe, administer, discontinue, and distribute psychotropic medications used in the diagnosis, treatment, and management of individuals with psychiatric, mental, cognitive, nervous, emotional, developmental, or behavioral health needs. A prescribing psychologist is defined as a person who holds an active license to practice psychology in the State of Washington and who holds an active certificate granting prescriptive

authority. Prescriptive authority includes ordering and obtaining necessary laboratory tests and diagnostic exams. Psychotropic medications include controlled substances used to treat mental illnesses.

Certification Requirements.

Applicants for certification must meet the following requirements:

- hold a current license as a psychologist;
- hold a doctoral degree from an integrated program of graduate study in psychology;
- have successfully completed a master's degree in clinical psychopharmacology from a regionally accredited educational program that satisfies standards set forth by the United States Department of Education and the Board;
- have successfully completed a supervised clinical experience in physical assessment comprised of no less than 80 hours;
- have successfully completed a clinical prescribing fellowship under the supervision of qualified practitioners, to be comprised of no less than 500 hours and 100 patients; and
- passed a national examination.

The didactic portion of the educational program must include at least two years of full-time education, a minimum of 400 contact hours or its equivalent, and sufficient biomedical education to ensure the ability to prescribe in a safe and effective manner.

The Board may waive certain requirements for applicants who are dually licensed health professionals with comparable prescriptive authority in Washington. Applicants with both an active license to practice psychology and an active certificate of prescriptive authority from another state, or substantially similar training from a United States military department may also be granted certification as a prescribing psychologist upon payment of relevant fees and completion of additional education and supervision if deemed necessary by the Board.

Renewal of certification must be made in conjunction with the renewal of a prescribing psychologist's license to practice.

Scope of Prescriptive Authority.

A psychologist is prohibited from issuing a prescription unless they hold a valid certificate. A prescribing psychologist can prescribe only in coordination and collaboration with the health care practitioner overseeing a patient's general medical care and must coordinate the patient's ongoing care. A record of all prescriptions must be maintained in a patient's records. Opioids may not be prescribed by a prescribing psychologist. Prescriptions issued by a prescribing psychologist must follow state and federal laws and regulations and be identified as written by the prescribing psychologist in a manner determined by the Board. Prescriptive authority may not be delegated to another person. A prescribing psychologist who is authorized to prescribe controlled substance must submit a Drug Enforcement Agency (DEA) registration and number to the Board.

Examining Board of Psychology (Composition and Duties).

The number of Board positions increases from 11 to 12 and the composition must include one expert on psychiatric prescribing. The Board member must have specialized training and experience in the management of psychotropic medication and should be either a prescribing psychologist, physician or osteopathic physician with special knowledge of psychopharmacology, psychiatric nurse practitioner, or pharmacist with expertise in psychopharmacology.

The Board must certify applicants who meet certification requirements. The Board is required to develop and implement procedures related to the review of educational and training standards of applicants for certification. In addition, the Board must establish rules related to the denying, modifying, suspending, or revoking of a certification and mandatory continuing education requirements.

Additional rules must be adopted, in consultation with the Medical Commission, to establish certification and prescriptive authority standards.

The Board must maintain a current list of every prescribing psychologist's license and certification numbers and DEA registration number. The Board is required to transmit an initial list of prescribing psychologists to the Pharmacy Quality Assurance Commission (Commission) which includes names, identification numbers, and certification dates and must promptly notify the Commission of new certifications, as well as any termination, suspension, or reinstatement of a certification.

Appropriation: None.

Fiscal Note: Requested on January 4, 2023.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2023.