

## HB 3355 A STAFF MEASURE SUMMARY

### House Committee On Health Care

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**Action Date:** 04/14/17

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 9-0-0-0

**Yeas:** 9 - Alonso Leon, Buehler, Greenlick, Hack, Hayden, Kennemer, Keny-Guyer, Malstrom, Nosse

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

**Prepared By:** Sandy Thiele-Cirka, LPRO Analyst

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#### WHAT THE MEASURE DOES:

Authorizes the State Board of Psychologist Examiners to issue a certificate of prescriptive authority to licensed psychologist who meets the specified requirements. Specifies that the required training be from a designated program by the American Psychological Association or a successor organization. Changes the clinical experience from at least two months to 12 months. Creates a nine-member Committee on Prescribing Psychologists. Specifies that the membership include one public member, increase the prescribing physicians to four and that one member have expertise in treating children. Declares emergency, effective on passage.

#### ISSUES DISCUSSED:

- Review of prescribing privileges for specially trained psychologists
- Proponents assert that prescriber access will improve due to shortage of current prescribing mental health providers
- Support for integration of behavioral health services
- Will improve patient outcomes
- Concerns about expanding prescribing privileges
- Concerns about patient safety
- Concerns about the education requirements
- Proposed amendment

#### EFFECT OF AMENDMENT:

Specifies that the required training be from a designated program by the American Psychological Association or a successor organization. Changes the clinical experience from at least two months to 12 months. Increases the membership of the Committee on Prescribing Psychologists from seven to nine members; includes one public member and increases the prescribing physicians to four; specifies that one have expertise in treating children.

#### BACKGROUND:

In 2004, New Mexico became the first state to allow psychologists the authority to prescribe psychotropic medication, which was codified as "The Professional Psychologist Act." Under the Act, a psychologist may apply to the New Mexico State Board of Psychologist Examiners (NMSBPE) for a conditional prescription certificate. The applicant must hold a current license to practice psychology in New Mexico and complete a doctoral program in psychology from either an accredited institution or a professional school. Subject to the approval of the NMSBPE and the New Mexico Board of Medical Examiners, the applicant must complete "pharmacological training from an institution of higher education" and pass a national certification examination testing his or her "knowledge of pharmacology in the diagnosis, care and treatment of mental disorders." Within five years preceding the date of his or her application, the applicant must have completed at least 450 hours of didactic instruction in certain core subjects. Additionally, the applicant must complete a physician-supervised "80 hour practicum in clinical assessment

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and pathophysiology and an additional supervised practicum of at least 400 hours treating at least 100 patients;" all three training and instruction programs are subject to both Boards' approval. The Act also provides for further rules and requirements to be promulgated by the NMSBPE once it is has been established, e.g., the minimum amount of malpractice insurance that the NMSBPE has proposed to equal \$1 million per occurrence and \$3 million in aggregate liability. If the NMSBPE is satisfied with the application, they may grant a conditional prescription certificate that allows the psychologist to prescribe under the supervision of a licensed physician for a period of two years.