

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 23-0051.01 Kristen Forrestal x4217

HOUSE BILL 23-1071

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A BILL FOR AN ACT

101 **CONCERNING THE AUTHORITY OF A LICENSED PSYCHOLOGIST TO**
102 **PRESCRIBE PSYCHOTROPIC MEDICATION FOR THE TREATMENT**
103 **OF MENTAL HEALTH DISORDERS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill adds 2 members to the state board of psychologist examiners (board) and requires 2 of the 9 members of the board to be prescribing psychologists.

The bill allows a licensed psychologist to prescribe and administer psychotropic medications if the licensed psychologist holds a conditional

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
3rd Reading Unamended
February 9, 2023

HOUSE
Amended 2nd Reading
February 8, 2023

prescription certificate or a prescription certificate issued by the board.

A licensed psychologist may apply to the board for a conditional prescription certificate and must include in the application satisfactory evidence that the applicant has met specific educational, supervisory, and clinical requirements. The board is required to issue a conditional prescription certificate to the licensed psychologist if the board determines the applicant has met the requirements. The licensed psychologist with a conditional prescription certificate may only administer and prescribe psychotropic medications under the supervision of a licensed physician or advanced practice registered nurse and must maintain a collaborative relationship with the patient's health-care provider.

A licensed psychologist who holds a conditional prescription certificate for 2 years and who meets the specified requirements may apply for and receive a prescription certificate (prescribing psychologist). A licensed psychologist with a prescription certificate may prescribe psychotropic medication to a person if the licensed psychologist:

- Holds a current license in good standing;
- Maintains the required malpractice insurance; and
- Annually completes at least 20 hours of continuing education.

The board is authorized to promulgate rules to:

- Implement procedures for obtaining a conditional prescription certificate and a prescription certificate; and
- Establish grounds for denial, suspension, and revocation of the certificates.

The bill requires a prescribing psychologist and a licensed psychologist with a conditional prescription certificate to file with the board all individual federal drug enforcement administration registrations and numbers. The board and the Colorado medical board are required to maintain current records of every psychologist with prescriptive authority, including registrations and numbers.

The department of regulatory agencies (department) is required to annually collect information regarding prescribing psychologists and licensed psychologists with conditional prescription certificates, to compile the information, and to share the information with the office in the department responsible for conducting sunset reviews for inclusion in each scheduled sunset review concerning the regulation of mental health professionals.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 12-245-301, **amend**

1 (4), (5), and (6); and **add** (7), (8), (9), (10), (11), (12), and (13) as
2 follows:

3 **12-245-301. Definitions.** As used in this part 3, unless the context
4 otherwise requires:

5 (4) ~~"Licensed psychologist" means a person licensed under this~~
6 part 3 "INDEPENDENTLY LICENSED PRESCRIBING PHYSICIAN" MEANS A
7 PHYSICIAN LICENSED PURSUANT TO ARTICLE 240 OF THIS TITLE 12 WHO
8 SUPERVISES LICENSED PSYCHOLOGISTS PARTICIPATING IN PRACTICUMS
9 DESCRIBED IN SECTION 12-245-309 (2)(a)(IV).

10 (5) ~~"Professional psychological training program" means a~~
11 ~~doctoral training program that:~~

12 (a) ~~Is a planned program of study that reflects an integration of the~~
13 ~~science and practice of psychology; and~~

14 (b) ~~For applicants receiving their terminal degrees after 1990, is~~
15 ~~designated as a doctoral program in psychology by the Association of~~
16 ~~State and Provincial Psychology Boards or the National Register of~~
17 ~~Health Service Psychologists, or is accredited by the American~~
18 ~~Psychological Association or Canadian Psychological Association~~
19 "LICENSED PSYCHOLOGIST" MEANS A PERSON LICENSED PURSUANT TO THIS
20 PART 3.

21 (6) ~~"Telepsychology" means the provision of psychological~~
22 ~~services using telecommunications technologies~~ == "NARCOTIC DRUG"
23 HAS THE SAME MEANING AS SET FORTH IN SECTION 18-18-102 (20).

24 (7) "PRESCRIBING PSYCHOLOGIST" MEANS A LICENSED
25 PSYCHOLOGIST WHO HOLDS A PRESCRIPTION CERTIFICATE.

26 (8) "PRESCRIPTION CERTIFICATE" MEANS A DOCUMENT ISSUED BY
27 THE BOARD, WITH APPROVAL OF THE COLORADO MEDICAL BOARD, TO A

1 LICENSED PSYCHOLOGIST THAT PERMITS THE LICENSED PSYCHOLOGIST TO
2 PRESCRIBE PSYCHOTROPIC MEDICATIONS PURSUANT TO THIS PART 3.

3 (9) "PROFESSIONAL PSYCHOLOGICAL TRAINING PROGRAM" MEANS
4 A DOCTORAL TRAINING PROGRAM THAT:

5 (a) IS A PLANNED PROGRAM OF STUDY THAT REFLECTS AN
6 INTEGRATION OF THE SCIENCE AND PRACTICE OF PSYCHOLOGY; AND

7 (b) FOR APPLICANTS RECEIVING THEIR TERMINAL DEGREES AFTER
8 1990, IS DESIGNATED AS A DOCTORAL PROGRAM IN PSYCHOLOGY BY THE
9 ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS OR THE
10 NATIONAL REGISTER OF HEALTH SERVICE PSYCHOLOGISTS OR IS
11 ACCREDITED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION OR
12 CANADIAN PSYCHOLOGICAL ASSOCIATION.

13 (10) (a) "PSYCHOTROPIC MEDICATION" MEANS A CONTROLLED
14 SUBSTANCE OR DANGEROUS DRUG:

15 (I) THAT MAY NOT BE DISPENSED OR ADMINISTERED WITHOUT A
16 PRESCRIPTION;

17 (II) FOR WHICH THE PRIMARY INDICATION FOR USE IS APPROVED BY
18 THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF
19 MENTAL HEALTH DISORDERS; AND

20 (III) THAT IS LISTED AS A PSYCHOTHERAPEUTIC AGENT IN THE
21 MOST RECENT EDITION OF "DRUG FACTS AND COMPARISONS" OR IN THE
22 AMERICAN HOSPITAL FORMULARY SERVICE DRUG INFORMATION
23 COMPENDIUM.

24 (b) "PSYCHOTROPIC MEDICATION" DOES NOT INCLUDE A NARCOTIC
25 DRUG.

26 ==
27 (11) "TELEPSYCHOLOGY" MEANS THE PROVISION OF

1 PSYCHOLOGICAL SERVICES USING TELECOMMUNICATIONS TECHNOLOGIES.

2 **SECTION 2.** In Colorado Revised Statutes, 12-245-302, **amend**
3 **(2)(a)** as follows:

4 **12-245-302. State board of psychologist examiners - created**
5 **- members - terms.** (2) The board consists of **seven** members who are
6 residents of the state of Colorado as follows:

7 (a) **Four** board members must be licensed psychologists, at least
8 two of whom shall be engaged in the direct practice of psychology **AND**
9 **ONE OF WHOM IS A PRESCRIBING PSYCHOLOGIST; except that, if,** after a
10 good-faith attempt, the governor determines that an applicant for
11 membership on the board pursuant to this subsection (2)(a) who is
12 engaged in the direct practice of psychology **OR WHO IS A PRESCRIBING**
13 **PSYCHOLOGIST** is not available to serve on the board for a particular term,
14 the governor may appoint a licensed psychologist who is not engaged in
15 the direct practice of psychology **OR WHO IS NOT A PRESCRIBING**
16 **PSYCHOLOGIST.**

17 **SECTION 3.** In Colorado Revised Statutes, **add** 12-245-309 as
18 follows:

19 **12-245-309. Prescription authority - psychotropic drugs -**
20 **prescription certificates - requirements - issuance, denial, renewal,**
21 **and revocation of certification - rules.** (1) **Prescribing and**
22 **administering psychotropic medications.** (a) A LICENSED
23 PSYCHOLOGIST MAY ONLY ADMINISTER OR PRESCRIBE PSYCHOTROPIC
24 MEDICATION TO A PERSON PURSUANT TO THE REQUIREMENTS AND
25 LIMITATIONS SET FORTH IN THIS SECTION.

26 (b) A LICENSED PSYCHOLOGIST MUST HOLD **(b)** A PRESCRIPTION
27 CERTIFICATE IN ORDER TO PRESCRIBE OR ADMINISTER PSYCHOTROPIC

1 MEDICATION.

2 (2) **Prescription certificate.** (a) A LICENSED PSYCHOLOGIST MAY
3 APPLY TO THE BOARD FOR A PRESCRIPTION CERTIFICATE IN THE FORM
4 AND MANNER APPROVED BY THE BOARD. THE APPLICANT MUST INCLUDE
5 SATISFACTORY EVIDENCE THAT THE APPLICANT:

6 (I) HAS COMPLETED A DOCTORAL PROGRAM IN PSYCHOLOGY FROM
7 AN APPROVED SCHOOL OR FROM A DOCTORAL PROGRAM THAT WAS NOT
8 ACCREDITED AT THE TIME OF THE APPLICANT'S GRADUATION BUT MEETS
9 THE PROFESSIONAL STANDARDS APPROVED BY THE BOARD;

10 (II) HAS SUCCESSFULLY COMPLETED A MASTER OF SCIENCE IN A
11 CLINICAL PSYCHOPHARMACOLOGY PROGRAM THAT IS DESIGNATED BY THE
12 AMERICAN PSYCHOLOGICAL ASSOCIATION OR ANY EDUCATION AS SET
13 FORTH IN RULES PROMULGATED BY THE BOARD WITH APPROVAL OF THE
14 COLORADO MEDICAL BOARD AND THAT CONSISTS OF DIDACTIC
15 INSTRUCTION OF AT LEAST FOUR HUNDRED FIFTY CLASSROOM HOURS IN AT
16 LEAST THE FOLLOWING CORE AREAS OF INSTRUCTION:

17 (A) NEUROSCIENCE;

18 (B) PHARMACOLOGY;

19 (C) PSYCHOPHARMACOLOGY;

20 (D) PHYSIOLOGY;

21 (E) PATHOPHYSIOLOGY;

22 (F) APPROPRIATE AND RELEVANT PHYSICAL AND LABORATORY
23 ASSESSMENT;

24 (G) CLINICAL PHARMACOTHERAPEUTICS; AND

25 (H) BASIC SCIENCES, INCLUDING GENERAL BIOLOGY,
26 MICROBIOLOGY, CELL AND MOLECULAR BIOLOGY, HUMAN ANATOMY,
27 HUMAN PHYSIOLOGY, BIOCHEMISTRY, AND GENETICS, AS PART OF OR PRIOR

1 TO ENROLLMENT IN A MASTER OF SCIENCE DEGREE PROGRAM IN CLINICAL
2 PSYCHOPHARMACOLOGY.

3 (III) HAS PASSED THE PSYCHOPHARMACOLOGY EXAMINATION FOR
4 PSYCHOLOGISTS DEVELOPED BY THE ASSOCIATION OF STATE AND
5 PROVINCIAL PSYCHOLOGY BOARDS, OR ITS SUCCESSOR ORGANIZATION;

6 (IV) HAS BEEN CERTIFIED BY EACH OF THE APPLICANT'S
7 INDEPENDENTLY LICENSED PRESCRIBING CLINICIANS AS HAVING
8 SUCCESSFULLY COMPLETED, IN NOT LESS THAN TWELVE MONTHS BUT NO
9 MORE THAN TWENTY-FOUR MONTHS, A SUPERVISED AND RELEVANT
10 CLINICAL EXPERIENCE APPROVED BY THE BOARD AND THE COLORADO
11 MEDICAL BOARD THAT CONSISTS OF:

12 (A) A ONE-TO-ONE, IN-PERSON SUPERVISED PRACTICUM, OF AT
13 LEAST SEVEN HUNDRED FIFTY HOURS TREATING AT LEAST ONE HUNDRED
14 FIFTY CLIENTS WITH MENTAL HEALTH DISORDERS UNDER THE SUPERVISION
15 OF ANY ONE OR A COMBINATION OF APPROPRIATELY TRAINED
16 INDEPENDENTLY LICENSED PRESCRIBING CLINICIANS WHO HAVE BEEN
17 DETERMINED BY THE BOARD AND THE COLORADO MEDICAL BOARD AS
18 COMPETENT TO TRAIN THE APPLICANT IN THE TREATMENT OF A DIVERSE
19 CLIENT POPULATION;

20 (B) INCLUDED IN THE SEVEN HUNDRED FIFTY HOURS REQUIRED IN
21 SUBSECTION (2)(a)(IV)(A) OF THIS SECTION, AT LEAST AN EIGHTY-HOUR
22 PRACTICUM IN OBSERVATIONAL CLINICAL ASSESSMENT AND
23 PATHOPHYSIOLOGY UNDER THE SUPERVISION OF AN INDEPENDENTLY
24 LICENSED PRESCRIBING PHYSICIAN; AND

25 (C) IF THE LICENSED PSYCHOLOGIST IS WORKING WITH PATIENTS
26 UNDER EIGHTEEN YEARS OF AGE OR OVER SIXTY-FIVE YEARS OF AGE, AT
27 LEAST TWO HUNDRED FIFTY OF THE SEVEN HUNDRED FIFTY HOURS

1 REQUIRED IN SUBSECTION (2)(a)(IV)(A) OF THIS SECTION UNDER THE
2 SUPERVISION OF ONE OR MORE INDEPENDENT LICENSED PRESCRIBING
3 CLINICIANS WHO WORK WITH PATIENTS UNDER EIGHTEEN YEARS OF AGE OR
4 OVER SIXTY-FIVE YEARS OF AGE, WHICHEVER IS APPLICABLE, IF THE
5 LICENSED PSYCHOLOGIST IS WORKING WITH SUCH PATIENTS;

6 (V) HAS SUCCESSFULLY UNDERGONE A PROCESS OF INDEPENDENT
7 PEER REVIEW AS SET FORTH IN RULE OF THE BOARD AND APPROVED BY THE
8 COLORADO MEDICAL BOARD;

9 (VI) MAINTAINS COMMERCIAL PROFESSIONAL LIABILITY
10 INSURANCE WITH AN INSURER AUTHORIZED TO DO BUSINESS IN THIS STATE
11 OR AN ELIGIBLE NONADMITTED INSURER AUTHORIZED TO PROVIDE
12 INSURANCE PURSUANT TO ARTICLE 5 OF TITLE 10 IN A MINIMUM
13 INDEMNITY AMOUNT OF ONE MILLION DOLLARS PER INCIDENT AND THREE
14 MILLION DOLLARS ANNUAL AGGREGATE PER YEAR; AND

15 (VII) MEETS ALL OTHER REQUIREMENTS AS DETERMINED BY THE
16 BOARD.

17 (b) THE BOARD SHALL ISSUE A PRESCRIPTION CERTIFICATE TO AN
18 APPLICANT WHO THE BOARD DETERMINES HAS MET THE REQUIREMENTS OF
19 SUBSECTION (2)(a) OF THIS SECTION. A LICENSED PSYCHOLOGIST WITH A
20 PRESCRIPTION CERTIFICATE MAY PRESCRIBE AND ADMINISTER
21 PSYCHOTROPIC MEDICATION TO A PERSON IF THE LICENSED PSYCHOLOGIST:

22 (I) HOLDS A CURRENT LICENSE IN GOOD STANDING TO PRACTICE
23 PSYCHOLOGY IN THIS STATE;

24 (II) MAINTAINS THE COMMERCIAL PROFESSIONAL LIABILITY
25 INSURANCE REQUIRED BY SUBSECTION (2)(a)(VI) OF THIS SECTION; AND

26 (III) COMPLETES AT LEAST FORTY HOURS OF CONTINUING
27

1 EDUCATION EVERY TWO YEARS IN THE AREAS OF PHARMACOLOGY AND
2 PSYCHOPHARMACOLOGY FOR PRESCRIBING PSYCHOLOGISTS OR A GREATER
3 AMOUNT AS REQUIRED BY THE BOARD.

4 **(3) Prescription certificate by endorsement.** UPON PAYMENT OF
5 THE REQUIRED LICENSING FEES AND APPROVAL OF THE APPLICATION FOR
6 A PRESCRIPTION CERTIFICATE BY ENDORSEMENT, THE BOARD MAY CERTIFY
7 BY ENDORSEMENT AND GRANT A PRESCRIPTION CERTIFICATE TO AN
8 APPLICANT WHO HAS:

9 (a) A CURRENT LICENSE IN GOOD STANDING TO PRACTICE
10 PSYCHOLOGY FROM ANOTHER STATE; AND

11 (b) (I) UNRESTRICTED PRESCRIPTIVE AUTHORITY FROM ANOTHER
12 STATE THAT IMPOSES THE EDUCATION, SUPERVISION, AND TRAINING
13 REQUIREMENTS REQUIRED BY THIS SECTION AND BY RULE OF THE BOARD;
14 OR

15 (II) TRAINING FROM THE UNITED STATES DEPARTMENT OF
16 DEFENSE PSYCHOPHARMACOLOGY DEMONSTRATION PROJECT FOR
17 LICENSED PSYCHOLOGISTS OR OTHER SIMILAR PROGRAM THAT IMPOSES
18 THE EDUCATION, SUPERVISION, AND TRAINING REQUIREMENTS REQUIRED
19 BY THIS SECTION AND BY RULE OF THE BOARD.

20 **(4) Rules.** THE BOARD MAY PROMULGATE RULES TO:

21 (a) IMPLEMENT PROCEDURES FOR OBTAINING A PRESCRIPTION
22 CERTIFICATE AND RENEWALS FOR THE CERTIFICATES; AND

23 (b) IN ADDITION TO THE GROUNDS FOR DISCIPLINE IN SECTION
24 12-245-224, ESTABLISH THE GROUNDS FOR DENIAL, SUSPENSION, AND
25 REVOCATION OF A PRESCRIPTION CERTIFICATE, INCLUDING FOR THE
26 SUSPENSION OF A LICENSE TO PRACTICE PSYCHOLOGY UPON THE
27 SUSPENSION OR REVOCATION OF A CERTIFICATE.

1 **(5) Prescribing and administering practices.** (a) A PRESCRIBING
2 PSYCHOLOGIST MAY:

3 (I) PRESCRIBE PSYCHOTROPIC MEDICATION THROUGH THE USE OF
4 TELEPSYCHOLOGY; AND

5 (II) PRESCRIBE AND ADMINISTER PSYCHOTROPIC MEDICATION
6 WITHIN THE RECOGNIZED SCOPE OF PRACTICE, INCLUDING ORDERING AND
7 REVIEWING LABORATORY TESTS IN CONJUNCTION WITH A PRESCRIPTION
8 FOR THE TREATMENT OF A MENTAL HEALTH DISORDER.

9 (b) WHEN PRESCRIBING A PSYCHOTROPIC MEDICATION FOR A
10 PATIENT, THE PRESCRIBING PSYCHOLOGIST _____ SHALL MAINTAIN AN
11 ONGOING COLLABORATIVE RELATIONSHIP WITH THE PHYSICIAN WHO
12 OVERSEES THE PATIENT'S GENERAL MEDICAL CARE TO ENSURE THAT
13 NECESSARY MEDICAL EXAMINATIONS ARE CONDUCTED, THE
14 PSYCHOTROPIC MEDICATION IS APPROPRIATE FOR THE PATIENT'S MEDICAL
15 CONDITION, AND SIGNIFICANT CHANGES IN THE PATIENT'S MEDICAL OR
16 PSYCHOLOGICAL CONDITIONS ARE DISCUSSED.

17 (c) (I) A PRESCRIBING PSYCHOLOGIST __ SHALL OBTAIN A RELEASE
18 OF INFORMATION FROM A PATIENT OR THE PATIENT'S LEGAL GUARDIAN
19 AUTHORIZING THE PSYCHOLOGIST TO CONTACT THE PATIENT'S PRIMARY
20 TREATING PHYSICIAN, AS REQUIRED BY LAW.

21 (II) IF A PATIENT OR THE PATIENT'S LEGAL GUARDIAN REFUSES TO
22 SIGN A RELEASE OF INFORMATION FOR THE PATIENT'S PRIMARY TREATING
23 PHYSICIAN WHO OVERSEES THE PATIENT, THE PRESCRIBING PSYCHOLOGIST
24 ____ SHALL:

25 (A) INFORM THE CLIENT OR THE CLIENT'S LEGAL GUARDIAN THAT
26 THE PSYCHOLOGIST CANNOT TREAT THE PATIENT PHARMACOLOGICALLY
27 WITHOUT AN ONGOING COLLABORATIVE RELATIONSHIP WITH THE CLIENT'S

1 PRIMARY TREATING PHYSICIAN; AND

2 (B) REFER THE PATIENT TO ANOTHER PRESCRIBER WHO IS NOT
3 REQUIRED TO MAINTAIN AN ONGOING COLLABORATIVE RELATIONSHIP
4 WITH A PHYSICIAN.

5 (III) BEFORE PRESCRIBING OR ADMINISTERING A PSYCHOTROPIC
6 MEDICATION TO A PATIENT, A PRESCRIBING PSYCHOLOGIST SHALL
7 COMMUNICATE TO THE PATIENT'S PRIMARY TREATING PHYSICIAN THE
8 INTENT TO PRESCRIBE OR ADMINISTER THE MEDICATION AND MUST
9 RECEIVE ELECTRONIC WRITTEN AGREEMENT FROM THE PHYSICIAN THAT
10 THE PRESCRIPTION FOR OR ADMINISTERING OF THE MEDICATION IS
11 APPROPRIATE.

12 (IV) IF A PATIENT DOES NOT HAVE A PRIMARY TREATING
13 HEALTH-CARE PROVIDER WHO IS A LICENSED PHYSICIAN, THE PRESCRIBING
14 PSYCHOLOGIST ___ SHALL REFER THE PATIENT TO A LICENSED PHYSICIAN
15 PRIOR TO PSYCHOPHARMACOLOGICAL TREATMENT. THE PSYCHOLOGIST
16 MUST RECEIVE THE RESULTS OF THE LICENSED PHYSICIAN'S ASSESSMENT
17 AND SHALL CONTACT THE LICENSED PHYSICIAN WHO CONDUCTED THE
18 ASSESSMENT PRIOR TO PRESCRIBING A PSYCHOTROPIC MEDICATION TO THE
19 PATIENT.

20 (V) ONCE A COLLABORATIVE RELATIONSHIP IS ESTABLISHED WITH
21 ___ THE PRIMARY TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST
22 REFERS THE PATIENT PURSUANT TO SUBSECTION (5)(c)(IV) OF THIS
23 SECTION, THE PRESCRIBING PSYCHOLOGIST ___ SHALL MAINTAIN AND
24 DOCUMENT THE COLLABORATIVE RELATIONSHIP TO ENSURE THAT
25 RELEVANT INFORMATION IS EXCHANGED ACCURATELY AND IN A TIMELY
26 MANNER. THE ONGOING COLLABORATIVE RELATIONSHIP MUST BE
27 MAINTAINED ACCORDING TO THE FOLLOWING:

1 (A) A PRESCRIBING PSYCHOLOGIST _____ SHALL NOTIFY THE _____
2 PRIMARY TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST REFERS THE
3 CLIENT PURSUANT TO SUBSECTION (5)(c)(IV) OF THIS SECTION IF THE
4 PATIENT EXPERIENCES ADVERSE EFFECTS FROM MEDICATIONS PRESCRIBED
5 BY THE PSYCHOLOGIST THAT MAY BE RELATED TO THE PATIENT'S MEDICAL
6 CONDITION FOR WHICH THE PATIENT IS BEING TREATED BY THE PRIMARY
7 TREATING PHYSICIAN;

8 (B) A PRESCRIBING PSYCHOLOGIST _____ SHALL NOTIFY THE PRIMARY
9 TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST REFERS THE PATIENT
10 PURSUANT TO SUBSECTION (5)(c)(IV) OF THIS SECTION REGARDING
11 RESULTS OF LABORATORY TESTS RELATED TO THE MEDICAL CARE OF THE
12 PATIENT THAT HAVE BEEN ORDERED BY THE PSYCHOLOGIST IN
13 CONJUNCTION WITH PSYCHOPHARMACOLOGICAL TREATMENT; AND

14 (C) A PRESCRIBING PSYCHOLOGIST _____ SHALL NOTIFY A _____
15 PRIMARY TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST REFERS THE
16 PATIENT PURSUANT TO SUBSECTION (6)(c)(IV) OF THIS SECTION AS SOON
17 AS POSSIBLE OF ANY CHANGE IN THE PATIENT'S PSYCHOLOGICAL
18 CONDITION THAT MAY AFFECT THE MEDICAL TREATMENT BEING PROVIDED
19 BY THE PHYSICIAN.

20 (d) IN ACCORDANCE WITH SECTION 12-245-203, A PRESCRIBING
21 PSYCHOLOGIST _____ SHALL NOT PRESCRIBE MEDICATION TO A PATIENT
22 UNLESS IT IS WITHIN THE PRESCRIBING PSYCHOLOGIST'S SCOPE OF
23 TRAINING, EXPERIENCE, AND COMPETENCE.

24 _____
25 **(6) Complaints.** THE COLORADO MEDICAL BOARD SHALL REVIEW
26 COMPLAINTS IN THE NORMAL COURSE OF BUSINESS AND MAKE
27 RECOMMENDATIONS TO THE BOARD REGARDING VIOLATIONS OF THIS

1 SECTION AND DISCIPLINARY ACTION TO BE TAKEN BY THE BOARD, IF
2 APPLICABLE.

3 (7) **Prescription information.** THE ENTITY THAT DISPENSES A
4 PRESCRIPTION FOR A PSYCHOTROPIC MEDICATION WRITTEN BY A
5 PRESCRIBING PSYCHOLOGIST SHALL COMPLY WITH APPLICABLE STATE AND
6 FEDERAL LAWS.

7 (8) **Disclosure.** A PRESCRIBING PSYCHOLOGIST SHALL DISCLOSE TO
8 EACH PATIENT TO WHOM THE PSYCHOLOGIST PRESCRIBES A PSYCHOTROPIC
9 MEDICATION THAT THE PSYCHOLOGIST IS NOT A PHYSICIAN LICENSED TO
10 PRACTICE MEDICINE, AND WILL BE SHARING INFORMATION REGARDING THE
11 DELIVERY OF PRESCRIBING SERVICES TO THE PATIENT'S PRIMARY TREATING
12 HEALTH-CARE PROVIDER AS REQUIRED BY LAW. THE DISCLOSURE MUST BE
13 IN WRITING, SIGNED BY THE PATIENT, AND KEPT IN THE PATIENT'S RECORD
14 ON FILE WITH THE PSYCHOLOGIST.

15 (9) A PRESCRIBING PSYCHOLOGIST SHALL NOT PRESCRIBE ANY
16 DRUG TO A PERSON UNDER EIGHTEEN YEARS OF AGE WITHOUT INFORMED
17 CONSENT FROM THE PARENT OR GUARDIAN OF SUCH PERSON.

18 (10) **Drug enforcement administration number.** EACH
19 PRESCRIBING PSYCHOLOGIST SHALL FILE WITH THE BOARD, IN THE FORM
20 AND MANNER DETERMINED BY THE BOARD, ALL INDIVIDUAL FEDERAL
21 DRUG ENFORCEMENT ADMINISTRATION REGISTRATIONS AND NUMBERS.
22 THE BOARD AND THE COLORADO MEDICAL BOARD SHALL MAINTAIN
23 CURRENT RECORDS OF EVERY PSYCHOLOGIST WITH PRESCRIPTIVE
24 AUTHORITY, INCLUDING THE PSYCHOLOGIST'S REGISTRATIONS AND
25 NUMBERS.

26 (11) (a) THE DEPARTMENT SHALL ANNUALLY COLLECT
27 INFORMATION REGARDING:

1 (I) THE NUMBER OF PRESCRIBING PSYCHOLOGISTS IN THIS STATE;

2 (II) THE LOCATION OF PRACTICE OF EACH PRESCRIBING
3 PSYCHOLOGIST;

4 (III) THE NUMBER OF PRESCRIBING PSYCHOLOGISTS WHO
5 ACCEPT CLIENTS WITH PRIVATE HEALTH INSURANCE OR WHO ARE
6 ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM ESTABLISHED
7 PURSUANT TO PARTS 4 TO 6 OF TITLE 25.5;

8 (IV) THE TYPE OF PRACTICE OF EACH PRESCRIBING PSYCHOLOGIST;
9 AND

10 (V) THE POPULATIONS SERVED BY EACH PRESCRIBING
11 PSYCHOLOGIST.

12 (b) THE DEPARTMENT SHALL COMPILE THE INFORMATION AND
13 SHARE IT WITH THE OFFICE IN THE DEPARTMENT THAT IS RESPONSIBLE FOR
14 CONDUCTING SUNSET REVIEWS PURSUANT TO SECTION 24-34-104. THE
15 OFFICE SHALL INCLUDE THE INFORMATION IN EACH SCHEDULED SUNSET
16 REVIEW CONCERNING THE REGULATION OF MENTAL HEALTH
17 PROFESSIONALS PURSUANT TO SECTION 24-34-104.

18 **SECTION 4. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly; except
21 that, if a referendum petition is filed pursuant to section 1 (3) of article V
22 of the state constitution against this act or an item, section, or part of this
23 act within such period, then the act, item, section, or part will not take
24 effect unless approved by the people at the general election to be held in
25 November 2024 and, in such case, will take effect on the date of the
26 official declaration of the vote thereon by the governor.