



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Revised Fiscal Note

(replaces fiscal note dated January 27, 2023)

Drafting Number:	LLS 23-0051	Date:	February 14, 2023
Prime Sponsors:	Rep. Amabile; Bradfield Sen. Simpson; Fenberg	Bill Status:	Senate Health & Human Services
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Bill Topic: LICENSED PSYCHOLOGIST PRESCRIPTIVE AUTHORITY

Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill allows licensed psychologists to obtain certification to prescribe psychotropic medications and requires that one member on the State Board of Psychologist Examiners be a prescribing psychologist. The bill minimally increases state revenue and workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: This revised fiscal note reflects the reengrossed bill.

Summary of Legislation

This bill allows licensed psychologists to prescribe and administer psychotropic medications by obtaining either a conditional prescription certificate or prescription certificate issued by the State Board of Psychologist Examiners (board) in the Department of Regulatory Agencies (DORA).

The bill outlines the criteria and process for obtaining a prescription certificate. Once granted, the psychologist may only administer and prescribe psychotropic medication under the supervision of a licensed physician or advanced practice registered nurse, must maintain a collaborative relationship with the patient's health provider, and must meet certain practicum and continuing education requirements. A prescribing psychologist must disclose that they are not a physician licensed to practice medicine and obtain consent from the patient.

The bill also adds a requirement that one member of the board be a prescribing psychologist. Additionally, the board can establish rules for certification and suspension of a certificate, must keep records of all prescribing psychologists, and handle complaints received. DORA is required to collect and share information on prescribing psychologists for inclusion in sunset reviews that concern the regulation of mental health professionals.

State Revenue

Beginning in FY 2023-24, the bill increases fee revenue to the Division of Professions and Occupation Cash Fund in DORA from issuing certificates. Due to the low number of expected applications, fee revenue is expected to be minimal. This revenue is subject to TABOR.

State Expenditures

Beginning in FY 2023-24, workload in DORA will increase to approve certificate applications, conduct outreach and education, expand the board, and process complaints received. The department may also require legal counsel and rulemaking support, provided by the Department of Law. Due to the relatively low number of prescribing psychologists in other states, this workload can be accomplished with existing resources.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Higher Education
Law

Human Services
Regulatory Agencies

Information Technology