

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 23-0051.01 Kristen Forrestal x4217

HOUSE BILL 23-1071

HOUSE SPONSORSHIP

Amabile and Bradfield,

SENATE SPONSORSHIP

Simpson and Fenberg,

House Committees

Public & Behavioral Health & Human Services

Senate Committees

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
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~~ "CONDITIONAL PRESCRIPTION CERTIFICATE" MEANS A DOCUMENT
7 ISSUED BY THE BOARD TO A LICENSED PSYCHOLOGIST THAT PERMITS THE
8 LICENSED PSYCHOLOGIST TO PRESCRIBE PSYCHOTROPIC MEDICATION
9 UNDER THE SUPERVISION OF A SUPERVISING CLINICIAN PURSUANT TO THIS
10 PART 3.

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

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

15 (b) ~~For applicants receiving their terminal degrees after 1990, is~~
16 ~~designated as a doctoral program in psychology by the Association of~~
17 ~~State and Provincial Psychology Boards or the National Register of~~
18 ~~Health Service Psychologists, or is accredited by the American~~
19 ~~Psychological Association or Canadian Psychological Association~~

20 "INDEPENDENTLY LICENSED PRESCRIBING CLINICIAN" MEANS A PHYSICIAN
21 LICENSED PURSUANT TO ARTICLE 240 OF THIS TITLE 12 OR AN ADVANCED
22 PRACTICE REGISTERED NURSE AS DEFINED IN SECTION 12-255-104(1) WHO
23 SUPERVISES LICENSED PSYCHOLOGISTS PARTICIPATING IN PRACTICUMS
24 DESCRIBED IN SECTION 12-245-309 (2)(a)(IV).

25 (6) ~~"Telepsychology" means the provision of psychological~~
26 ~~services using telecommunications technologies~~ "LICENSED
27 PSYCHOLOGIST" MEANS A PERSON LICENSED UNDER THIS PART 3.

1 (7) "NARCOTIC DRUG" HAS THE SAME MEANING AS SET FORTH IN
2 SECTION 18-18-102 (20).

3 (8) "PRESCRIBING PSYCHOLOGIST" MEANS A LICENSED
4 PSYCHOLOGIST WHO HOLDS A PRESCRIPTION CERTIFICATE.

5 (9) "PRESCRIPTION CERTIFICATE" MEANS A DOCUMENT ISSUED BY
6 THE BOARD TO A LICENSED PSYCHOLOGIST THAT PERMITS THE LICENSED
7 PSYCHOLOGIST TO PRESCRIBE PSYCHOTROPIC MEDICATIONS PURSUANT TO
8 THIS PART 3.

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

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

13 (b) FOR APPLICANTS RECEIVING THEIR TERMINAL DEGREES AFTER
14 1990, IS DESIGNATED AS A DOCTORAL PROGRAM IN PSYCHOLOGY BY THE
15 ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS OR THE
16 NATIONAL REGISTER OF HEALTH SERVICE PSYCHOLOGISTS OR IS
17 ACCREDITED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION OR
18 CANADIAN PSYCHOLOGICAL ASSOCIATION.

19 (11) (a) "PSYCHOTROPIC MEDICATION" MEANS A CONTROLLED
20 SUBSTANCE OR DANGEROUS DRUG:

21 (I) THAT MAY NOT BE DISPENSED OR ADMINISTERED WITHOUT A
22 PRESCRIPTION;

23 (II) FOR WHICH THE PRIMARY INDICATION FOR USE IS APPROVED BY
24 THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF
25 MENTAL HEALTH DISORDERS; AND

26 (III) THAT IS LISTED AS A PSYCHOTHERAPEUTIC AGENT IN THE
27 MOST RECENT EDITION OF "DRUG FACTS AND COMPARISONS" OR IN THE

1 AMERICAN HOSPITAL FORMULARY SERVICE DRUG INFORMATION
2 COMPENDIUM.

3 (b) "PSYCHOTROPIC MEDICATION" DOES NOT INCLUDE A NARCOTIC
4 DRUG.

5 (12) "SUPERVISING CLINICIAN" MEANS A PHYSICIAN LICENSED
6 PURSUANT TO ARTICLE 240 OF THIS TITLE 12 OR AN ADVANCED PRACTICED
7 REGISTERED NURSE AS DEFINED IN SECTION 12-255-104 (1) WHO
8 SUPERVISES LICENSED PSYCHOLOGISTS WITH A CONDITIONAL
9 PRESCRIPTION CERTIFICATE PURSUANT TO SECTION 12-245-309 (2)(c).

10 (13) "TELEPSYCHOLOGY" MEANS THE PROVISION OF
11 PSYCHOLOGICAL SERVICES USING TELECOMMUNICATIONS TECHNOLOGIES.

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

14 **12-245-302. State board of psychologist examiners - created**
15 **- members - terms.** (2) The board consists of **seven** members who are
16 residents of the state of Colorado as follows:

17 (a) **Four** board members must be licensed psychologists, at least
18 two of whom shall be engaged in the direct practice of psychology **AND**
19 **ONE OF WHOM IS A PRESCRIBING PSYCHOLOGIST; except that, if,** after a
20 good-faith attempt, the governor determines that an applicant for
21 membership on the board pursuant to this subsection (2)(a) who is
22 engaged in the direct practice of psychology **OR WHO IS A PRESCRIBING**
23 **PSYCHOLOGIST** is not available to serve on the board for a particular term,
24 the governor may appoint a licensed psychologist who is not engaged in
25 the direct practice of psychology **OR WHO IS NOT A PRESCRIBING**
26 **PSYCHOLOGIST.**

27 **SECTION 3.** In Colorado Revised Statutes, **add** 12-245-309 as

1 follows:

2 **12-245-309. Prescription authority - psychotropic drugs -**
3 **prescription certificates - requirements - issuance, denial, renewal,**
4 **and revocation of certification - rules. (1) Prescribing and**
5 **administering psychotropic medications. (a) A LICENSED**
6 **PSYCHOLOGIST MAY ONLY ADMINISTER OR PRESCRIBE PSYCHOTROPIC**
7 **MEDICATION TO A PERSON PURSUANT TO THE REQUIREMENTS AND**
8 **LIMITATIONS SET FORTH IN THIS SECTION.**

9 (b) A LICENSED PSYCHOLOGIST MUST HOLD [REDACTED] A PRESCRIPTION
10 CERTIFICATE IN ORDER TO PRESCRIBE OR ADMINISTER PSYCHOTROPIC
11 MEDICATION.

12 (2) **Prescription certificate.** (a) A LICENSED PSYCHOLOGIST MAY
13 APPLY TO THE BOARD FOR A [REDACTED] PRESCRIPTION CERTIFICATE IN THE FORM
14 AND MANNER APPROVED BY THE BOARD. THE APPLICANT MUST INCLUDE
15 SATISFACTORY EVIDENCE THAT THE APPLICANT:

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

20 (II) HAS SUCCESSFULLY COMPLETED A MASTER OF SCIENCE IN A
21 CLINICAL PSYCHOPHARMACOLOGY PROGRAM THAT IS DESIGNATED BY THE
22 AMERICAN PSYCHOLOGICAL ASSOCIATION OR ANY EDUCATION AS SET
23 FORTH IN RULES PROMULGATED BY THE BOARD WITH APPROVAL OF THE
24 COLORADO MEDICAL BOARD AND THAT CONSISTS OF DIDACTIC
25 INSTRUCTION OF AT LEAST FOUR HUNDRED FIFTY CLASSROOM HOURS IN AT
26 LEAST THE FOLLOWING CORE AREAS OF INSTRUCTION:

27 (A) NEUROSCIENCE;

1 (B) PHARMACOLOGY;
2 (C) PSYCHOPHARMACOLOGY;
3 (D) PHYSIOLOGY;
4 (E) PATHOPHYSIOLOGY;
5 (F) APPROPRIATE AND RELEVANT PHYSICAL AND LABORATORY
6 ASSESSMENT; AND

7 (G) CLINICAL PHARMACOTHERAPEUTICS;
8 (III) HAS PASSED THE PSYCHOPHARMACOLOGY EXAMINATION FOR
9 PSYCHOLOGISTS DEVELOPED BY THE ASSOCIATION OF STATE AND
10 PROVINCIAL PSYCHOLOGY BOARDS, OR ITS SUCCESSOR ORGANIZATION;

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

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

25 (B) INCLUDED IN THE SEVEN HUNDRED FIFTY HOURS REQUIRED IN
26 SUBSECTION (2)(a)(IV)(B) OF THIS SECTION AT LEAST AN EIGHTY-HOUR
27 PRACTICUM IN OBSERVATIONAL CLINICAL ASSESSMENT AND

1 PATHOPHYSIOLOGY UNDER THE SUPERVISION OF AN INDEPENDENTLY
2 LICENSED PRESCRIBING PHYSICIAN; AND

3 (C) IF THE LICENSED PSYCHOLOGIST IS WORKING WITH PEDIATRIC
4 OR GERIATRIC PATIENTS, AT LEAST TWO HUNDRED FIFTY OF THE SEVEN
5 HUNDRED FIFTY HOURS REQUIRED IN SUBSECTION (2)(a)(IV)(B) OF THIS
6 SECTION UNDER THE SUPERVISION OF ONE OR MORE INDEPENDENT
7 LICENSED PRESCRIBING CLINICIANS WHO WORK WITH PEDIATRIC OR
8 GERIATRIC PATIENTS, WHICHEVER IS APPLICABLE, IF THE LICENSED
9 PSYCHOLOGIST IS WORKING WITH PEDIATRIC OR GERIATRIC PATIENTS;

10
11 (V) HAS SUCCESSFULLY UNDERGONE A PROCESS OF INDEPENDENT
12 PEER REVIEW AS SET FORTH IN RULE OF THE BOARD AND APPROVED BY THE
13 COLORADO MEDICAL BOARD;

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

20 (VII) MEETS ALL OTHER REQUIREMENTS AS DETERMINED BY THE
21 BOARD.

22 (b) THE BOARD SHALL ISSUE A PRESCRIPTION CERTIFICATE TO AN
23 APPLICANT WHO THE BOARD DETERMINES HAS MET THE REQUIREMENTS OF
24 SUBSECTION (2)(a) OF THIS SECTION. A LICENSED PSYCHOLOGIST WITH A
25 PRESCRIPTION CERTIFICATE MAY PRESCRIBE AND ADMINISTER
26 PSYCHOTROPIC MEDICATION TO A PERSON IF THE LICENSED PSYCHOLOGIST:

27 (I) HOLDS A CURRENT LICENSE IN GOOD STANDING TO PRACTICE

1 PSYCHOLOGY IN THIS STATE;

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

4 (III) COMPLETES AT LEAST FORTY HOURS OF CONTINUING
5 EDUCATION EVERY TWO YEARS IN THE AREAS OF PHARMACOLOGY AND
6 PSYCHOPHARMACOLOGY FOR PRESCRIBING PSYCHOLOGISTS OR A GREATER
7 AMOUNT AS REQUIRED BY THE BOARD.

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

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

15 (b) (I) UNRESTRICTED PRESCRIPTIVE AUTHORITY FROM ANOTHER
16 STATE THAT IMPOSES THE EDUCATION, SUPERVISION, AND TRAINING
17 REQUIREMENTS REQUIRED BY THIS SECTION AND BY RULE OF THE BOARD;
18 OR

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

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

25 (a) IMPLEMENT PROCEDURES FOR OBTAINING A PRESCRIPTION
26 CERTIFICATE AND RENEWALS FOR THE CERTIFICATES; AND

27 (b) IN ADDITION TO THE GROUNDS FOR DISCIPLINE IN SECTION

1 12-245-224, ESTABLISH THE GROUNDS FOR DENIAL, SUSPENSION, AND
2 **REVOCAION OF A** PRESCRIPTION CERTIFICATE, INCLUDING FOR THE
3 SUSPENSION OF A LICENSE TO PRACTICE PSYCHOLOGY UPON THE
4 SUSPENSION OR REVOCATION OF A CERTIFICATE.

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

7 (I) PRESCRIBE PSYCHOTROPIC MEDICATION THROUGH THE USE OF
8 TELEPSYCHOLOGY; AND

9 (II) PRESCRIBE AND ADMINISTER PSYCHOTROPIC MEDICATION
10 WITHIN THE RECOGNIZED SCOPE OF PRACTICE, INCLUDING ORDERING AND
11 REVIEWING LABORATORY TESTS IN CONJUNCTION WITH A PRESCRIPTION
12 FOR THE TREATMENT OF A MENTAL HEALTH DISORDER.

13 (b) WHEN PRESCRIBING A PSYCHOTROPIC MEDICATION FOR A
14 CLIENT, THE PRESCRIBING PSYCHOLOGIST OR THE LICENSED PSYCHOLOGIST
15 WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL MAINTAIN AN
16 ONGOING COLLABORATIVE RELATIONSHIP WITH THE HEALTH-CARE
17 PROVIDER WHO OVERSEES THE CLIENT'S GENERAL MEDICAL CARE TO
18 ENSURE THAT NECESSARY MEDICAL EXAMINATIONS ARE CONDUCTED, THE
19 PSYCHOTROPIC MEDICATION IS APPROPRIATE FOR THE CLIENT'S MEDICAL
20 CONDITION, AND SIGNIFICANT CHANGES IN THE CLIENT'S MEDICAL OR
21 PSYCHOLOGICAL CONDITIONS ARE DISCUSSED.

22 (c) (I) A PRESCRIBING PSYCHOLOGIST OR A LICENSED
23 PSYCHOLOGIST WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL
24 OBTAIN A RELEASE OF INFORMATION FROM A CLIENT OR THE CLIENT'S
25 LEGAL GUARDIAN AUTHORIZING THE PSYCHOLOGIST TO CONTACT THE
26 CLIENT'S PRIMARY TREATING HEALTH-CARE PROVIDER, AS REQUIRED BY
27 LAW.

1 (II) IF A CLIENT OR THE CLIENT'S LEGAL GUARDIAN REFUSES TO
2 SIGN A RELEASE OF INFORMATION FOR THE CLIENT'S PRIMARY TREATING
3 HEALTH-CARE PROVIDER, THE PRESCRIBING PSYCHOLOGIST OR LICENSED
4 PSYCHOLOGIST WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL:

5 (A) INFORM THE CLIENT OR THE CLIENT'S LEGAL GUARDIAN THAT
6 THE PSYCHOLOGIST CANNOT TREAT THE CLIENT PHARMACOLOGICALLY
7 WITHOUT AN ONGOING COLLABORATIVE RELATIONSHIP WITH THE CLIENT'S
8 PRIMARY TREATING HEALTH-CARE PROVIDER; AND

9 (B) REFER THE CLIENT TO ANOTHER PRESCRIBER WHO IS NOT
10 REQUIRED TO MAINTAIN AN ONGOING COLLABORATIVE RELATIONSHIP
11 WITH A HEALTH-CARE PROVIDER.

12 (III) A PRESCRIBING PSYCHOLOGIST OR A LICENSED PSYCHOLOGIST
13 WITH A CONDITIONAL PRESCRIPTION CERTIFICATE MUST PROVIDE WRITTEN
14 NOTICE TO THE PRIMARY TREATING HEALTH-CARE PROVIDER WITHIN ONE
15 WEEK AFTER THE PSYCHOLOGIST ISSUES OR ADMINISTERS A PRESCRIPTION
16 FOR A PSYCHOTROPIC MEDICATION TO THE CLIENT.

17 (IV) IF A CLIENT DOES NOT HAVE A PRIMARY TREATING
18 HEALTH-CARE PROVIDER, THE PRESCRIBING PSYCHOLOGIST OR LICENSED
19 PSYCHOLOGIST WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL
20 REFER THE CLIENT TO A HEALTH-CARE PROVIDER PRIOR TO
21 PSYCHOPHARMACOLOGICAL TREATMENT. THE PSYCHOLOGIST MUST
22 RECEIVE THE RESULTS OF THE HEALTH-CARE PROVIDER'S ASSESSMENT AND
23 SHALL CONTACT THE HEALTH-CARE PROVIDER WHO CONDUCTED THE
24 ASSESSMENT PRIOR TO PRESCRIBING A PSYCHOTROPIC MEDICATION TO THE
25 CLIENT.

26 (V) ONCE A COLLABORATIVE RELATIONSHIP IS ESTABLISHED WITH
27 THE PRIMARY TREATING HEALTH-CARE PROVIDER OR OTHER HEALTH-CARE

1 PROVIDER TO WHOM THE PSYCHOLOGIST REFERS THE CLIENT PURSUANT TO
2 SUBSECTION (6)(c)(IV) OF THIS SECTION, THE PRESCRIBING PSYCHOLOGIST
3 OR LICENSED PSYCHOLOGIST WITH A CONDITIONAL PRESCRIPTION
4 CERTIFICATE SHALL MAINTAIN AND DOCUMENT THE COLLABORATIVE
5 RELATIONSHIP TO ENSURE THAT RELEVANT INFORMATION IS EXCHANGED
6 ACCURATELY AND IN A TIMELY MANNER. THE ONGOING COLLABORATIVE
7 RELATIONSHIP MUST BE MAINTAINED ACCORDING TO THE FOLLOWING:

8 (A) A PRESCRIBING PSYCHOLOGIST OR LICENSED PSYCHOLOGIST
9 WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL NOTIFY THE
10 PRIMARY TREATING HEALTH-CARE PROVIDER OR OTHER HEALTH-CARE
11 PROVIDER TO WHOM THE PSYCHOLOGIST REFERS THE CLIENT PURSUANT TO
12 SUBSECTION (6)(c)(IV) OF THIS SECTION IF THE CLIENT EXPERIENCES
13 ADVERSE EFFECTS FROM MEDICATIONS PRESCRIBED BY THE PSYCHOLOGIST
14 THAT MAY BE RELATED TO THE CLIENT'S MEDICAL CONDITION FOR WHICH
15 THE CLIENT IS BEING TREATED BY THE PRIMARY TREATING HEALTH-CARE
16 PROVIDER OR OTHER HEALTH-CARE PROVIDER;

17 (B) A PRESCRIBING PSYCHOLOGIST OR LICENSED PSYCHOLOGIST
18 WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL NOTIFY THE
19 PRIMARY TREATING HEALTH-CARE PROVIDER OR OTHER HEALTH-CARE
20 PROVIDER TO WHOM THE PSYCHOLOGIST REFERS THE CLIENT PURSUANT TO
21 SUBSECTION (6)(c)(IV) OF THIS SECTION REGARDING RESULTS OF
22 LABORATORY TESTS RELATED TO THE MEDICAL CARE OF THE CLIENT THAT
23 HAVE BEEN ORDERED BY THE PSYCHOLOGIST IN CONJUNCTION WITH
24 PSYCHOPHARMACOLOGICAL TREATMENT; AND

25 (C) A PRESCRIBING PSYCHOLOGIST OR LICENSED PSYCHOLOGIST
26 WITH A CONDITIONAL PRESCRIPTION CERTIFICATE SHALL NOTIFY A
27 PRIMARY TREATING HEALTH-CARE PROVIDER OR OTHER HEALTH-CARE

1 PROVIDER TO WHOM THE PSYCHOLOGIST REFERS THE CLIENT PURSUANT TO
2 SUBSECTION (6)(c)(IV) OF THIS SECTION AS SOON AS POSSIBLE OF ANY
3 CHANGE IN THE CLIENT'S PSYCHOLOGICAL CONDITION THAT MAY AFFECT
4 THE MEDICAL TREATMENT BEING PROVIDED BY THE HEALTH-CARE
5 PROVIDER.

6 (VI) THIS SUBSECTION (6) DOES NOT REQUIRE A PRESCRIBING
7 PSYCHOLOGIST OR A LICENSED PSYCHOLOGIST WITH A CONDITIONAL
8 PRESCRIPTION CERTIFICATE TO GIVE PRIOR NOTICE TO OR OBTAIN PRIOR
9 APPROVAL FROM A HEALTH-CARE PROVIDER TO PRESCRIBE PSYCHOTROPIC
10 MEDICATION TO A CLIENT WITH WHOM THE LICENSED PSYCHOLOGIST HAS
11 AN ESTABLISHED PSYCHOLOGIST-CLIENT RELATIONSHIP.

12 (d) IN ACCORDANCE WITH SECTION 12-245-203, A PRESCRIBING
13 PSYCHOLOGIST SHALL NOT PRESCRIBE MEDICATION TO A CLIENT UNLESS
14 IT IS WITHIN THE PRESCRIBING PSYCHOLOGIST'S SCOPE OF TRAINING,
15 EXPERIENCE, AND COMPETENCE.

16
17 (6) **Complaints.** THE COLORADO MEDICAL BOARD SHALL REVIEW
18 COMPLAINTS IN THE NORMAL COURSE OF BUSINESS AND MAKE
19 RECOMMENDATIONS TO THE BOARD REGARDING VIOLATIONS OF THIS
20 SECTION AND DISCIPLINARY ACTION TO BE TAKEN BY THE BOARD, IF
21 APPLICABLE.

22 (7) **Prescription information.** THE ENTITY THAT DISPENSES A
23 PRESCRIPTION FOR A PSYCHOTROPIC MEDICATION WRITTEN BY A
24 PRESCRIBING PSYCHOLOGIST SHALL COMPLY WITH APPLICABLE STATE AND
25 FEDERAL LAWS.

26 (8) **Disclosure.** A PRESCRIBING PSYCHOLOGIST SHALL DISCLOSE TO
27 EACH PATIENT TO WHOM THE PSYCHOLOGIST PRESCRIBES A PSYCHOTROPIC

1 MEDICATION THAT THE PSYCHOLOGIST IS NOT A PHYSICIAN LICENSED TO
2 PRACTICE MEDICINE. THE DISCLOSURE MUST BE IN WRITING, SIGNED BY
3 THE PATIENT, AND KEPT IN THE PATIENT'S RECORD ON FILE WITH THE
4 PSYCHOLOGIST.

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

8 (10) **Drug enforcement administration number.** EACH
9 PRESCRIBING PSYCHOLOGIST SHALL FILE WITH THE BOARD, IN THE FORM
10 AND MANNER DETERMINED BY THE BOARD, ALL INDIVIDUAL FEDERAL
11 DRUG ENFORCEMENT ADMINISTRATION REGISTRATIONS AND NUMBERS.
12 THE BOARD AND THE COLORADO MEDICAL BOARD SHALL MAINTAIN
13 CURRENT RECORDS OF EVERY PSYCHOLOGIST WITH PRESCRIPTIVE
14 AUTHORITY, INCLUDING THE PSYCHOLOGIST'S REGISTRATIONS AND
15 NUMBERS.

16 (11) (a) THE DEPARTMENT SHALL ANNUALLY COLLECT
17 INFORMATION REGARDING:

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

19 (II) THE LOCATION OF PRACTICE OF EACH PRESCRIBING
20 PSYCHOLOGIST;

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

25 (IV) THE TYPE OF PRACTICE OF EACH PRESCRIBING PSYCHOLOGIST;
26 AND

27 (V) THE POPULATIONS SERVED BY EACH PRESCRIBING

1 **PSYCHOLOGIST.**

2 (b) THE DEPARTMENT SHALL COMPILE THE INFORMATION AND
3 SHARE IT WITH THE OFFICE IN THE DEPARTMENT THAT IS RESPONSIBLE FOR
4 CONDUCTING SUNSET REVIEWS PURSUANT TO SECTION 24-34-104. THE
5 OFFICE SHALL INCLUDE THE INFORMATION IN EACH SCHEDULED SUNSET
6 REVIEW CONCERNING THE REGULATION OF MENTAL HEALTH
7 PROFESSIONALS PURSUANT TO SECTION 24-34-104.

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