
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2607 Session of
2022

INTRODUCED BY THOMAS, FARRY, POLINCHOCK, BENHAM, BRIGGS, CIRESI,
DALEY, T. DAVIS, DeLUCA, DOWLING, HELM, HENNESSEY, KINKEAD,
LEWIS, MIHALEK, E. NELSON, O'MARA, QUINN, RIGBY, ROTHMAN,
ROWE, ROZZI AND SANCHEZ, MAY 23, 2022

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, MAY 23, 2022

AN ACT

1 Amending the act of March 23, 1972 (P.L.136, No.52), entitled
2 "An act relating to the practice of psychology, providing for
3 licensing of psychologists, making certain acts illegal and
4 providing penalties," further providing for definitions; and
5 providing for conditional prescription certificate, for
6 prescription certificate, for prescribing practices, for
7 prescriptive authority and for coordination with State Board
8 of Pharmacy.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 2 of the act of March 23, 1972 (P.L.136,
12 No.52), known as the Professional Psychologists Practice Act, is
13 amended by adding definitions to read:

14 Section 2. Definitions.--As used in this act:

15 * * *

16 "Collaborative relationship" means a cooperative working
17 relationship between a prescribing psychologist and a patient's
18 primary health care provider in the provision of patient care,
19 including cooperation in the management and delivery of physical
20 and mental health care, to ensure optimal patient care.

1 * * *

2 "Conditional prescription certificate" means a certificate
3 issued by the board to a licensed psychologist that permits the
4 holder to prescribe psychotropic medication under the direction
5 of a licensed physician or a prescribing psychologist in
6 accordance with section 6.1.

7 "Controlled substance" means any drug, substance or immediate
8 precursor included in Schedules I through V under the act of
9 April 14, 1972 (P.L.233, No.64), known as "The Controlled
10 Substance, Drug, Device and Cosmetic Act."

11 "Drug" means a drug:

12 (i) limited by the Federal Food, Drug, and Cosmetic Act (52
13 Stat. 1040, 21 U.S.C. § 301 et seq.) to being dispensed by
14 prescription; and

15 (ii) the product label of which is required to contain the
16 following statement: "CAUTION: FEDERAL LAW PROHIBITS DISPENSING
17 WITHOUT A PRESCRIPTION."

18 * * *

19 "Prescribing psychologist" means a licensed psychologist who
20 holds a valid prescription certificate.

21 "Prescription" means any written or oral order issued by a
22 licensed physician in the course of professional practice for a
23 controlled substance, other drug or device or medication which
24 is dispensed for use by a patient. Except for opioid antagonists
25 used to treat opioid addiction, the term does not include any
26 written or oral order for a Schedule II controlled substance.

27 "Prescription certificate" means any document issued by the
28 board that permits the holder to prescribe psychotropic
29 medication in accordance with section 6.2.

30 "Prescriptive authority" means any of the following:

1 (i) The authority to prescribe, administer, discontinue or
2 distribute without charge a drug or controlled substance
3 recognized or customarily used in the diagnosis, treatment and
4 management of an individual's psychiatric, mental, cognitive,
5 nervous, developmental, emotional or behavioral disorder.

6 (ii) The authority to order and review laboratory tests in
7 conjunction with a prescription under subclause (i) or any other
8 procedure directly related to the laboratory tests within the
9 scope of practice of psychology in accordance with the rules and
10 regulations of the board.

11 "Psychopharmacology clinical experience" means a period of
12 supervised clinical training and practice in which clinical
13 diagnoses and interventions are learned as authorized by a
14 conditional prescription certificate.

15 "Psychotropic medication" means a medicine that is not
16 dispensed or administered without a prescription and has been
17 explicitly approved by the United States Food and Drug
18 Administration for the treatment of a mental disorder as defined
19 by the Diagnostic and Statistical Manual of Mental Disorders,
20 Fifth Edition (DSM-5-TR) or the International Classification of
21 Diseases, 11th Revision.

22 Section 2. The act is amended by adding sections to read:

23 Section 6.1. Conditional Prescription Certificate.--(a) An
24 applicant for a conditional prescription certificate shall be
25 qualified for a conditional prescription certificate after
26 submission of proof satisfactory to the board that the applicant
27 meets all of the following requirements:

28 (1) Has a current license to practice psychology in this
29 Commonwealth.

30 (2) Has a doctoral degree in psychology from an accredited

1 college or university.

2 (3) Has a master's degree in clinical psychopharmacology
3 from an accredited college or university. For the purpose of the
4 education requirement under this clause, the necessary
5 prerequisites for the education requirement shall be determined
6 by the accredited college or university and, in the judgment of
7 the accredited college or university, shall include sufficient
8 biomedical education to ensure the necessary knowledge and
9 skills to prescribe psychotropic medications in a safe manner.

10 The didactic portion of the education shall consist of an
11 appropriate number of hours to ensure acquisition of the
12 necessary knowledge and skills to prescribe in a safe and
13 effective manner. The coursework shall include, but not be
14 limited to, the following core areas of instruction:

15 (i) Basic life science.

16 (ii) Anatomy.

17 (iii) Physiology.

18 (iv) Neuroscience.

19 (v) Clinical and research pharmacology and
20 psychopharmacology.

21 (vi) Clinical medicine and pathophysiology.

22 (vii) Physical assessment and laboratory exams.

23 (viii) Clinical pharmacotherapeutics.

24 (ix) Research.

25 (x) Professional, ethical and legal issues.

26 (4) Has passed a national certification examination approved
27 by the board that tests the applicant's general knowledge of
28 pharmacology in the diagnosis, care and treatment of mental
29 disorders.

30 (5) Possesses professional liability insurance that will

1 cover the psychologist during the period that the conditional
2 prescription certificate is in effect.

3 (6) Within five years preceding the date of the application,
4 has been certified by the applicant's supervising physician as
5 having completed psychopharmacology clinical experience in
6 accordance with the rules and regulations promulgated by the
7 board sufficient to attain competency in psychopharmacological
8 treatments. The clinical experience required under this clause
9 shall include the treatment of at least one hundred patients and
10 four hundred direct contact clinical hours.

11 (7) Meets any other requirements specified in the rules and
12 regulations of the board.

13 (b) A conditional prescription certificate shall be valid
14 for a period of four years. Upon the elapse of the four-year
15 period, the holder of the conditional prescription certificate
16 may apply for a renewal of the conditional prescription
17 certificate.

18 (c) A holder of a conditional prescription certificate may
19 prescribe psychotropic medications under the supervision of a
20 licensed physician or prescribing psychologist under the
21 following conditions:

22 (1) The holder shall continue to maintain a license to
23 practice psychology in this Commonwealth and the professional
24 liability insurance that covers prescribing practices.

25 (2) The holder shall inform the board of the name of the
26 supervising licensed physician or prescribing psychologist and
27 promptly inform the board of any change of the supervising
28 licensed physician or prescribing psychologist.

29 Section 6.2. Prescription Certificate.--(a) An applicant
30 for a prescription certificate shall qualify for a prescription

1 certificate after submission of proof satisfactory to the board
2 that the applicant meets all of the following requirements:

3 (1) Possesses a conditional prescription certificate and has
4 successfully completed two years of prescribing psychotropic
5 medication as certified by the supervising licensed physician or
6 prescribing psychologist under section 6.1(c).

7 (2) Holds a current license to practice psychology in this
8 Commonwealth.

9 (3) Possesses professional liability insurance that covers
10 the prescribing of psychotropic medication.

11 (4) Meets any other requirements specified in the rules and
12 regulations of the board.

13 (b) An applicant for a prescription certificate who holds
14 prescriptive authority as a psychologist in another state with
15 requirements for prescriptive authority equivalent to the
16 requirements in this Commonwealth as deemed by the board may be
17 exempt from the requirements under subsection (a)(1) if the
18 applicant practiced psychology in this Commonwealth for at least
19 five years without a founded or unresolved disciplinary action.
20 The board may, at its discretion, require the applicant to
21 complete supplemental education or training to attain a
22 prescription certificate.

23 (c) The board shall promulgate rules and regulations for
24 procedures to renew the prescription certificate. A prescribing
25 psychologist shall complete a minimum of sixteen hours of
26 continuing medical education per renewal period relevant to the
27 practice of the prescribing psychologist.

28 Section 6.3. Prescribing Practices.--(a) A prescribing
29 psychologist may do any of the following:

30 (1) Prescribe, orally or in writing, administer, discontinue

1 or distribute without charge a psychotropic medication or
2 controlled substance recognized or customarily used in the
3 diagnosis, treatment and management of an individual with any
4 psychiatric, mental, cognitive, nervous, emotional or behavioral
5 disorder.

6 (2) Order and review laboratory tests in conjunction with a
7 prescription under clause (1) or any other procedure directly
8 related to the laboratory tests within the scope of practice of
9 psychology in accordance with the rules and regulations of the
10 board.

11 (b) A prescription under subsection (a) (1) shall meet all of
12 the following requirements:

13 (1) Be relevant to the practice of psychology or another
14 procedure directly related to the practice of psychology.

15 (2) Be within the scope of the prescribing psychologist's
16 license and prescription certificate.

17 (3) Be within the scope of training or specialization of the
18 prescribing psychologist.

19 (4) Be prescribed only to a patient who has identified a
20 primary health care provider.

21 (5) Be prescribed in accordance with a collaborative
22 relationship with a licensed physician, an advanced practice
23 nurse or a licensed physician's assistant.

24 (6) Be identified as written in accordance with the rules
25 and regulations of the board.

26 (7) Comply with all applicable Federal and State laws and
27 regulations.

28 (c) A licensed psychologist may not issue a prescription
29 under subsection (a) (1) unless the licensed psychologist holds a
30 prescription certificate. A prescribing psychologist may not

1 prescribe a narcotic, except an opioid antagonist approved by
2 the United States Food and Drug Administration for the treatment
3 of drug addiction or the prevention of relapse of drug
4 addiction.

5 (d) The prescribing psychologist shall maintain a
6 collaborative relationship with the primary health care provider
7 of the patient. The prescribing psychologist shall maintain a
8 record of all prescriptions under subsection (a)(1) in the
9 patient's record. The prescribing psychologist may not delegate
10 the authority to prescribe to the patient under this section to
11 any other person.

12 Section 6.4. Prescriptive Authority.--(a) Upon receipt of
13 prescriptive authority, a licensed psychologist shall, in a
14 timely manner, file the licensed psychologist's Drug Enforcement
15 Agency (DEA) registration number with the board.

16 (b) The board shall maintain current records of each
17 licensed psychologist who has prescriptive authority, including
18 each licensed psychologist's DEA registration number.

19 Section 6.5. Coordination with State Board of Pharmacy.--(a)
20 The board shall transmit an initial list of each licensed
21 psychologist who has prescriptive authority, including all of
22 the following information:

23 (1) The name of each licensed psychologist.

24 (2) The identification number assigned by the board for each
25 licensed psychologist.

26 (3) The effective date of prescriptive authority.

27 (b) The board shall, in a timely manner, transmit any
28 addition to the initial list under subsection (a) to the State
29 Board of Pharmacy. The board shall, in a timely manner, notify
30 the State Board of Pharmacy upon the termination, suspension or

1 reinstatement of a licensed psychologist's prescriptive
2 authority.

3 Section 3. This act shall take effect in 60 days.