



2017 Legislative Session

SB-90 Removal of Medical Board Requirements and Oversight for Prescribing Psychologists

New Mexico being the first state to allow psychologists to prescribe psychotropic medications has been controversial since its inception in 2002. However, the regulations adopted, the educational and practicum requirements, the oversight by the medical board, and the supervision by a physician of a psychology with a conditional prescription certificate, provided some peace of mind and level of safety for patients. Despite this, currently there are only two other states that allow psychologists to prescribe so it is far from standard practice in the country.

SB-90 (Mary Kay Papen, D38 and Sander Rue, R23) proposes various amendments to the Professional Psychologist Act which remove the Medical Board from any involvement in or supervision of prescribing psychologists. Some of the most concerning amendments are:

1. It broadens the requirement for a supervising *physician* to include a supervising *clinician* who may be an “allopathic or osteopathic physician, a nurse practitioner, a psychiatric nurse practitioner, a clinical nurse specialist, or a prescribing psychologist” to work with psychologists who have a conditional prescription certificate. Allowing multiple clinician types introduces a lack of uniformity in supervision and removes the standardized medical board oversight currently in place.
2. An additional modification states that a conditional prescribing psychologist is no longer required to give their “supervising clinician” prior notice to or obtain prior approval for prescribing psychotropic medication, but must simply provide written notice of such prescribing to the supervisor within 24 hours of issuing the prescription.
3. The training requirements would be expanded to allow “a training program in psychopharmacology designated by a national psychology association approved by the [psychology] board.” This amendment removes the medical board from any involvement approving the training program and removes the current requirement of “no fewer than 450 classroom hours in ...core areas of instruction.” The educational requirements could be set by a national psychology association – an outside group with no medical training, no ties to health care or patient safety in New Mexico, and one with an unresolved conflict of interest.

What is not included in the amendments to the Professional Psychologist Act that should be added:

1. NMMS asks that supervising clinicians be required to be licensed in NM. SB 90 allows supervising clinicians to not be licensed in New Mexico, problematic because it allows out-of-state providers to guide the care of New Mexicans with no recourse for the state to assess the qualifications and quality of care as influenced by these providers, nor a way to investigate complaints or sanction these providers.
2. NMMS asks that prescribing psychologists be required to use the Prescription Monitoring Program (PMP) and follow the same requirements and regulations on controlled substances as allopathic doctors and all other clinicians who are able to prescribe dangerous drugs.

NMMS asks that SB-90 be defeated.

For more information please contact:

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