

## **BILL ANALYSIS**

Senate Research Center  
77R2791 GJH-D

S.B. 818  
By: Armbrister  
Health & Human Services  
3/20/2001  
As Filed

### **DIGEST AND PURPOSE**

In 1998 the Texas Psychological Association endorsed a program for training and preparing psychologists for prescription privileges. Allowing psychologists to write prescriptions will improve the quality of care to mental health patients, improve accessibility to appropriate medications for mental health patients in need, and provide cost savings to the patients. As proposed, S.B. 818 authorizes a psychologist to write prescriptions if the psychologist holds a prescriptive authority certificate which is attained by being a health service provider as determined by board rule and by completing a postdoctoral training in psychopharmacology from an institution of higher education. The bill also establishes the Texas State Board of Examiners of Psychologists as the credentialing body for the prescriptive authority certificates.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas State Board of Examiners of Psychologists in SECTION 4 (Section 501.265, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 301.002(2), Occupations Code, to redefine “professional nursing.”

SECTION 2. Amends Section 501.002, Occupations Code, to define “prescription drug,” “prescription drug order,” and “prescriptive authority certificate.”

SECTION 3. Amends Section 501.003(c), Occupations Code, to add that the practice of psychology includes acting under the authority granted by a prescriptive authority certificate.

SECTION 4. Amends Chapter 501F, Occupations Code, by adding Section 501.265, as follows:

Sec. 501.265. PRESCRIPTIVE AUTHORITY CERTIFICATE. (a) Prohibits a psychologist from issuing a prescription drug order, administer or dispense a prescription drug, or represent that the person holds a prescriptive authority certificate (certificate) unless the person holds a certificate under this section.

(b) Provides that to be eligible for a certificate under this section, a psychologist is required to apply to the Texas State Board of Examiners of Psychologists (board) and demonstrate certain qualifications.

(c) Requires the board to adopt rules to protect the public health that require a psychologist who holds a certificate under this section to consult with a patient’s treating physician within a reasonable time after the psychologist issues a prescription drug order for or administers or dispenses a prescription drug to the patient.

SECTION 5. Amends Section 551.003(34), Occupations Code, to redefine “practitioner.”

SECTION 6. Amends Section 481.002(39), Health and Safety Code, to redefine “practitioner.”

SECTION 7. Amends Section 483.001(12), Health and Safety Code, to redefine “practitioner.”

SECTION 8. Amends Sections 576.025(b), (c), (e), and (f), Health and Safety Code, to add language regarding validity of consent to the administration of psychoactive medication to include a reference to a psychologist who holds a prescriptive authority certificate. Makes conforming changes.

SECTION 9. Effective date: September 1, 2001.