

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

March 7, 2001

Mr. Speaker:

Your JUDICIARY COMMITTEE, to whom has been referred
HOUSE BILL 451

has had it under consideration and reports same with
recommendation that it DO PASS, amended as follows:

1. On page 28, between lines 23 and 24, insert the following
new subsection:

"B. "conditional certificate" means a document issued
by the board to an applicant for prescription certification that
permits the applicant to prescribe psychotropic medication only
under the supervision of a physician for a period of two years;".

2. Reletter the succeeding subsections accordingly.

3. On page 31, strike line 24 after the period, strike line
25 and on page 32, strike lines 1 through 7.

4. On page 32, strike lines 19 through 25, strike pages 33
and 34, strike lines 1 through 15 on page 35 and insert in lieu
thereof:

"[NEW MATERIAL] PRESCRIBING PSYCHOLOGISTS--APPLICATION FOR
CERTIFICATION--RULEMAKING BY BOARD--CERTIFICATION REQUIREMENTS--
CONDITIONAL CERTIFICATION--ISSUANCE, DENIAL, RENEWAL AND
REVOCATION OF CERTIFICATION.--

A. A psychologist may apply to the board for
certification as a prescribing psychologist if the applicant
provides with the application evidence satisfactory to the board
that the applicant:

(1) has completed a doctoral program in
psychology from an accredited institution of higher education or
professional school, or, if the program was not accredited at the
time of the applicant's graduation, that the program meets
professional standards determined acceptable by the board; and

(2) holds a current license to practice
psychology in New Mexico.

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B. An applicant for certification meeting the requirements of Subsection A of this section shall be certified by the board as a prescribing psychologist if the applicant provides evidence satisfactory to the board that the applicant:

(1) has successfully completed pharmacological training from an institution of higher education approved by the board or from a provider of continuing education approved by the board;

(2) has passed a national certification examination approved by the board that tests the applicant's knowledge of pharmacology in the diagnosis, care and treatment of mental disorders;

(3) within the five years immediately preceding the date of application, has successfully completed an organized program of education consisting of intensive didactic instruction of no fewer than four hundred fifty classroom hours in at least the following core areas of instruction:

- (a) neuroscience;
- (b) pharmacology;
- (c) psychopharmacology;
- (d) physiology;
- (e) pathophysiology;
- (f) appropriate and relevant physical and laboratory assessment; and
- (g) clinical pharmacotherapeutics;

(4) within the five years immediately preceding the date of application, has been certified by the applicant's supervising psychiatrist or physician as having successfully completed a supervised and relevant clinical experience of no less than an eighty-hour practicum in clinical assessment and pathophysiology and an additional supervised practicum of at least four hundred hours treating no less than one hundred patients with mental disorders, the practica to have been supervised by a psychiatrist or other appropriately trained physician and

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determined by the board to be sufficient to attain competency in the treatment of a diverse patient population;

(5) has malpractice insurance in force that covers the applicant during the two-year supervised prescribing under a conditional certificate pursuant to Paragraph (6) of this subsection; and

(6) after meeting the requirements of Paragraphs (1) through (5) of this subsection, has been issued a conditional certificate and has completed two years of successfully prescribing psychotropic medication under the supervision of a physician.

C. A physician supervising a psychologist prescribing psychotropic medication pursuant to a conditional certificate shall be individually responsible for the acts and omissions of the psychologist while under his supervision. This provision does not relieve the psychologist from liability for his acts and omissions.

D. The board shall promulgate rules providing for the procedures to be followed in obtaining certification, conditional certification and renewal of certification. The board shall also prescribe by rule continuing education requirements of no fewer than twenty hours each year to be met by certified prescribing psychologists.

E. The board shall promulgate rules establishing the grounds for denial, suspension or revocation of a certificate authorized to be issued pursuant to this section, including a provision for suspension or revocation of a license to practice psychology upon suspension or revocation of a certificate. Actions of denial, suspension or revocation of a certificate shall be in accordance with the Uniform Licensing Act."

5. On page 36, line 17, strike "2001" and insert in lieu thereof "2002".

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Respectfully submitted,

W. Ken Martinez, Chairman

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 6 For 4 Against

Yes: 6

No: Cervantes, Foley, Taylor, Thompson

Excused: Rios

Absent: None

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