

1 SENATE BILL 53

2 **57TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2025**

3 INTRODUCED BY

4 William P. Soules

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9  
10 AN ACT

11 RELATING TO PROFESSIONAL PSYCHOLOGISTS; AMENDING THE  
12 PROFESSIONAL PSYCHOLOGIST ACT; ADDING CERTAIN PRESCRIBING  
13 PSYCHOLOGISTS WITH INDEPENDENT EXPERIENCE IN PRESCRIBING  
14 PSYCHOTROPIC MEDICATION TO THE DEFINITION OF "INDEPENDENTLY  
15 LICENSED PRESCRIBING CLINICIAN".

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 SECTION 1. Section 61-9-3 NMSA 1978 (being Laws 1963,  
19 Chapter 92, Section 3, as amended) is amended to read:

20 "61-9-3. DEFINITIONS.--As used in the Professional  
21 Psychologist Act:

22 A. "board" means the New Mexico state board of  
23 psychologist examiners;

24 B. "conditional prescription certificate" means a  
25 document issued by the board to a licensed psychologist that

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1 permits the holder to prescribe psychotropic medication under  
2 the supervision of a supervising clinician pursuant to the  
3 Professional Psychologist Act;

4 C. "independently licensed prescribing clinician"  
5 means a licensed physician, osteopathic physician, prescribing  
6 psychologist who has at least four years of independent  
7 experience in prescribing psychotropic medication to treat  
8 behavioral and emotional conditions and mental illness, nurse  
9 practitioner, psychiatric nurse practitioner or clinical nurse  
10 specialist;

11 D. "person" includes an individual, firm,  
12 partnership, association or corporation;

13 E. "prescribing psychologist" means a licensed  
14 psychologist who holds a valid prescription certificate;

15 F. "prescription certificate" means a document  
16 issued by the board to a licensed psychologist that permits the  
17 holder to prescribe psychotropic medication pursuant to the  
18 Professional Psychologist Act;

19 G. "psychotropic medication" means a controlled  
20 substance or dangerous drug that may not be dispensed or  
21 administered without a prescription but is limited to only  
22 those agents related to the diagnosis and treatment or  
23 management of mental, nervous, emotional, behavioral, substance  
24 use or cognitive disorders, including the management of or  
25 protection from side effects that are a direct result from the

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1 use of those agents, whose use is consistent with the standards  
2 of practice for clinical psychopharmacology;

3 H. "psychologist" means a person who engages in the  
4 practice of psychology or holds the person's self out to the  
5 public by any title or description of services representing the  
6 person as a psychologist, which incorporates the words  
7 "psychological", "psychologist", "psychology", or when a person  
8 describes the person's self as above and, under such title or  
9 description, offers to render or renders services involving the  
10 application of principles, methods and procedures of the  
11 science and profession of psychology to persons for  
12 compensation or other personal gain;

13 I. "practice of psychology" means the observation,  
14 description, evaluation, interpretation and modification of  
15 human behavior by the application of psychological principles,  
16 methods and procedures for the purpose of preventing or  
17 eliminating symptomatic, maladaptive or undesired behavior and  
18 of enhancing interpersonal relationships, work and life  
19 adjustment, personal effectiveness, behavioral health and  
20 mental health, and further means the rendering of such  
21 psychological services to individuals, families or groups  
22 regardless of whether payment is received for services  
23 rendered. The practice of psychology includes psychological  
24 testing or neuropsychological testing and the evaluation or  
25 assessment of personal characteristics such as intelligence,

1 personality, abilities, interests, aptitudes and  
2 neuropsychological functioning; counseling, psychoanalysis,  
3 psychotherapy, hypnosis, biofeedback, behavior analysis and  
4 therapy; diagnosis and treatment of a mental and emotional  
5 disorder or disability, alcoholism and substance abuse,  
6 disorders of habit or conduct and the psychological aspects of  
7 physical illness, accident, injury and disability; and  
8 psychoeducational evaluation, therapy, remediation and  
9 consultation;

10 J. "school" or "college" means a university or  
11 other institution of higher education that is regionally  
12 accredited and that offers a full-time graduate course of study  
13 in psychology as defined by rule of the board or that is  
14 approved by the American psychological association; and

15 K. "supervising clinician" means a licensed  
16 physician, osteopathic physician, prescribing psychologist who  
17 has at least four years of independent experience prescribing  
18 psychotropic medication to treat behavioral and emotional  
19 conditions and mental illness, nurse practitioner, psychiatric  
20 nurse practitioner or clinical nurse specialist who is  
21 supervising a psychologist in the prescribing of psychotropic  
22 medication."