

1 A bill to be entitled
2 An act relating to prescriptive authority
3 certification for psychologists; creating s. 490.0065,
4 F.S.; defining terms; requiring the Board of
5 Psychology to certify psychologists to exercise
6 prescriptive authority if specified criteria are met;
7 requiring the board to develop procedures and adopt
8 rules relating to prescriptive authority
9 certification; authorizing the board to require that a
10 prescribing psychologist correct certain deficiencies
11 under certain circumstances; specifying certification
12 application requirements; requiring the board to adopt
13 rules providing for certification renewal; specifying
14 continuing education requirements for certification
15 renewal; specifying requirements for the prescribing
16 of drugs and controlled substances by a prescribing
17 psychologist; prohibiting specified prescribing
18 actions; requiring a prescribing psychologist who is
19 authorized to prescribe controlled substances to file
20 his or her federal Drug Enforcement Administration
21 registration number with the board within a specified
22 timeframe; requiring the board to maintain a current
23 record of every prescribing psychologist authorized to
24 prescribe controlled substances; requiring a
25 prescribing psychologist to maintain professional

26 liability insurance; exempting specified licensees
 27 from certification requirements; requiring the board
 28 to establish an interim panel for a specified purpose
 29 by a specified date; providing panel membership;
 30 requiring the panel to submit recommendations for
 31 rules to the board by a specified date; requiring the
 32 panel to develop a formulary for prescribing
 33 psychologists; providing requirements for the
 34 formulary; providing for expiration of the interim
 35 panel; providing an effective date.

36

37 Be It Enacted by the Legislature of the State of Florida:

38

39 **Section 1. Section 490.0065, Florida Statutes, is created**
 40 **to read:**

41 490.0065 Certification for prescriptive authority.-

42 (1) DEFINITIONS.—As used in this section, the term:

43 (a) "Clinical experience" means a period of supervised
 44 training and practice during which an individual learns and
 45 conducts diagnoses and interventions under the supervision of a
 46 psychologist.

47 (b) "Controlled substance" has the same meaning as in s.
 48 893.02.

49 (c) "Drug" has the same meaning as in s. 499.003.

50 (d) "Prescribing psychologist" means a psychologist who

51 has received from the board a certificate for prescriptive
52 authority that has not been revoked or suspended.

53 (e) "Prescription" has the same meaning as in s. 465.003.

54 (f) "Prescriptive authority" means having the authority to
55 prescribe, administer, discontinue, or distribute drugs or
56 controlled substances recognized or customarily used in the
57 diagnosis, treatment, or management of an individual who has a
58 psychiatric, mental, cognitive, nervous, emotional,
59 developmental, or behavioral disorder within the scope of the
60 practice of psychology.

61 (2) DUTIES OF THE BOARD.—The board shall:

62 (a) Certify psychologists who meet the requirements listed
63 in subsection (3) to exercise prescriptive authority.

64 (b) Develop and implement procedures to review education
65 and training requirements for certification.

66 (c) Adopt rules to deny, modify, suspend, or revoke a
67 psychologist's prescriptive authority certification. The board
68 may require remediation by a prescribing psychologist to correct
69 deficiencies in his or her training or practice upon the board's
70 determination that the deficiencies could reasonably be expected
71 to jeopardize the health, safety, or welfare of the public.

72 (3) CERTIFICATION REQUIREMENTS.—

73 (a) A psychologist who applies for prescriptive authority
74 certification must demonstrate by an official transcript or
75 other official evidence deemed satisfactory by the board:

76 1. A current license as a psychologist.

77 2. Graduation from a doctoral program in psychology.

78 3. A passing score on an examination developed by a
79 nationally recognized body, such as the Psychopharmacology
80 Examination for Psychologists offered by the Association of
81 State and Provincial Psychology Boards, and approved by the
82 board to establish competency in prescriptive authority.

83 4.a. Consistent with the American Psychological
84 Association's established policies for education of
85 psychologists in preparation for prescriptive authority,
86 successful completion of an organized sequence of study in a
87 program offering intensive didactic education that includes core
88 areas of instruction in basic sciences, neurosciences, physical
89 examination, interpretation of laboratory tests, pathological
90 bases of disease, clinical medicine, clinical neurotherapeutics,
91 systems of care, pharmacology, clinical pharmacology,
92 psychopharmacology, psychopharmacology research, and
93 professional, ethical, and legal issues. The program must
94 consist of an appropriate number of hours of didactic
95 instruction, as determined by the board, to ensure that the
96 applicant has the knowledge and skills required to prescribe
97 drugs in a safe and effective manner.

98 b. Consistent with the American Psychological
99 Association's established policies for the training of
100 psychologists in preparation for prescriptive authority,

101 relevant clinical experience sufficient for the applicant to
102 attain competency in the psychopharmacological treatment of a
103 diverse patient population or at least 2 years practicing under
104 the supervision of a licensed physician whose practice involves
105 the pharmacological treatment of mental, nervous, emotional,
106 behavioral, substance abuse, or cognitive diseases.

107

108 The educational and training requirements under this
109 subparagraph may be met as part of a doctoral program,
110 postdoctoral training, or a fellowship in psychology.

111 (b) A psychologist is exempt from the educational
112 requirements established under paragraph (a) if he or she has
113 completed the United States Department of Defense
114 Psychopharmacology Demonstration Project.

115 (4) CERTIFICATION RENEWAL.—

116 (a) The board shall establish by rule a method for the
117 renewal of prescriptive authority certification, to occur in
118 conjunction with licensure renewal pursuant to s. 490.007.

119 (b) Each applicant for renewal of prescriptive authority
120 certification must present satisfactory evidence to the board
121 demonstrating completion of 20 hours of continuing education
122 relevant to prescriptive authority during the previous 2-year
123 licensure period.

124 (5) PRESCRIPTIVE AUTHORITY PRACTICES.—

125 (a) A prescribing psychologist may use his or her

126 prescriptive authority certification in accordance with rules
 127 adopted by the board.

128 (b) A prescribing psychologist shall:

129 1. Maintain a record of all of a patient's prescriptions.

130 2. Consult and collaborate with a patient's primary care
 131 physician and concur with that physician before prescribing a
 132 drug, altering a drug treatment plan, or discontinuing a drug.

133 (c) A prescribing psychologist may not:

134 1. Issue a prescription unless the psychologist holds a
 135 valid and current prescriptive authority certification that has
 136 not been revoked or suspended.

137 2. Delegate the authority to prescribe drugs to another
 138 individual.

139 3. Issue a prescription to a patient who does not have a
 140 primary care physician.

141 (d) A prescription issued by a prescribing psychologist
 142 must:

143 1. Be written in a manner as determined by the board.

144 2. Comply with all applicable state and federal laws.

145 (6) CONTROLLED SUBSTANCE PRESCRIPTIVE AUTHORITY.—

146 (a) Upon being authorized to prescribe controlled
 147 substances, a prescribing psychologist shall file with the
 148 board, within 10 days after the authorization is received from
 149 the federal Drug Enforcement Administration, his or her
 150 registration number.

151 (b) The board shall maintain a current record of every
152 prescribing psychologist authorized to prescribe controlled
153 substances.

154 (7) FINANCIAL RESPONSIBILITY.—A prescribing psychologist
155 must maintain at least \$250,000 of professional liability
156 insurance coverage.

157 (8) EXEMPTION.—An individual holding an active license as
158 a physician or physician assistant under chapter 458 or chapter
159 459 or an advanced practice registered nurse holding an active
160 license under chapter 464 is exempt from the certification
161 requirements of this section.

162 (9) INTERIM PANEL.—The board shall establish an interim
163 panel by October 1, 2025, to provide recommendations for
164 proposed rules governing prescriptive authority for
165 psychologists. The interim panel shall consist of a psychiatrist
166 licensed under chapter 458 or chapter 459 and a pediatrician,
167 both selected by the Board of Medicine; a pharmacist who holds a
168 doctoral degree, selected by the Board of Pharmacy; and two
169 psychologists who hold postdoctoral master's degrees in clinical
170 psychopharmacology, selected by the Board of Psychology. The
171 interim panel shall submit its recommendations for proposed
172 rules to the Board of Psychology by February 1, 2026.

173 (a) The interim panel shall establish a formulary that:

174 1. Authorizes the prescribing of drugs recognized and
175 customarily used for the management of mental, nervous,

176 | emotional, behavioral, substance abuse, or cognitive diseases.

177 | 2. Establishes guidelines for the pharmacological
 178 | treatment of patients younger than 18 years of age.

179 | 3. Limits the prescribing of Schedule II controlled
 180 | substances to those drugs recognized and customarily used for
 181 | the management of mental, nervous, emotional, behavioral,
 182 | substance abuse, or cognitive diseases.

183 | 4. Prohibits the prescribing of drugs primarily used to
 184 | pharmacologically treat patients for other primary conditions,
 185 | unless specifically defined and authorized in the formulary.

186 | (b) This subsection expires May 1, 2026.

187 | **Section 2.** This act shall take effect upon becoming a law.