

By Senator Simon

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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 they meet specified  
7           criteria; requiring the board to develop procedures  
8           and adopt 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; providing an exemption;  
13          requiring the board to adopt rules providing for  
14          certification renewal; specifying continuing education  
15          requirements for certification renewal; specifying  
16          requirements for the prescribing of drugs and  
17          controlled substances by a prescribing psychologist;  
18          prohibiting specified prescribing actions; requiring a  
19          prescribing psychologist who is authorized to  
20          prescribe controlled substances to file his or her  
21          federal Drug Enforcement Administration registration  
22          number with the board within a specified timeframe;  
23          requiring the board to maintain a current record of  
24          every prescribing psychologist authorized to prescribe  
25          controlled substances; requiring a prescribing  
26          psychologist to maintain professional liability  
27          insurance; exempting specified licensees from certain  
28          certification requirements; requiring the Board of  
29          Psychology to establish an interim panel for a

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30 specified purpose by a specified date; providing panel  
31 membership; requiring the panel to submit  
32 recommendations for rules to the board by a specified  
33 date; requiring the panel to develop a formulary for  
34 prescribing psychologists; providing requirements for  
35 the formulary; providing for the expiration of the  
36 panel; providing an effective date.

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

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

42 490.0065 Certification for prescriptive authority.—

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

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

48 (b) "Controlled substance" has the same meaning as in s.  
49 893.02.

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

51 (d) "Prescribing psychologist" means a psychologist who has  
52 received from the board a certificate for prescriptive authority  
53 which has not been revoked or suspended.

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

55 (f) "Prescriptive authority" means having the authorization  
56 to prescribe, administer, discontinue, or distribute drugs or  
57 controlled substances recognized or customarily used in the  
58 diagnosis, treatment, or management of an individual who has a

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59 psychiatric, mental, cognitive, nervous, emotional,  
60 developmental, or behavioral disorder within the scope of the  
61 practice of psychology.

62 (2) DUTIES OF THE BOARD.—The board shall do all of the  
63 following:

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

66 (b) Develop and implement procedures to review education  
67 and training requirements for certification.

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

75 (3) CERTIFICATION REQUIREMENTS.—

76 (a) A psychologist who applies for prescriptive authority  
77 certification must demonstrate all of the following by an  
78 official transcript or other official evidence deemed  
79 satisfactory by the board:

80 1. Current licensure as a psychologist.

81 2. Graduation from a doctoral program in psychology.

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

87 4.a. Consistent with the American Psychological

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

102 b. Consistent with the American Psychological Association's  
103 established policies for the training of psychologists in  
104 preparation for prescriptive authority, relevant clinical  
105 experience sufficient for the applicant to attain competency in  
106 the psychopharmacological treatment of a diverse patient  
107 population or at least 2 years practicing under the supervision  
108 of a licensed physician whose practice involves the  
109 pharmacological treatment of mental, nervous, emotional,  
110 behavioral, substance abuse, or cognitive disorders.

111  
112 The educational and training requirements under this  
113 subparagraph may be met as part of a doctoral program,  
114 postdoctoral training, or a fellowship in psychology.

115 (b) A psychologist is exempt from the educational  
116 requirements established under paragraph (a) if he or she has

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117 completed the United States Department of Defense  
118 Psychopharmacology Demonstration Project.

119 (4) CERTIFICATION RENEWAL.—

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

123 (b) Each applicant for certification renewal must present  
124 satisfactory evidence to the board demonstrating completion of  
125 20 hours of continuing education relevant to prescriptive  
126 authority during the previous 2-year licensure period.

127 (5) PRESCRIPTIVE AUTHORITY PRACTICES.—

128 (a) A prescribing psychologist may use his or her  
129 prescriptive authority certification in accordance with rules  
130 adopted by the board.

131 (b) A prescribing psychologist shall:

132 1. Maintain a record of all of a patient's prescriptions.  
133 2. Consult and collaborate with a patient's primary care  
134 physician and come to an agreement with that physician before  
135 prescribing a drug, altering a drug treatment plan, or  
136 discontinuing a drug.

137 (c) A prescribing psychologist may not:

138 1. Issue a prescription unless the psychologist holds a  
139 valid and current prescriptive authority certification that has  
140 not been revoked or suspended.

141 2. Delegate the authority to prescribe drugs to another  
142 person.

143 3. Issue a prescription to a patient who does not have a  
144 primary care physician.

145 (d) A prescription issued by a prescribing psychologist

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146 must do all of the following:

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

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

149 (6) CONTROLLED SUBSTANCE PRESCRIPTIVE AUTHORITY.—

150 (a) Upon being authorized to prescribe controlled  
151 substances, a prescribing psychologist must file his or her  
152 federal Drug Enforcement Administration registration number with  
153 the board within 10 days after receiving the authorization.

154 (b) The board shall maintain a current record of every  
155 prescribing psychologist authorized to prescribe controlled  
156 substances.

157 (7) FINANCIAL RESPONSIBILITY.—A prescribing psychologist  
158 shall maintain at least \$250,000 of professional liability  
159 insurance coverage.

160 (8) EXEMPTION.—A person holding an active license as a  
161 physician or physician assistant under chapter 458 or chapter  
162 459 or an advanced practice registered nurse holding an active  
163 license under chapter 464 is exempt from the certification  
164 requirements of this section.

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

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175 for proposed rules to the board by February 1, 2026.

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

177 1. Authorizes the prescribing of drugs recognized and  
178 customarily used for the management of mental, nervous,  
179 emotional, behavioral, substance abuse, and cognitive disorders.

180 2. Establishes guidelines for the pharmacological treatment  
181 of patients younger than 18 years of age.

182 3. Limits the prescribing of Schedule II controlled  
183 substances to those drugs recognized and customarily used for  
184 the management of mental, nervous, emotional, behavioral,  
185 substance abuse, and cognitive disorders.

186 4. Prohibits the prescribing of drugs primarily used to  
187 pharmacologically treat patients for other primary conditions,  
188 unless specifically defined and authorized in the formulary.

189 (b) This subsection expires May 1, 2026.

190 Section 2. This act shall take effect upon becoming a law.