

2024 Regular Session

HOUSE BILL NO. 828

BY REPRESENTATIVE MILLER

BOARDS/COMMISSIONS: Provides relative to the professional organization of medical psychologists

1 AN ACT

2 To amend and reenact R.S. 37:1360.55, 1360.56(A), (B), and (C), 1360.57(introductory  
3 paragraph), (1), (2), and (5), and 1360.62 and to enact R.S. 37:1360.52(12) through  
4 (15), relative to medical psychologists; to provide for qualifications of an applicant  
5 for licensure as a medical psychologist; to provide the interaction of a medical  
6 psychologist and a collaborating healthcare provider; to provide for qualifications  
7 of an applicant for a certificate of advanced practice; to provide for the standards of  
8 practice for a medical psychologist with an advanced practice certificate; to provide  
9 for definitions; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 37:1360.55, 1360.56(A), (B), and (C), 1360.57(introductory  
12 paragraph), (1), (2), and (5), and 1360.62 and to enact R.S. 37:1360.52(12) through (15) are  
13 hereby amended and reenacted and R.S. 37:1360.52(12) through (15) are hereby enacted  
14 to read as follows:

15 §1360.52. Definitions

16 As used in this Part the following words, terms, and phrases have the  
17 meaning ascribed to them in this Section, unless the context clearly indicates a  
18 different meaning:

19 \* \* \*

1           (12) "Nurse practitioner" means the same as the term "nurse practitioner" is  
2 defined in R.S. 37:913.

3           (13) "Physician assistant" means the same as the term "physician assistant"  
4 is defined in R.S. 37:1360.22.

5           (14) "Primary care" means routine healthcare services, including screening,  
6 assessment, diagnosis, treatment for promotion of health, and detection and  
7 management of disease or injury.

8           (15) "Primary care provider" means the principal, treating, or attending  
9 physician, physician assistant, or nurse practitioner responsible for a patient's  
10 primary care.

11    \*           \*           \*

12 §1360.55. Qualifications of applicants

13           A. ~~Notwithstanding any other provision of this Part or other law, on or~~  
14 ~~before January 1, 2010, any medical psychologist shall be issued a medical~~  
15 ~~psychology license by the board upon satisfaction of all of the following criteria:~~

16           ~~(1) Holds a current and unrestricted license in good standing to practice~~  
17 ~~psychology issued by the Louisiana State Board of Examiners of Psychologists:~~

18           ~~(2) Holds a current and unrestricted certificate of prescriptive authority~~  
19 ~~issued by the Louisiana State Board of Examiners of Psychologists:~~

20           ~~(3) Holds a controlled and dangerous substance permit issued by the~~  
21 ~~Louisiana Board of Pharmacy:~~

22           ~~(4) Holds a controlled substance registration issued by the United States~~  
23 ~~Drug Enforcement Administration:~~

24           B. ~~After January 1, 2010, the~~ The board shall issue a medical psychology  
25 license to ~~applicants who submit~~ an applicant who submits an application upon a  
26 form and in such a manner as the board prescribes and who ~~furnish~~ furnishes  
27 evidence to the board which meets all of the following criteria:

28           (1) Holds a current and unrestricted license in good standing to practice  
29 psychology issued by the Louisiana State Board of Examiners of Psychologists.

1           (2) Has successfully graduated with a post-doctoral master's degree in  
2 clinical psychopharmacology from a regionally accredited institution or has  
3 completed equivalent training to the post-doctoral master's degree approved by the  
4 board. The curriculum shall include instruction in anatomy and physiology,  
5 biochemistry, neurosciences, pharmacology, psychopharmacology, clinical  
6 medicine/pathophysiology, and health assessment, including relevant physical and  
7 laboratory assessment.

8           (3) Has passed a national ~~exam~~ examination in psychopharmacology  
9 approved by the board.

10           (4) Has successfully completed at least three years of clinical experience.

11           ~~C.~~ B. Medical psychologists licensed by the board shall be eligible for a  
12 controlled and dangerous substance permit and registration issued by the state and  
13 the United States Drug Enforcement Agency.

14           C. Any medical psychologist who obtains a medical psychology license  
15 pursuant to this Section shall be exclusively licensed and regulated by the board and  
16 shall not be required to maintain a license to practice psychology issued by the  
17 Louisiana Board of Examiners of Psychologists for any purpose, including renewal  
18 of the medical psychology license or to receive a certificate of advanced practice in  
19 accordance with R.S. 37:1360.57. The provisions of this Subsection shall not be  
20 construed as prohibiting an individual from choosing to maintain dual licensure as  
21 both a medical psychologist and a psychologist. In the event an individual chooses  
22 to maintain dual licensure as both a medical psychologist and a psychologist, that  
23 individual will be licensed and regulated as a medical psychologist by the board and  
24 will be licensed and regulated as a psychologist by the Louisiana Board of  
25 Examiners of Psychologists.

26           §1360.56. Consultation and collaboration for medical psychologists without a  
27 certificate of advanced practice

28           A. Medical psychologists shall prescribe only in consultation and  
29 collaboration with the patient's primary ~~or attending physician~~ care provider, and

1 with the concurrence of that ~~physician~~ primary care provider. However, when a  
2 medical psychologist consults and collaborates with a primary care provider other  
3 than a physician, the medical psychologist shall include the supervising or  
4 collaborating physician on any notices, updates, or summaries that may be required  
5 by this Part.

6 B. The medical psychologist shall also re-consult with the patient's ~~physician~~  
7 primary care provider prior to making changes in the patient's medication treatment  
8 protocol, as established with the ~~physician~~ primary care provider, or as otherwise  
9 directed by the ~~physician~~ primary care provider. The medical psychologist ~~and the~~  
10 ~~physician~~ shall document the consultation in the patient's medical record.

11 C. In the event a patient does not have a primary ~~or attending physician, care~~  
12 provider, the medical psychologist shall not prescribe for that patient.

13 \* \* \*

14 §1360.57. Certificate of advanced practice

15 ~~Medical psychologists who satisfy the requirements specified~~ A medical  
16 psychologist who obtains a medical psychology license in accordance with ~~by R.S.~~  
17 ~~37:1360.55(A)~~ R.S. 37:1360.55 and who ~~possess~~ possesses all of the following  
18 additional qualifications to the satisfaction of the board shall be issued a certificate  
19 of advanced practice:

20 (1) Three years of experience practicing as a medical psychologist. ~~For~~  
21 ~~those individuals licensed under R.S. 37:1360.55(A), such experience shall be~~  
22 ~~deemed to have commenced with the issuance of the original certificate of~~  
23 ~~prescriptive authority issued by the Louisiana State Board of Examiners of~~  
24 ~~Psychologists.~~

25 (2) Treatment of a minimum of one hundred patients ~~including twenty-five~~  
26 ~~or more~~ involving the use of ~~major psychotropics~~ a range of psychotropic  
27 medications, including but not limited to antipsychotics, antidepressants,  
28 psychostimulants, mood stabilizers, anxiolytics, and hypnotics, and twenty-five or

1 ~~more involving the use of major antidepressants which~~ that demonstrate the  
2 competence of the medical psychologist.

3 \* \* \*

4 (5) The completion of a minimum of one hundred hours of continuing  
5 medical education relating to the use of medications in the management of patients  
6 with psychiatric illness commencing with the issuance of a ~~certificate of prescriptive~~  
7 ~~authority by the Louisiana State Board of Examiners of Psychologists prior to~~  
8 ~~January 1, 2010, or license by the board after this date.~~ in accordance with R.S.  
9 37:1360.55.

10 \* \* \*

11 §1360.62. Standards of practice for medical psychologists holding certificates of  
12 advanced practice

13 A. Patients receiving care from a medical psychologist who holds a  
14 certificate of advanced practice issued ~~under~~ in accordance with this Part shall have  
15 an established ~~primary, attending, or referring physician licensed by the board~~  
16 primary care provider who shall be responsible for the patient's overall medical care.

17 B. The ~~primary, attending, or referring physician~~ primary care provider shall  
18 evaluate the patient for medical conditions in accordance with customary practice  
19 standards, and as might be indicated based on the medications that the patient is  
20 receiving ~~and/or~~ and risk factors that may be present. If the primary care provider  
21 refers the patient ~~has been referred~~ to a medical psychologist holding a certificate  
22 of advanced practice for the express purpose of evaluation and treatment to include  
23 drug management ~~by the primary, attending, or referring physician,~~ this condition  
24 shall be considered met.

25 C. The medical psychologist shall provide the ~~primary, attending, or~~  
26 ~~referring physician~~ primary care provider with a summary of the treatment planned  
27 at the initiation of treatment.

28 D. The medical psychologist shall provide the ~~primary, attending, or~~  
29 ~~referring physician~~ primary care provider with follow up reports as may be dictated

1 by the patient's ~~condition.~~ condition and prior to the treatment of common  
2 medication side effects.

3 E. The medical psychologist shall provide the patient's ~~primary, attending,~~  
4 ~~or referring physician~~ primary care provider with a summary of the patient's  
5 condition and treatment no less than annually.

6 F. The requirements for Subsections C, D, and E of this Section shall be  
7 considered satisfied if the medical psychologist provides the ~~physician~~ primary care  
8 provider with a copy of the initial examination and follow-up visit records.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 828 Reengrossed

2024 Regular Session

Miller

**Abstract:** Provides for the licensing and standards of practice for medical psychologists.

Present law requires a medical psychologist who sought a license before Jan. 1, 2010 to be issued a medical psychology license by the La. State Bd. of Medical Examiners (LSBME) if the medical psychologist satisfied all of the following requirements:

- (1) Holds a current and unrestricted license to practice psychology by the La. State Bd. of Examiners of Psychologists.
- (2) Holds a current and unrestricted certificate of prescriptive authority issued by the La. State Bd. of Examiners of Psychologists.
- (3) Holds a controlled and dangerous substance permit issued by the La. Bd. of Pharmacy.
- (4) Holds a controlled substance registration issued by the U.S. Drug Enforcement Administration.

Proposed law repeals these requirements.

Present law requires a medical psychologist who sought a license after Jan. 1, 2010 to be issued a medical psychology license by LSBME and meet all of the following criteria:

- (1) Hold a current and unrestricted license to practice psychology by the La. State Bd. of Examiners of Psychologists.
- (2) Have successfully graduated with a post-doctoral master's degree in clinical psychopharmacology from a regionally accredited institution or a similar institution subject to approval by LSBME.
- (3) Have passed a national exam in psychopharmacology approved by LSBME.

Proposed law removes the reference to Jan. 1, 2010 and adds the requirement that the applicant must have successfully completed at least three years of clinical experience.

Proposed law provides that once a medical psychologist receives a license to practice medical psychology from LSBME, the licensee shall be exclusively licensed by LSBME and shall not be required to obtain or maintain a license to practice psychology issued by any other board or professional organization. Proposed law further states that a medical psychologist may also choose to maintain a license as a psychologist who is governed by the La. State Board of Examiners of Psychologists.

Present law states that a medical psychologist shall only prescribe medication in consultation and collaboration with a patient's primary or attending physician and with concurrence of that physician.

Proposed law removes the specific reference to physician and replaces it with primary care provider, which is defined as a physician, physician assistant, or nurse practitioner responsible for a patient's primary care. Proposed law explains that if the primary care provider is not physician, the medical psychologist shall include the supervising or collaborating physician on any notices, updates, or summaries.

Present law provides that a medical psychologist must re-consult with a patient's physician prior to making any changes to the medication treatment protocol, as established or directed by the physician. The re-consultation shall be documented by the medical psychologist in the patient's medical record. In the event that a patient does not have primary or attending physician, the medical psychologist shall not treat the patient.

Proposed law replaces physician with primary care provider, as defined in proposed law.

Present law provides that a medical psychologist may obtain a certificate of advanced practice if the medical psychologist is in compliance with licensing requirement of present law. Proposed law maintains the requirements of present law, but removes references to medical psychologists that obtained a license before Jan. 1, 2010 in accordance with proposed law.

Present law requires that a medical psychologist holding a certificate of advanced practice shall collaborate with a patient's attending or primary physician for the provision of care. Proposed law replaces the term physician with primary care provider, as defined in proposed law.

Proposed law adds definitions.

(Amends R.S. 37:1360.55, 1360.56(A), (B), and (C), 1360.57(intro. para.), (1), (2), and (5), and 1360.62; Adds R.S. 37:1360.52 (12)-(15))

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Clarify that a medical psychologist may maintain a license to practice medical psychology governed by the LSBME, maintain a license to practice psychology governed by the La. Board of Examiners of Psychologists, or both.