

# ACT No. 731

2024 Regular Session

HOUSE BILL NO. 828

BY REPRESENTATIVE MILLER

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AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

§1360.52. Definitions

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

\* \* \*

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

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

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

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

9   \*       \*       \*

10                   §1360.55. Qualifications of applicants

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

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

16                   ~~(2) Holds a current and unrestricted certificate of prescriptive authority~~  
17                   ~~issued by the Louisiana State Board of Examiners of Psychologists.~~

18                   ~~(3) Holds a controlled and dangerous substance permit issued by the~~  
19                   ~~Louisiana Board of Pharmacy.~~

20                   ~~(4) Holds a controlled substance registration issued by the United States~~  
21                   ~~Drug Enforcement Administration.~~

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

26                   (1) Holds a current and unrestricted license in good standing to practice  
27                   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.

1 §1360.56. Consultation and collaboration for medical psychologists without a  
 2 certificate of advanced practice

3 A. Medical psychologists shall prescribe only in consultation and  
 4 collaboration with the patient's primary ~~or attending physician~~ care provider, and  
 5 with the concurrence of that ~~physician~~ primary care provider. However, when a  
 6 medical psychologist consults and collaborates with a primary care provider other  
 7 than a physician, the medical psychologist shall include the supervising or  
 8 collaborating physician consultations, collaborations, notices, updates, or summaries  
 9 that may be required by this Part.

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

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

17 \* \* \*

18 §1360.57. Certificate of advanced practice

19 ~~Medical psychologists who satisfy the requirements specified~~ A medical  
 20 psychologist who obtains a medical psychology license in accordance with ~~by R.S.~~  
 21 ~~37:1360.55(A)~~ R.S. 37:1360.55 and who ~~possess~~ possesses all of the following  
 22 additional qualifications to the satisfaction of the board shall be issued a certificate  
 23 of advanced practice:

24 (1) Three years of experience practicing as a medical psychologist. ~~For~~  
 25 ~~those individuals licensed under R.S. 37:1360.55(A), such experience shall be~~  
 26 ~~deemed to have commenced with the issuance of the original certificate of~~

1           ~~prescriptive authority issued by the Louisiana State Board of Examiners of~~  
2           ~~Psychologists.~~

3                     (2) Treatment of a minimum of one hundred patients ~~including twenty-five~~  
4           ~~or more~~ involving the use of ~~major psychotropics~~ a range of psychotropic  
5           medications, including but not limited to antipsychotics, antidepressants,  
6           psychostimulants, mood stabilizers, anxiolytics, and hypnotics, ~~and twenty-five or~~  
7           ~~more involving the use of major antidepressants which~~ that demonstrate the  
8           competence of the medical psychologist.

9   \*       \*       \*

10                    (5) The completion of a minimum of one hundred hours of continuing  
11           medical education relating to the use of medications in the management of patients  
12           with psychiatric illness commencing with the issuance of a ~~certificate of prescriptive~~  
13           ~~authority by the Louisiana State Board of Examiners of Psychologists prior to~~  
14           ~~January 1, 2010, or~~ license by the board ~~after this date.~~ in accordance with R.S.  
15           37:1360.55.

16   \*       \*       \*

17           §1360.62. Standards of practice for medical psychologists holding certificates of  
18           advanced practice

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

23                    B. The ~~primary, attending, or referring physician~~ primary care provider shall  
24           evaluate the patient for medical conditions in accordance with customary practice  
25           standards, and as might be indicated based on the medications that the patient is  
26           receiving ~~and/or~~ and risk factors that may be present. If the primary care provider  
27           refers the patient ~~has been referred~~ to a medical psychologist holding a certificate

1 of advanced practice for the express purpose of evaluation and treatment to include  
2 drug management ~~by the primary, attending, or referring physician~~, this condition  
3 shall be considered met.

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

7 D. The medical psychologist shall provide the ~~primary, attending, or~~  
8 ~~referring physician~~ primary care provider with follow up reports as may be dictated  
9 by the patient's ~~condition.~~ condition and prior to the treatment of common  
10 medication side effects.

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

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

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_