

## 2nd Sub. S.B. 26

# BEHAVIORAL HEALTH LICENSING AMENDMENTS

SENATE FLOOR AMENDMENTS

AMENDMENT 5

FEBRUARY 23, 2024 3:06 PM

Senator **Michael S. Kennedy** proposes the following amendments:

1. Page 83, Line 2558 through Page 85, Line 2599:

2558 Section 36. Section **58-61-308** is amended to read:

2559 58-61-308. Scope of practice -- Limitations.

2560 (1) (a) [~~A~~] Subject to Subsections (1)(b) through ~~{(c)}~~ **(f)**, a psychologist may engage in all  
2561 acts and practices defined as the practice of psychology without supervision, in private and  
2562 independent practice, or as an employee of another person, limited only by the licensee's  
2563 education, training, and competence.

2564 (b) Only a certified prescribing psychologist or provisional prescribing psychologist  
2565 may ~~§~~ ~~[prescribe, administer, discontinue, and distribute without charge, psychotropic drugs]~~  
2565a ~~prescribe, administer, and discontinue~~ ~~{psychotropic drugs}~~ ~~←§~~ **selective serotonin reuptake**  
**inhibitors (SSRIs), and other medications approved under Subsection (1)(c),**

2566 **recognized in or customarily used in the diagnosis, treatment, and management of individuals**  
2567 **with psychiatric, mental, cognitive, nervous, emotional, developmental, or behavioral**  
2568 **disorders, including:**

2569 (i) laboratory tests;

2570 (ii) diagnostic examinations; and

2571 (iii) procedures that are:

2572 (A) necessary to obtain laboratory tests or diagnostic examinations;

2573 (B) relevant to the practice of psychology; and

2574 (C) in accordance with division rule made in consultation with the board. =

**(c)(i) The division may, by rule made in consultation with the Physicians Licensing Board created**  
**in Section 58-67-201, approve medications other than SSRIs for prescribing by certified prescribing**  
**psychologists or provisional prescribing psychologists.**

**(ii) If the division approves a medication under Subsection (c)(i), the division shall notify the**  
**Health and Human Services Interim Committee of the approval within 14 days after the day on which**  
**the medication is approved.**

2575 ~~{(c)(f)}~~ **(d)(i)** A certified prescribing psychologist may only prescribe psychotropic  
2576 medication

2576 for a patient if the certified prescribing psychologist:

2577 (A) identifies a health care practitioner currently overseeing the patient's general  
2578 medical care; and

2579 (B) establishes and maintains a collaborative relationship with that health care

2580 practitioner.

2581 (ii) When prescribing a psychotropic medication for a patient, a certified prescribing

2582 psychologist shall establish and maintain a collaborative relationship with a health care

2583 practitioner who oversees the patient's general medical care to ensure that:

2584 (A) necessary medical examinations are conducted;

2585 (B) the psychotropic medication is appropriate for the patient's medical condition; and

2586 (C) significant changes in the patient's medical or psychological conditions are

2587 discussed.

2588 (iii) A health care practitioner under Subsections (1)(c)(i) and (ii) shall be:

2589 (A) a physician licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68,

2590 Utah Osteopathic Medical Practice Act; or

2591 (B) a psychiatric mental health nurse practitioner, as defined in Section 58-1-111.

2592 ~~(d)~~ (e) Certified prescribing psychologists and provisional prescribing psychologists may

2593 not prescribe or administer:

2594 (i) narcotics; or

2595 (ii) controlled substances.

2596 ~~(e)~~ (f) The division, in consultation with the board and the Physicians Licensing Board

2597 created in Section 58-67-201, may make rules further defining this section's limitations relating

2598 to prescribing psychology, allowable medications, and collaborative relationship requirements.

2599 (2) An individual certified as a psychology resident may engage in all acts and