

**First Regular Session  
Seventy-fourth General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 23-0051.01 Kristen Forrestal x4217

**HOUSE BILL 23-1071**

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**House Committees**

Public & Behavioral Health & Human Services

**Senate Committees**

Health & Human Services

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**A BILL FOR AN ACT**

101      **CONCERNING THE AUTHORITY OF A LICENSED PSYCHOLOGIST TO**  
102              **PRESCRIBE PSYCHOTROPIC MEDICATION FOR THE TREATMENT**  
103              **OF MENTAL HEALTH DISORDERS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill adds 2 members to the state board of psychologist examiners (board) and requires 2 of the 9 members of the board to be prescribing psychologists.

The bill allows a licensed psychologist to prescribe and administer psychotropic medications if the licensed psychologist holds a conditional

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

SENATE  
3rd Reading Unamended  
February 23, 2023

SENATE  
Amended 2nd Reading  
February 22, 2023

HOUSE  
3rd Reading Unamended  
February 9, 2023

HOUSE  
Amended 2nd Reading  
February 8, 2023

prescription certificate or a prescription certificate issued by the board.

A licensed psychologist may apply to the board for a conditional prescription certificate and must include in the application satisfactory evidence that the applicant has met specific educational, supervisory, and clinical requirements. The board is required to issue a conditional prescription certificate to the licensed psychologist if the board determines the applicant has met the requirements. The licensed psychologist with a conditional prescription certificate may only administer and prescribe psychotropic medications under the supervision of a licensed physician or advanced practice registered nurse and must maintain a collaborative relationship with the patient's health-care provider.

A licensed psychologist who holds a conditional prescription certificate for 2 years and who meets the specified requirements may apply for and receive a prescription certificate (prescribing psychologist). A licensed psychologist with a prescription certificate may prescribe psychotropic medication to a person if the licensed psychologist:

- Holds a current license in good standing;
- Maintains the required malpractice insurance; and
- Annually completes at least 20 hours of continuing education.

The board is authorized to promulgate rules to:

- Implement procedures for obtaining a conditional prescription certificate and a prescription certificate; and
- Establish grounds for denial, suspension, and revocation of the certificates.

The bill requires a prescribing psychologist and a licensed psychologist with a conditional prescription certificate to file with the board all individual federal drug enforcement administration registrations and numbers. The board and the Colorado medical board are required to maintain current records of every psychologist with prescriptive authority, including registrations and numbers.

The department of regulatory agencies (department) is required to annually collect information regarding prescribing psychologists and licensed psychologists with conditional prescription certificates, to compile the information, and to share the information with the office in the department responsible for conducting sunset reviews for inclusion in each scheduled sunset review concerning the regulation of mental health professionals.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. In Colorado Revised Statutes, 12-245-224, add (3)**

1 as follows:

2 **12-245-224. Prohibited activities - related provisions -**  
3 **definition. (3) (a) THE BOARD SHALL DESIGN AND SEND A**  
4 **QUESTIONNAIRE TO ALL LICENSED PSYCHOLOGISTS WITH PRESCRIPTIVE**  
5 **AUTHORITY WHO APPLY FOR LICENSE RENEWAL. EACH APPLICANT FOR**  
6 **LICENSE RENEWAL SHALL COMPLETE THE BOARD-DESIGNED**  
7 **QUESTIONNAIRE. THE PURPOSE OF THE QUESTIONNAIRE IS TO DETERMINE**  
8 **WHETHER A LICENSEE HAS ACTED IN VIOLATION OF THIS PART 2 OR HAS**  
9 **BEEN DISCIPLINED FOR ANY ACTION THAT MIGHT BE CONSIDERED A**  
10 **VIOLATION OF THIS PART 2 OR THAT MIGHT MAKE THE LICENSEE UNFIT TO**  
11 **PRACTICE PSYCHOLOGY WITH REASONABLE CARE AND SAFETY. THE BOARD**  
12 **SHALL INCLUDE ON THE QUESTIONNAIRE A QUESTION REGARDING**  
13 **WHETHER THE LICENSEE HAS COMPLIED WITH SECTION 12-30-111 AND IS**  
14 **IN COMPLIANCE WITH SECTION 12-280-403 (2)(a). IF AN APPLICANT FAILS**  
15 **TO ANSWER THE QUESTIONNAIRE ACCURATELY, THE FAILURE CONSTITUTES**  
16 **GROUND FOR DISCIPLINE UNDER THIS SECTION. THE BOARD MAY INCLUDE**  
17 **THE COST OF DEVELOPING AND REVIEWING THE QUESTIONNAIRE IN THE FEE**  
18 **PAID PURSUANT TO SECTION 12-245-205 OF THIS SECTION. THE BOARD**  
19 **MAY DENY AN APPLICATION FOR LICENSE RENEWAL THAT DOES NOT**  
20 **ACCOMPANY AN ACCURATELY COMPLETED QUESTIONNAIRE.**

21 **(b) ON AND AFTER JULY 1, 2024, AS A CONDITION OF RENEWAL OF**  
22 **A LICENSE, EACH LICENSEE SHALL ATTEST THAT THE LICENSEE IS IN**  
23 **COMPLIANCE WITH SECTION 12-280-403 (2)(a) AND THAT THE LICENSEE IS**  
24 **AWARE OF THE PENALTIES FOR NONCOMPLIANCE WITH THAT SECTION.**

25 **SECTION 2. In Colorado Revised Statutes, 12-30-109, amend**  
26 **(1)(b), (4)(e), and (4)(f); and add (4)(g) as follows:**

27 **12-30-109. Prescriptions - limitations - definition - rules.**

1 (1) (b) Prior to prescribing any opioid or benzodiazepine prescription  
2 pursuant to this section, a prescriber must comply with section  
3 12-280-404 (4). Failure to comply with section 12-280-404 (4) constitutes  
4 unprofessional conduct or grounds for discipline, as applicable, under  
5 section 12-220-201, 12-240-121, ~~12-245-224~~, 12-255-120, 12-275-120,  
6 12-290-108, or 12-315-112, as applicable to the particular prescriber, only  
7 if the prescriber repeatedly fails to comply.

8 (4) As used in this section, "prescriber" means:

9 (e) A podiatrist licensed pursuant to article 290 of this title 12; or

10 (f) A veterinarian licensed pursuant to part 1 of article 315 of this  
11 title 12; or

12 (g) A LICENSED PSYCHOLOGIST WITH PRESCRIPTIVE AUTHORITY  
13 PURSUANT TO SECTION 12-245-309.

14 **SECTION 3.** In Colorado Revised Statutes, 12-245-301, **amend**  
15 (4), (5), and (6); and **add** (7), (8), (9), (10), (11), (12), and (13) as  
16 follows:

17 **12-245-301. Definitions.** As used in this part 3, unless the context  
18 otherwise requires:

19 (4) ~~"Licensed psychologist" means a person licensed under this~~  
20 part 3 "INDEPENDENTLY LICENSED PRESCRIBING PHYSICIAN" MEANS A  
21 PHYSICIAN LICENSED PURSUANT TO ARTICLE 240 OF THIS TITLE 12 WHO  
22 SUPERVISES LICENSED PSYCHOLOGISTS PARTICIPATING IN PRACTICUMS  
23 DESCRIBED IN SECTION 12-245-309 (2)(a)(IV).

24 (5) ~~"Professional psychological training program" means a~~  
25 ~~doctoral training program that:~~

26 (a) ~~Is a planned program of study that reflects an integration of the~~  
27 ~~science and practice of psychology; and~~

1           (b) For applicants receiving their terminal degrees after 1990, is  
2 designated as a doctoral program in psychology by the Association of  
3 State and Provincial Psychology Boards or the National Register of  
4 Health Service Psychologists, or is accredited by the American  
5 Psychological Association or Canadian Psychological Association  
6 "LICENSED PSYCHOLOGIST" MEANS A PERSON LICENSED PURSUANT TO THIS  
7 PART 3.

8           (6) "Telepsychology" means the provision of psychological  
9 services using telecommunications technologies == "NARCOTIC DRUG"  
10 HAS THE SAME MEANING AS SET FORTH IN SECTION 18-18-102 (20).

11           (7) "PRESCRIBING PSYCHOLOGIST" MEANS A LICENSED  
12 PSYCHOLOGIST WHO HOLDS A PRESCRIPTION CERTIFICATE.

13           (8) "PRESCRIPTION CERTIFICATE" MEANS A DOCUMENT ISSUED BY  
14 THE BOARD, WITH APPROVAL OF THE COLORADO MEDICAL BOARD, TO A  
15 LICENSED PSYCHOLOGIST THAT PERMITS THE LICENSED PSYCHOLOGIST TO  
16 PRESCRIBE PSYCHOTROPIC MEDICATIONS PURSUANT TO THIS PART 3.

17           (9) "PROFESSIONAL PSYCHOLOGICAL TRAINING PROGRAM" MEANS  
18 A DOCTORAL TRAINING PROGRAM THAT:

19           (a) IS A PLANNED PROGRAM OF STUDY THAT REFLECTS AN  
20 INTEGRATION OF THE SCIENCE AND PRACTICE OF PSYCHOLOGY; AND

21           (b) FOR APPLICANTS RECEIVING THEIR TERMINAL DEGREES AFTER  
22 1990, IS DESIGNATED AS A DOCTORAL PROGRAM IN PSYCHOLOGY BY THE  
23 ASSOCIATION OF STATE AND PROVINCIAL PSYCHOLOGY BOARDS OR THE  
24 NATIONAL REGISTER OF HEALTH SERVICE PSYCHOLOGISTS OR IS  
25 ACCREDITED BY THE AMERICAN PSYCHOLOGICAL ASSOCIATION OR  
26 CANADIAN PSYCHOLOGICAL ASSOCIATION.

27           (10) (a) "PSYCHOTROPIC MEDICATION" MEANS A CONTROLLED

1 SUBSTANCE OR DANGEROUS DRUG:  
2 (I) THAT MAY NOT BE DISPENSED OR ADMINISTERED WITHOUT A  
3 PRESCRIPTION;  
4 (II) FOR WHICH THE PRIMARY INDICATION FOR USE IS APPROVED BY  
5 THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF  
6 MENTAL HEALTH DISORDERS; AND  
7 (III) THAT IS LISTED AS A PSYCHOTHERAPEUTIC AGENT IN THE  
8 MOST RECENT EDITION OF "DRUG FACTS AND COMPARISONS" OR IN THE  
9 AMERICAN HOSPITAL FORMULARY SERVICE DRUG INFORMATION  
10 COMPENDIUM.  
11 (b) "PSYCHOTROPIC MEDICATION" DOES NOT INCLUDE A NARCOTIC  
12 DRUG.

13 ==  
14 (11) "TELEPSYCHOLOGY" MEANS THE PROVISION OF  
15 PSYCHOLOGICAL SERVICES USING TELECOMMUNICATIONS TECHNOLOGIES.

16 **SECTION 4.** In Colorado Revised Statutes, 12-245-302, **amend**  
17 (2)(a) as follows:

18 **12-245-302. State board of psychologist examiners - created**  
19 **- members - terms.** (2) The board consists of **seven** members who are  
20 residents of the state of Colorado as follows:

21 (a) **Four** board members must be licensed psychologists, at least  
22 two of whom shall be engaged in the direct practice of psychology **AND**  
23 **ONE OF WHOM IS A PRESCRIBING PSYCHOLOGIST; except that, if,** after a  
24 good-faith attempt, the governor determines that an applicant for  
25 membership on the board pursuant to this subsection (2)(a) who is  
26 engaged in the direct practice of psychology **OR WHO IS A PRESCRIBING**  
27 **PSYCHOLOGIST** is not available to serve on the board for a particular term,

1 the governor may appoint a licensed psychologist who is not engaged in  
2 the direct practice of psychology OR WHO IS NOT A PRESCRIBING  
3 PSYCHOLOGIST.

4 **SECTION 5.** In Colorado Revised Statutes, **add** 12-245-309 as  
5 follows:

6 **12-245-309. Prescription authority - psychotropic drugs -**  
7 **prescription certificates - requirements - issuance, denial, renewal,**  
8 **and revocation of certification - rules. (1) Prescribing and**  
9 **administering psychotropic medications. (a) A LICENSED**  
10 **PSYCHOLOGIST MAY ONLY ADMINISTER OR PRESCRIBE PSYCHOTROPIC**  
11 **MEDICATION TO A PERSON PURSUANT TO THE REQUIREMENTS AND**  
12 **LIMITATIONS SET FORTH IN THIS SECTION.**

13 (b) A LICENSED PSYCHOLOGIST MUST HOLD [REDACTED] A PRESCRIPTION  
14 CERTIFICATE IN ORDER TO PRESCRIBE OR ADMINISTER PSYCHOTROPIC  
15 MEDICATION.

16 (2) **Prescription certificate.** (a) A LICENSED PSYCHOLOGIST MAY  
17 APPLY TO THE BOARD FOR A [REDACTED] PRESCRIPTION CERTIFICATE IN THE FORM  
18 AND MANNER APPROVED BY THE BOARD. THE APPLICANT MUST INCLUDE  
19 SATISFACTORY EVIDENCE THAT THE APPLICANT:

20 (I) HAS COMPLETED A DOCTORAL PROGRAM IN PSYCHOLOGY FROM  
21 AN APPROVED SCHOOL OR FROM A DOCTORAL PROGRAM THAT WAS NOT  
22 ACCREDITED AT THE TIME OF THE APPLICANT'S GRADUATION BUT MEETS  
23 THE PROFESSIONAL STANDARDS APPROVED BY THE BOARD;

24 (II) HAS SUCCESSFULLY COMPLETED A MASTER OF SCIENCE IN A  
25 CLINICAL PSYCHOPHARMACOLOGY PROGRAM THAT IS DESIGNATED BY THE  
26 AMERICAN PSYCHOLOGICAL ASSOCIATION OR ANY EDUCATION AS SET  
27 FORTH IN RULES PROMULGATED BY THE BOARD WITH APPROVAL OF THE

1 COLORADO MEDICAL BOARD AND THAT CONSISTS OF DIDACTIC  
2 INSTRUCTION OF AT LEAST FOUR HUNDRED FIFTY CLASSROOM HOURS IN AT  
3 LEAST THE FOLLOWING CORE AREAS OF INSTRUCTION:

- 4 (A) NEUROSCIENCE;
- 5 (B) PHARMACOLOGY;
- 6 (C) PSYCHOPHARMACOLOGY;
- 7 (D) PHYSIOLOGY;
- 8 (E) PATHOPHYSIOLOGY;
- 9 (F) APPROPRIATE AND RELEVANT PHYSICAL AND LABORATORY  
10 ASSESSMENT; ==

- 11 (G) CLINICAL PHARMACOTHERAPEUTICS; AND
- 12 (H) BASIC SCIENCES, INCLUDING GENERAL BIOLOGY,  
13 MICROBIOLOGY, CELL AND MOLECULAR BIOLOGY, HUMAN ANATOMY,  
14 HUMAN PHYSIOLOGY, BIOCHEMISTRY, AND GENETICS, AS PART OF OR PRIOR  
15 TO ENROLLMENT IN A MASTER OF SCIENCE DEGREE PROGRAM IN CLINICAL  
16 PSYCHOPHARMACOLOGY.

17 (III) HAS PASSED THE PSYCHOPHARMACOLOGY EXAMINATION FOR  
18 PSYCHOLOGISTS DEVELOPED BY THE ASSOCIATION OF STATE AND  
19 PROVINCIAL PSYCHOLOGY BOARDS, OR ITS SUCCESSOR ORGANIZATION;

20 (IV) HAS BEEN CERTIFIED BY EACH OF THE APPLICANT'S  
21 INDEPENDENTLY LICENSED PRESCRIBING PHYSICIANS AS HAVING  
22 SUCCESSFULLY COMPLETED, IN NOT LESS THAN TWELVE MONTHS BUT NO  
23 MORE THAN TWENTY-FOUR MONTHS, A SUPERVISED AND RELEVANT  
24 CLINICAL EXPERIENCE APPROVED BY THE BOARD AND THE COLORADO  
25 MEDICAL BOARD THAT CONSISTS OF:

- 26 (A) A ONE-TO-ONE, IN-PERSON SUPERVISED PRACTICUM, OF AT  
27 LEAST SEVEN HUNDRED FIFTY HOURS TREATING AT LEAST ONE HUNDRED

1 FIFTY CLIENTS WITH MENTAL HEALTH DISORDERS UNDER THE SUPERVISION  
2 OF ANY ONE OR A COMBINATION OF APPROPRIATELY TRAINED  
3 INDEPENDENTLY LICENSED PRESCRIBING PHYSICIANS WHO HAVE BEEN  
4 DETERMINED BY THE BOARD AND THE COLORADO MEDICAL BOARD AS  
5 COMPETENT TO TRAIN THE APPLICANT IN THE TREATMENT OF A DIVERSE  
6 CLIENT POPULATION;

7 (B) INCLUDED IN THE SEVEN HUNDRED FIFTY HOURS REQUIRED IN  
8 SUBSECTION (2)(a)(IV)(A) OF THIS SECTION, AT LEAST AN EIGHTY-HOUR  
9 PRACTICUM IN OBSERVATIONAL CLINICAL ASSESSMENT AND  
10 PATHOPHYSIOLOGY UNDER THE SUPERVISION OF AN INDEPENDENTLY  
11 LICENSED PRESCRIBING PHYSICIAN; AND

12 (C) IF THE LICENSED PSYCHOLOGIST IS WORKING WITH PATIENTS  
13 UNDER EIGHTEEN YEARS OF AGE OR OVER SIXTY-FIVE YEARS OF AGE, AT  
14 LEAST TWO HUNDRED FIFTY OF THE SEVEN HUNDRED FIFTY HOURS  
15 REQUIRED IN SUBSECTION (2)(a)(IV)(A) OF THIS SECTION UNDER THE  
16 SUPERVISION OF ONE OR MORE INDEPENDENTLY LICENSED PRESCRIBING  
17 PHYSICIANS WHO WORK WITH PATIENTS UNDER EIGHTEEN YEARS OF AGE  
18 OR OVER SIXTY-FIVE YEARS OF AGE, WHICHEVER IS APPLICABLE, IF THE  
19 LICENSED PSYCHOLOGIST IS WORKING WITH SUCH PATIENTS;

20  
21 (V) HAS SUCCESSFULLY UNDERGONE A PROCESS OF INDEPENDENT  
22 PEER REVIEW AS SET FORTH IN RULE OF THE BOARD AND APPROVED BY THE  
23 COLORADO MEDICAL BOARD;

24 (VI) MAINTAINS COMMERCIAL PROFESSIONAL LIABILITY  
25 INSURANCE WITH AN INSURER AUTHORIZED TO DO BUSINESS IN THIS STATE  
26 OR AN ELIGIBLE NONADMITTED INSURER AUTHORIZED TO PROVIDE  
27 INSURANCE PURSUANT TO ARTICLE 5 OF TITLE 10 IN A MINIMUM

1 INDEMNITY AMOUNT OF ONE MILLION DOLLARS PER INCIDENT AND THREE  
2 MILLION DOLLARS ANNUAL AGGREGATE PER YEAR; AND

3 (VII) MEETS ALL OTHER REQUIREMENTS AS DETERMINED BY THE  
4 BOARD.

5 (b) THE BOARD SHALL ISSUE A PRESCRIPTION CERTIFICATE TO AN  
6 APPLICANT WHO THE BOARD DETERMINES HAS MET THE REQUIREMENTS OF  
7 SUBSECTION (2)(a) OF THIS SECTION. A LICENSED PSYCHOLOGIST WITH A  
8 PRESCRIPTION CERTIFICATE MAY PRESCRIBE AND ADMINISTER  
9 PSYCHOTROPIC MEDICATION TO A PERSON IF THE LICENSED PSYCHOLOGIST:

10 (I) HOLDS A CURRENT LICENSE IN GOOD STANDING TO PRACTICE  
11 PSYCHOLOGY IN THIS STATE;

12 (II) MAINTAINS THE COMMERCIAL PROFESSIONAL LIABILITY  
13 INSURANCE REQUIRED BY SUBSECTION (2)(a)(VI) OF THIS SECTION; AND

14 (III) COMPLETES AT LEAST FORTY HOURS OF CONTINUING  
15 EDUCATION EVERY TWO YEARS IN THE AREAS OF PHARMACOLOGY AND  
16 PSYCHOPHARMACOLOGY FOR PRESCRIBING PSYCHOLOGISTS OR A GREATER  
17 AMOUNT AS REQUIRED BY THE BOARD.

18 (3) **Prescription certificate by endorsement.** UPON PAYMENT OF  
19 THE REQUIRED LICENSING FEES AND APPROVAL OF THE APPLICATION FOR  
20 A PRESCRIPTION CERTIFICATE BY ENDORSEMENT, THE BOARD MAY CERTIFY  
21 BY ENDORSEMENT AND GRANT A PRESCRIPTION CERTIFICATE TO AN  
22 APPLICANT WHO HAS:

23 (a) A CURRENT LICENSE IN GOOD STANDING TO PRACTICE  
24 PSYCHOLOGY FROM ANOTHER STATE; AND

25 (b) (I) UNRESTRICTED PRESCRIPTIVE AUTHORITY FROM ANOTHER  
26 STATE THAT IMPOSES THE EDUCATION, SUPERVISION, AND TRAINING  
27 REQUIREMENTS REQUIRED BY THIS SECTION AND BY RULE OF THE BOARD;

1 OR

2 (II) TRAINING FROM THE UNITED STATES DEPARTMENT OF  
3 DEFENSE PSYCHOPHARMACOLOGY DEMONSTRATION PROJECT FOR  
4 LICENSED PSYCHOLOGISTS OR OTHER SIMILAR PROGRAM THAT IMPOSES  
5 THE EDUCATION, SUPERVISION, AND TRAINING REQUIREMENTS REQUIRED  
6 BY THIS SECTION AND BY RULE OF THE BOARD.

7 (4) **Rules.** THE BOARD MAY PROMULGATE RULES TO:

8 (a) IMPLEMENT PROCEDURES FOR OBTAINING A PRESCRIPTION  
9 CERTIFICATE AND RENEWALS FOR THE CERTIFICATES; AND

10 (b) IN ADDITION TO THE GROUNDS FOR DISCIPLINE IN SECTION  
11 12-245-224, ESTABLISH THE GROUNDS FOR DENIAL, SUSPENSION, AND  
12 REVOCATION OF A PRESCRIPTION CERTIFICATE, INCLUDING FOR THE  
13 SUSPENSION OF A LICENSE TO PRACTICE PSYCHOLOGY UPON THE  
14 SUSPENSION OR REVOCATION OF A CERTIFICATE.

15 (5) **Prescribing and administering practices.** (a) A PRESCRIBING  
16 PSYCHOLOGIST MAY:

17 (I) PRESCRIBE PSYCHOTROPIC MEDICATION THROUGH THE USE OF  
18 TELEPSYCHOLOGY; AND

19 (II) PRESCRIBE AND ADMINISTER PSYCHOTROPIC MEDICATION  
20 WITHIN THE RECOGNIZED SCOPE OF PRACTICE, INCLUDING ORDERING AND  
21 REVIEWING LABORATORY TESTS IN CONJUNCTION WITH A PRESCRIPTION  
22 FOR THE TREATMENT OF A MENTAL HEALTH DISORDER.

23 (b) WHEN PRESCRIBING A PSYCHOTROPIC MEDICATION FOR A  
24 PATIENT, THE PRESCRIBING PSYCHOLOGIST \_\_\_\_\_ SHALL MAINTAIN AN  
25 ONGOING COLLABORATIVE RELATIONSHIP WITH THE PHYSICIAN WHO  
26 OVERSEES THE PATIENT'S GENERAL MEDICAL CARE TO ENSURE THAT  
27 NECESSARY MEDICAL EXAMINATIONS ARE CONDUCTED, THE

1 PSYCHOTROPIC MEDICATION IS APPROPRIATE FOR THE PATIENT'S MEDICAL  
2 CONDITION, AND SIGNIFICANT CHANGES IN THE PATIENT'S MEDICAL OR  
3 PSYCHOLOGICAL CONDITIONS ARE DISCUSSED.

4 (c) (I) A PRESCRIBING PSYCHOLOGIST     SHALL OBTAIN A RELEASE  
5 OF INFORMATION FROM A PATIENT OR THE PATIENT'S LEGAL GUARDIAN  
6 AUTHORIZING THE PSYCHOLOGIST TO CONTACT THE PATIENT'S PRIMARY  
7 TREATING PHYSICIAN, AS REQUIRED BY LAW.

8 (II) IF A PATIENT OR THE PATIENT'S LEGAL GUARDIAN REFUSES TO  
9 SIGN A RELEASE OF INFORMATION FOR THE PATIENT'S PRIMARY TREATING  
10 PHYSICIAN WHO OVERSEES THE PATIENT, THE PRESCRIBING PSYCHOLOGIST  
11     SHALL:

12 (A) INFORM THE CLIENT OR THE CLIENT'S LEGAL GUARDIAN THAT  
13 THE PSYCHOLOGIST CANNOT TREAT THE PATIENT PHARMACOLOGICALLY  
14 WITHOUT AN ONGOING COLLABORATIVE RELATIONSHIP WITH THE CLIENT'S  
15 PRIMARY TREATING PHYSICIAN; AND

16 (B) REFER THE PATIENT TO ANOTHER PRESCRIBER WHO IS NOT  
17 REQUIRED TO MAINTAIN AN ONGOING COLLABORATIVE RELATIONSHIP  
18 WITH A PHYSICIAN.

19 (III) BEFORE PRESCRIBING OR ADMINISTERING A PSYCHOTROPIC  
20 MEDICATION TO A PATIENT, A PRESCRIBING PSYCHOLOGIST SHALL  
21 COMMUNICATE TO THE PATIENT'S PRIMARY TREATING PHYSICIAN THE  
22 INTENT TO PRESCRIBE OR ADMINISTER THE MEDICATION AND MUST  
23 RECEIVE ELECTRONIC WRITTEN AGREEMENT FROM THE PHYSICIAN THAT  
24 THE PRESCRIPTION FOR OR ADMINISTERING OF THE MEDICATION IS  
25 APPROPRIATE.

26 (IV) IF A PATIENT DOES NOT HAVE A PRIMARY TREATING  
27 HEALTH-CARE PROVIDER WHO IS A LICENSED PHYSICIAN, THE PRESCRIBING

1 PSYCHOLOGIST \_\_\_ SHALL REFER THE PATIENT TO A LICENSED PHYSICIAN  
2 PRIOR TO PSYCHOPHARMACOLOGICAL TREATMENT. THE PSYCHOLOGIST  
3 MUST RECEIVE THE RESULTS OF THE LICENSED PHYSICIAN'S ASSESSMENT  
4 AND SHALL CONTACT THE LICENSED PHYSICIAN WHO CONDUCTED THE  
5 ASSESSMENT PRIOR TO PRESCRIBING A PSYCHOTROPIC MEDICATION TO THE  
6 PATIENT.

7 (V) ONCE A COLLABORATIVE RELATIONSHIP IS ESTABLISHED WITH  
8 \_\_\_ THE PRIMARY TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST  
9 REFERS THE PATIENT PURSUANT TO SUBSECTION (5)(c)(IV) OF THIS  
10 SECTION, THE PRESCRIBING PSYCHOLOGIST \_\_\_ SHALL MAINTAIN AND  
11 DOCUMENT THE COLLABORATIVE RELATIONSHIP TO ENSURE THAT  
12 RELEVANT INFORMATION IS EXCHANGED ACCURATELY AND IN A TIMELY  
13 MANNER. THE ONGOING COLLABORATIVE RELATIONSHIP MUST BE  
14 MAINTAINED ACCORDING TO THE FOLLOWING:

15 (A) A PRESCRIBING PSYCHOLOGIST \_\_\_ SHALL NOTIFY THE \_\_\_  
16 PRIMARY TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST REFERS THE  
17 CLIENT PURSUANT TO SUBSECTION (5)(c)(IV) OF THIS SECTION IF THE  
18 PATIENT EXPERIENCES ADVERSE EFFECTS FROM MEDICATIONS PRESCRIBED  
19 BY THE PSYCHOLOGIST THAT MAY BE RELATED TO THE PATIENT'S MEDICAL  
20 CONDITION FOR WHICH THE PATIENT IS BEING TREATED BY THE PRIMARY  
21 TREATING PHYSICIAN;

22 (B) A PRESCRIBING PSYCHOLOGIST \_\_\_ SHALL NOTIFY THE PRIMARY  
23 TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST REFERS THE PATIENT  
24 PURSUANT TO SUBSECTION (5)(c)(IV) OF THIS SECTION REGARDING  
25 RESULTS OF LABORATORY TESTS RELATED TO THE MEDICAL CARE OF THE  
26 PATIENT THAT HAVE BEEN ORDERED BY THE PSYCHOLOGIST IN  
27 CONJUNCTION WITH PSYCHOPHARMACOLOGICAL TREATMENT; AND

1 (C) A PRESCRIBING PSYCHOLOGIST \_\_\_\_\_ SHALL NOTIFY A \_\_\_\_\_  
2 PRIMARY TREATING PHYSICIAN TO WHOM THE PSYCHOLOGIST REFERS THE  
3 PATIENT PURSUANT TO SUBSECTION (6)(c)(IV) OF THIS SECTION AS SOON  
4 AS POSSIBLE OF ANY CHANGE IN THE PATIENT'S PSYCHOLOGICAL  
5 CONDITION THAT MAY AFFECT THE MEDICAL TREATMENT BEING PROVIDED  
6 BY THE PHYSICIAN.

7 (d) IN ACCORDANCE WITH SECTION 12-245-203, A PRESCRIBING  
8 PSYCHOLOGIST \_\_\_\_\_ SHALL NOT PRESCRIBE MEDICATION TO A PATIENT  
9 UNLESS IT IS WITHIN THE PRESCRIBING PSYCHOLOGIST'S SCOPE OF  
10 TRAINING, EXPERIENCE, AND COMPETENCE.

11 \_\_\_\_\_  
12 (6) **Complaints.** THE COLORADO MEDICAL BOARD SHALL REVIEW  
13 COMPLAINTS IN THE NORMAL COURSE OF BUSINESS AND MAKE  
14 RECOMMENDATIONS TO THE BOARD REGARDING VIOLATIONS OF THIS  
15 SECTION AND DISCIPLINARY ACTION TO BE TAKEN BY THE BOARD, IF  
16 APPLICABLE.

17 (7) **Prescription information.** THE ENTITY THAT DISPENSES A  
18 PRESCRIPTION FOR A PSYCHOTROPIC MEDICATION WRITTEN BY A  
19 PRESCRIBING PSYCHOLOGIST SHALL COMPLY WITH APPLICABLE STATE AND  
20 FEDERAL LAWS.

21 (8) **Disclosure.** A PRESCRIBING PSYCHOLOGIST SHALL DISCLOSE TO  
22 EACH PATIENT TO WHOM THE PSYCHOLOGIST PRESCRIBES A PSYCHOTROPIC  
23 MEDICATION THAT THE PSYCHOLOGIST IS NOT A PHYSICIAN LICENSED TO  
24 PRACTICE MEDICINE, AND WILL BE SHARING INFORMATION REGARDING THE  
25 DELIVERY OF PRESCRIBING SERVICES TO THE PATIENT'S PRIMARY TREATING  
26 HEALTH-CARE PROVIDER AS REQUIRED BY LAW. THE DISCLOSURE MUST BE  
27 IN WRITING, SIGNED BY THE PATIENT, AND KEPT IN THE PATIENT'S RECORD

1 ON FILE WITH THE PSYCHOLOGIST.

2 (9) A PRESCRIBING PSYCHOLOGIST SHALL NOT PRESCRIBE ANY  
3 DRUG TO A PERSON UNDER EIGHTEEN YEARS OF AGE WITHOUT INFORMED  
4 CONSENT FROM THE PARENT OR GUARDIAN OF SUCH PERSON.

5 (10) **Drug enforcement administration number.** EACH  
6 PRESCRIBING PSYCHOLOGIST SHALL FILE WITH THE BOARD, IN THE FORM  
7 AND MANNER DETERMINED BY THE BOARD, ALL INDIVIDUAL FEDERAL  
8 DRUG ENFORCEMENT ADMINISTRATION REGISTRATIONS AND NUMBERS.  
9 THE BOARD AND THE COLORADO MEDICAL BOARD SHALL MAINTAIN  
10 CURRENT RECORDS OF EVERY PSYCHOLOGIST WITH PRESCRIPTIVE  
11 AUTHORITY, INCLUDING THE PSYCHOLOGIST'S REGISTRATIONS AND  
12 NUMBERS.

13 (11) (a) THE DEPARTMENT SHALL ANNUALLY COLLECT  
14 INFORMATION REGARDING:

15 (I) THE NUMBER OF PRESCRIBING PSYCHOLOGISTS IN THIS STATE;

16 (II) THE LOCATION OF PRACTICE OF EACH PRESCRIBING  
17 PSYCHOLOGIST;

18 (III) THE NUMBER OF PRESCRIBING PSYCHOLOGISTS WHO  
19 ACCEPT CLIENTS WITH PRIVATE HEALTH INSURANCE OR WHO ARE  
20 ENROLLED IN THE MEDICAL ASSISTANCE PROGRAM ESTABLISHED  
21 PURSUANT TO PARTS 4 TO 6 OF TITLE 25.5;

22 (IV) THE TYPE OF PRACTICE OF EACH PRESCRIBING PSYCHOLOGIST;  
23 AND

24 (V) THE POPULATIONS SERVED BY EACH PRESCRIBING  
25 PSYCHOLOGIST.

26 (b) THE DEPARTMENT SHALL COMPILE THE INFORMATION AND  
27 SHARE IT WITH THE OFFICE IN THE DEPARTMENT THAT IS RESPONSIBLE FOR

1 CONDUCTING SUNSET REVIEWS PURSUANT TO SECTION 24-34-104. THE  
2 OFFICE SHALL INCLUDE THE INFORMATION IN EACH SCHEDULED SUNSET  
3 REVIEW CONCERNING THE REGULATION OF MENTAL HEALTH  
4 PROFESSIONALS PURSUANT TO SECTION 24-34-104.

5 **SECTION 6. Act subject to petition - effective date.** This act  
6 takes effect at 12:01 a.m. on the day following the expiration of the  
7 ninety-day period after final adjournment of the general assembly; except  
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V  
9 of the state constitution against this act or an item, section, or part of this  
10 act within such period, then the act, item, section, or part will not take  
11 effect unless approved by the people at the general election to be held in  
12 November 2024 and, in such case, will take effect on the date of the  
13 official declaration of the vote thereon by the governor.