



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note

Drafting Number:	LLS 23-0051	Date:	January 27, 2023
Prime Sponsors:	Rep. Amabile; Bradfield Sen. Simpson; Fenberg	Bill Status:	House Public & Behavioral Health
		Fiscal Analyst:	Shukria Maktabi 303-866-4720 shukria.maktabi@colleg.gov

Bill Topic:	LICENSED PSYCHOLOGIST PRESCRIPTIVE AUTHORITY
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Summary of Fiscal Impact:	<input checked="" type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill allows licensed psychologists to obtain certification to prescribe psychotropic medications, expands the State Board of Psychologist Examiners, and requires that two members on the board be prescribing psychologists. The bill minimally increases state revenue and workload on an ongoing basis.

Appropriation Summary:	No appropriation is required.
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Fiscal Note Status:	The fiscal note reflects the introduced bill.
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Summary of Legislation

This bill allows licensed psychologists to prescribe and administer psychotropic medications by obtaining either a conditional prescription certificate or prescription certificate issued by the State Board of Psychologist Examiners (board) in the Department of Regulatory Agencies (DORA).

The bill outlines the criteria and process for obtaining a conditional certificate. Once granted, the psychologist may only administer and prescribe psychotropic medication under the supervision of a licensed physician or advanced practice registered nurse, and must maintain a collaborative relationship with the patient's health provider. A conditional prescription certificate is valid for two years, after which the psychologist can either renew or apply for a prescription certificate if they meet additional requirements.

The bill also adds two members to the board and adds a requirement that two of the nine members hold a prescription certification. Additionally, the board can establish rules for certification and suspension of a certificate, must keep records of all prescribing psychologists, and, by November 1, 2023, should appoint a committee to evaluate and process complaints received. DORA is required to

collect and share information on prescribing psychologists for inclusion in sunset reviews that concern the regulation of mental health professionals.

State Revenue

Beginning in FY 2023-24, the bill increases fee revenue to the Division of Professions and Occupation Cash Fund in DORA from issuing certificates. Due to the low number of expected applications, fee revenue is expected to be minimal. This revenue is subject to TABOR.

State Expenditures

Beginning in FY 2023-24, workload in DORA will increase to approve certificate applications, conduct outreach and education, expand the board, and process complaints received. The department may also require legal counsel and rulemaking support, provided by the Department of Law. Due to the relatively low number of prescribing psychologists in other states, this workload can be accomplished with existing resources.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Higher Education
Law

Human Services
Regulatory Agencies

Information Technology