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3 State of Arkansas
4 94th General Assembly

A Bill

JMB/jta
HOUSE BILL

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6
7 By: Representative L. Johnson

8
9 Filed with: House Committee on Public Health, Welfare, and Labor
10 pursuant to A.C.A. §10-3-217.

11 For An Act To Be Entitled

12 AN ACT TO ALLOW PSYCHOLOGISTS TO ENTER INTO
13 COLLABORATIVE PRACTICE AGREEMENTS WITH PSYCHIATRISTS
14 IN ORDER TO HAVE PRESCRIPTIVE AUTHORITY FOR CERTAIN
15 DRUGS; AND FOR OTHER PURPOSES.

16 17 18 Subtitle

19 TO ALLOW PSYCHOLOGISTS TO ENTER INTO
20 COLLABORATIVE PRACTICE AGREEMENTS WITH
21 PSYCHIATRISTS IN ORDER TO HAVE
22 PRESCRIPTIVE AUTHORITY FOR CERTAIN
23 DRUGS.

24
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26
27 SECTION 1. Arkansas Code § 17-97-102(a), concerning the definitions
28 and levels of practice of psychology, is amended to add additional
29 subdivisions to read as follows:

30 (5) "Collaborative practice agreement" means a written plan that
31 identifies a psychiatrist who agrees to collaborate with a psychologist in
32 the joint management of the health care of the psychologist's patients and
33 that outlines procedures for consultation with or referral to the
34 psychiatrist as indicated by a patient's healthcare needs; and

35 (6)(A) "Psychotropic medication" means a medicine that:

36 (i) Is not dispensed or administered without a

1 prescription; and

2 (ii) Has been explicitly approved by:

3 (a) The United States Food and Drug
4 Administration for the treatment of a mental disorder, as defined by the:

5 (1) American Psychiatric Association's
6 Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, as
7 existing on January 1, 2025; or

8 (2) International Classification of
9 Diseases, as existing on January 1, 2025; or

10 (b) The Arkansas Psychology Board, in
11 conjunction with the Arkansas State Medical Board, for treatment.

12 (B) "Psychotropic medication" does not include narcotics.

13
14 SECTION 2. Arkansas Code Title 17, Chapter 97, Subchapter 3, is
15 amended to add an additional section to read as follows:

16 17-97-313. Collaborative practice agreements – Prescriptive authority.

17 (a) The Arkansas Psychology Board may grant a certificate of
18 prescriptive authority to a psychologist who has a collaborative practice
19 agreement with a psychiatrist licensed under the Arkansas Medical Practices
20 Act, § 17-95-201 et seq., § 17-95-301 et seq., and § 17-95-401 et seq., and
21 who has training in scope, specialty, or expertise comparable to that of the
22 psychologist on file with the Arkansas Psychology Board.

23 (b)(1) A psychologist with a certificate of prescriptive authority may
24 receive and prescribe psychotropic medication.

25 (2)(A) The Arkansas State Medical Board and the Arkansas
26 Psychology Board, by agreement of both boards through a joint rule-making
27 process, shall adopt joint rules regarding specific minimum standards for the
28 terms, conditions, and framework governing a collaborative practice agreement
29 and for governing the limitations on the prescriptions eligible to be
30 prescribed and populations eligible to receive prescriptions under this
31 section.

32 (B) The Arkansas State Medical Board and the Arkansas
33 Psychology Board shall consult with the clinical and counseling psychology
34 doctoral programs at institutions of higher education in the development of
35 the rules pertaining to education and training requirements.

36 (c) A collaborative practice agreement shall include without

1 limitation provisions addressing:

2 (1) The availability of the psychiatrist for consultation or
3 referral, or both;

4 (2) Methods of management of the collaborative practice, which
5 may include protocols for prescriptive authority;

6 (3) Coverage of the healthcare needs of a patient in the
7 emergency absence of the psychologist or psychiatrist; and

8 (4) Quality assurance.

9 (d) If a collaborative practice agreement results in complaints of
10 violations of the Arkansas Medical Practices Act, § 17-95-201 et seq., § 17-
11 95-301 et seq., and § 17-95-401 et seq., the Arkansas State Medical Board may
12 review the role of the psychiatrist in the collaborative practice agreement
13 to determine if the psychiatrist is unable to manage his or her
14 responsibilities under the collaborative practice agreement without an
15 adverse effect on the quality of care of the patient.

16 (e) If a collaborative practice agreement results in complaints of
17 violations of this chapter, the Arkansas Psychology Board may review the role
18 of the psychologist in the collaborative practice agreement to determine if
19 the psychologist is unable to manage his or her responsibilities under the
20 collaborative practice agreement without an adverse effect on the quality of
21 care of the patient.

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Referred by Representative L. Johnson

Prepared by: JMB/JMB