

INTERIM STUDY PROPOSAL 2023-139

State of Arkansas  
94th General Assembly

**A Bill**

JMB/jta  
HOUSE BILL

By: Representative L. Johnson

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

**For An Act To Be Entitled**

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

**Subtitle**

TO ALLOW PSYCHOLOGISTS TO ENTER INTO  
COLLABORATIVE PRACTICE AGREEMENTS WITH  
PSYCHIATRISTS IN ORDER TO HAVE  
PRESCRIPTIVE AUTHORITY FOR CERTAIN  
DRUGS.

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

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

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

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

(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.

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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