



Comparison of Prescribing Statutes¹: New Mexico and Louisiana

	New Mexico	Louisiana
Title	Professional Psychologist Act (N.M.S.A. §61-9-1 <i>et seq.</i> , N.M.A.C. §16.22.1 <i>et seq.</i>)	Licensure and Regulations of Psychologists (La. R.S. §37:2351 <u>as amended by Act No.251, effective July 1, 2009</u>)
Purpose	“to insure that the public is adequately protected from the practice of psychology by unqualified persons and from unprofessional conduct by persons licensed to practice psychology.”	“to safeguard life, health, property and the public welfare of this state, and in order to protect the people of this state against unauthorized, unqualified, and improper application of psychology.
Key definitions	<p>“collaborative relationship” – means a cooperative working relationship between a prescribing psychologist or a psychologist with a conditional prescription certificate and a health care practitioner (M.D., D.O., N.P.) in the provision of patient care, including diagnosis and cooperation in the management and delivery of physical and mental health care.”</p> <p>“conditional prescription certificate” – means a document issued by the board [of psychologist examiners] to a licensed psychologist that permits the holder to prescribe psychotropic medication under the supervision of a licensed physician pursuant to the Professional Psychologist Act. A licensed psychologist holding a conditional prescription certificate may prescribe psychotropic medication under the supervision of a licensed physician pursuant to the Act; the conditional prescription certificate is valid for two years.</p> <p>“drug or substance” means substances recognized as drugs in the official U.S. pharmacopoeia, official homeopathic pharmacopoeia of the U.S. or official national formulary or any respective supplement</p>	<p>“certificate of prescriptive authority” – means a certificate issued by the state psychology board granting the authority to a medical psychologist to prescribe and distribute drugs.</p> <p>“drug” – means controlled substances except narcotics, but limited to those agents related to the diagnosis and treatment of mental and emotional disorders</p> <p>“narcotic” – means natural and synthetic opiod analgesics, and their derivatives used to relieve pain. Medical psychologists may not administer or prescribe a narcotic.</p> <p>“medical psychologist” – means the psychologist who has undergone specialized training in clinical psychopharmacology and has passed a national proficiency examination in psychopharmacology approved by the board and who holds a current and valid license from the board. A medical psychologist shall have at least three years training, primary experience, or both, in diagnosis and treatment of mental illness.</p>

¹ The provisions in this comparison document reflect the major elements of the New Mexico and Louisiana psychologist prescribing statutes and regulations. For detailed information, please refer to the New Mexico Regulation and Licensing Department (www.rld.state.nm.us/Psychology/ruleslaw.html), the Louisiana State Board of Examiners of Psychologists (www.lsbep.org) and the Louisiana State Board of Medical Examiners (www.lsbme.louisiana.gov).

	<p>to those publications. It does not include devices or their components, parts, or accessories.</p> <p>“prescribing psychologist” – means a licensed psychologist who holds a valid prescription certificate. A prescribing psychologist may prescribe psychotropic medication pursuant to the Act.</p> <p>“prescription certificate” – means a document issued by the board to a licensed psychologist that permits the holder to prescribe psychotropic medication pursuant to the Act.</p> <p>“psychotropic medication” – means a controlled substance or dangerous drug that may not be dispensed or administered without a prescription and whose primary indication for use has been approved by the federal food and drug administration for the treatment of mental disorders and is listed as a psychotherapeutic agent in drug facts and comparisons or in the American hospital formulary service</p>	<p>“psychologist” – means a clinical or medical psychologist who is licensed to practice psychology in Louisiana</p>
<p>Regulating board(s) and composition</p>	<p>New Mexico state board of psychologist examiners</p> <p>Authorized to adopt and revise the rules and regulations necessary to carry into effect the provisions of the Professional Psychologist Act, including a code of conduct.</p> <p>Consists of eight members:</p> <ul style="list-style-type: none"> ▪ All must be N.M. residents ▪ Four licensed psychologists chosen by the governor from a list provided by the state psychological associations ▪ One psychologist ▪ Three public members 	<p>Medical Psychology Advisory Committee</p> <p>Responsible for reviewing and recommending action on application for licensure, recommending educational requirements for other medical activities that may be provided by medical psychologists, recommending changes in related statutes and rules, as well as other activities as might be requested by the board. Consists of five members selected by the board:</p> <ul style="list-style-type: none"> ▪ One member shall be a physician who is certified by the American Board of Medical Specialties or the American Osteopathic Association equivalent in the specialty of psychiatry and who is licensed to practice medicine in this state selected from a list of names submitted by the Louisiana State Medical Society and who is recommended by the Louisiana Psychiatric Medical Association and the Louisiana Academy of Medical Psychologists. ▪ Four members shall be medical psychologists selected from a list of names recommended by the Louisiana Academy of Medical Psychologists.

		<p>Louisiana State Board of Medical Examiners.</p> <p>Consists of five members:</p> <ul style="list-style-type: none"> ▪ All must be U.S. citizens and residents of La. ▪ All are appointed by the governor from a list provided by the state psychological association; the list is determined from an election w/in the state psychological association ▪ Each member must have five years experience in practice, teaching, training or research
<p>Requirements for prescriptive authority</p>	<p>To be issued a conditional prescription certificate, the applicant must satisfy all of the following:</p> <ul style="list-style-type: none"> ▪ Completion of a doctoral program in psychology from an accredited institution of higher education or professional school; or, if the program was not accredited at the time of the applicant graduation, that the program meets professional standards determined acceptable by the board ▪ Licensed in N.M. ▪ Successful completion of pharmacological training from an institution of higher education approved by the psychology board and the state board of medical examiners ▪ Passing score on a national certification exam approved by the psychology board and state board of medical examiners ▪ Within 5 years preceding the application, successful completion of a program of education approved by the board and state board of medical examiners consisting of didactic instruction of no fewer than 450 classroom hours in at least the following: <ul style="list-style-type: none"> • Neuroscience • Pharmacology • Psychopharmacology 	<p>To be issued a medical psychology license, any medical psychologist must satisfy all of the following criteria:</p> <ul style="list-style-type: none"> ▪ Holds a current and unrestricted license in good standing to practice psychology issued by the Louisiana State Board of Examiners of Psychologists. ▪ Holds a current and unrestricted certificate of prescriptive authority issued by the Louisiana State Board of Examiners of Psychologists. ▪ Holds a controlled and dangerous substance permit issued by the Louisiana Board of Pharmacy. ▪ Holds a controlled substance registration issued by the United States Drug Enforcement Administration. ▪ Has successfully graduated with a post-doctoral master's degree in clinical psychopharmacology from a regionally accredited institution or has completed equivalent training to the post-doctoral master's degree approved by the board. The curriculum shall include instruction in: <ul style="list-style-type: none"> • Anatomy and physiology • Biochemistry • Neurosciences • Pharmacology

	<ul style="list-style-type: none"> • Physiology • Pathophysiology • Appropriate and relevant physical and laboratory assessment; and • Clinical pharmacotherapeutics <ul style="list-style-type: none"> ▪ Also within 5 years preceding the application, certification by the applicant's supervising psychiatrist or physician supervising the applicant: <ul style="list-style-type: none"> • 80-hour practicum in clinical assessment and pathophysiology • 400 hours supervised practicum treating no fewer than 100 patients 	<ul style="list-style-type: none"> • Psychopharmacology • Clinical medicine/pathophysiology and health assessment, including relevant physical and laboratory assessment. <ul style="list-style-type: none"> ▪ Has passed a national exam in psychopharmacology approved by the board. ▪ Medical psychologists shall annually complete a minimum of twenty hours of approved continuing medical education relevant to the practice of medical psychology. <p>Medical psychologists who satisfy the requirements to obtain a medical psychology license and who possess all of the following additional qualifications to the satisfaction of the board shall be issued a certificate of advanced practice:</p> <ul style="list-style-type: none"> ▪ Three years of experience practicing as a medical psychologist. For those individuals licensed under R.S. 37:1360.55(A), such experience shall be deemed to have commenced with the issuance of the original certificate of prescriptive authority issued by the Louisiana State Board of Examiners of Psychologists. ▪ Treatment of a minimum of one hundred patients including twenty-five or more involving the use of major psychotropics and twenty-five or more involving the use of major antidepressants which demonstrate the competence of the medical psychologist. ▪ The recommendation of two collaborating physicians, each of whom holds an unconditional license to practice medicine in Louisiana, and who are each familiar with the applicant's competence to practice medical psychology. ▪ The recommendation of the Medical Psychology Advisory Committee. ▪ The completion of a minimum of one hundred hours of continuing medical education relating to the use of
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Authority to prescribe under the conditional prescribing certificate	<p>Valid for only two years. Prescribing authority subject to the following conditions:</p> <ul style="list-style-type: none"> ▪ Current licensure within the state ▪ Maintain malpractice insurance ▪ Informing the board and the board of medical examiners of the physician who will supervise ▪ Note: the physician shall be individually responsible for the acts and omissions of the psychologist while under his supervision; the psychologist also is individually liable 	[See above]
Authority to prescribe	<p>Authority to prescribe shall be granted when:</p> <ul style="list-style-type: none"> ▪ The applicant holding a conditional prescribing certificate successfully completes two years of prescribing psychotropic medication under a physician's supervision ▪ Successfully undergoes peer review by the board and state board of medical examiners ▪ Meets all other requirements, as determined by rule of the board, for obtaining a prescription certificate <p>A prescribing psychologist may administer and prescribe psychotropic medication, including the ordering and review of laboratory tests in conjunction with the prescription, for the treatment of mental disorders.</p>	[See above]

Continuing education	20 hours annually of continuing education	20 hours annually of continuing education
Physician supervision requirements	Both prescribing psychologists and psychologists with a conditional prescription certificate shall maintain an ongoing collaborative relationship with the health care practitioner (M.D., D.O., N.P.) who oversees the patient's general medical care to ensure the necessary medical examinations are conducted, the psychotropic medication is appropriate, and changes in the patient's condition are discussed.	<p>A medical psychologist may prescribe:</p> <ul style="list-style-type: none"> ▪ Only in consultation and collaboration with the patient's primary or attending physician, and with the concurrence of that physician ▪ The medical psychologist shall also re-consult with the patient's physician prior to making any changes in the patient's medication regimen, including dosage adjustments, adding or discontinuing a medication. ▪ The medical psychologist and the physician shall document the consultation in the patient's medical record. ▪ In the event a patient does not have a primary or attending physician, the medical psychologist shall not prescribe for the patient