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AN ACT

RELATING TO PROFESSIONAL PSYCHOLOGISTS; AMENDING THE  
PROFESSIONAL PSYCHOLOGIST ACT; ADDING CERTAIN PRESCRIBING  
PSYCHOLOGISTS WITH INDEPENDENT EXPERIENCE IN PRESCRIBING  
PSYCHOTROPIC MEDICATION TO THE DEFINITION OF "INDEPENDENTLY  
LICENSED PRESCRIBING CLINICIAN".

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 61-9-3 NMSA 1978 (being Laws 1963,  
Chapter 92, Section 3, as amended) is amended to read:

"61-9-3. DEFINITIONS.--As used in the Professional  
Psychologist Act:

A. "board" means the New Mexico state board of  
psychologist examiners;

B. "conditional prescription certificate" means a  
document issued by the board to a licensed psychologist that  
permits the holder to prescribe psychotropic medication under  
the supervision of a supervising clinician pursuant to the  
Professional Psychologist Act;

C. "independently licensed prescribing clinician"  
means a licensed physician, osteopathic physician,  
prescribing psychologist who has at least four years of  
independent experience in prescribing psychotropic medication  
to treat behavioral and emotional conditions and mental  
illness, nurse practitioner, psychiatric nurse practitioner

1 or clinical nurse specialist;

2 D. "person" includes an individual, firm,  
3 partnership, association or corporation;

4 E. "prescribing psychologist" means a licensed  
5 psychologist who holds a valid prescription certificate;

6 F. "prescription certificate" means a document  
7 issued by the board to a licensed psychologist that permits  
8 the holder to prescribe psychotropic medication pursuant to  
9 the Professional Psychologist Act;

10 G. "psychotropic medication" means a controlled  
11 substance or dangerous drug that may not be dispensed or  
12 administered without a prescription but is limited to only  
13 those agents related to the diagnosis and treatment or  
14 management of mental, nervous, emotional, behavioral,  
15 substance use or cognitive disorders, including the  
16 management of or protection from side effects that are a  
17 direct result from the use of those agents, whose use is  
18 consistent with the standards of practice for clinical  
19 psychopharmacology;

20 H. "psychologist" means a person who engages in  
21 the practice of psychology or holds the person's self out to  
22 the public by any title or description of services  
23 representing the person as a psychologist, which incorporates  
24 the words "psychological", "psychologist", "psychology", or  
25 when a person describes the person's self as above and, under

1 such title or description, offers to render or renders  
2 services involving the application of principles, methods and  
3 procedures of the science and profession of psychology to  
4 persons for compensation or other personal gain;

5 I. "practice of psychology" means the observation,  
6 description, evaluation, interpretation and modification of  
7 human behavior by the application of psychological  
8 principles, methods and procedures for the purpose of  
9 preventing or eliminating symptomatic, maladaptive or  
10 undesired behavior and of enhancing interpersonal  
11 relationships, work and life adjustment, personal  
12 effectiveness, behavioral health and mental health, and  
13 further means the rendering of such psychological services to  
14 individuals, families or groups regardless of whether payment  
15 is received for services rendered. The practice of  
16 psychology includes psychological testing or  
17 neuropsychological testing and the evaluation or assessment  
18 of personal characteristics such as intelligence,  
19 personality, abilities, interests, aptitudes and  
20 neuropsychological functioning; counseling, psychoanalysis,  
21 psychotherapy, hypnosis, biofeedback, behavior analysis and  
22 therapy; diagnosis and treatment of a mental and emotional  
23 disorder or disability, alcoholism and substance abuse,  
24 disorders of habit or conduct and the psychological aspects  
25 of physical illness, accident, injury and disability; and

1 psychoeducational evaluation, therapy, remediation and  
2 consultation;

3 J. "school" or "college" means a university or  
4 other institution of higher education that is regionally  
5 accredited and that offers a full-time graduate course of  
6 study in psychology as defined by rule of the board or that  
7 is approved by the American psychological association; and

8 K. "supervising clinician" means a licensed  
9 physician, osteopathic physician, prescribing psychologist who  
10 has at least four years of independent experience prescribing  
11 psychotropic medication to treat behavioral and emotional  
12 conditions and mental illness, nurse practitioner, psychiatric  
13 nurse practitioner or clinical nurse specialist who is  
14 supervising a psychologist in the prescribing of psychotropic  
15 medication."

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