

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 384
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 384 entitled:

"A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR
CERTAIN CLINICAL PSYCHOLOGISTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize and establish procedures and criteria for prescriptive authority for clinical psychologists who meet specific education, training, and registration requirements; and
- (2) Require the Board of Psychology to report to the Legislature prior to the Regular Session of 2021.

Your Committee received testimony in support of this measure from the Department of Health; Hawai'i Psychological Association; Mental Health America of Hawai'i; Hawaii Medical Service Association; Hawaii Catholic Conference; Board of Directors of the West Maui Taxpayers Association, Inc.; PHOCUSED; Maryland Academy of Medical Psychologists; forty-five individuals; and a petition signed by over one thousand individuals. Your Committee received testimony in opposition to this measure from the Hawaii Psychiatric Medical Association, Kaiser Permanente Hawaii, ten individuals, and a petition signed by over two hundred individuals. Your Committee received comments on this measure from the Board of Psychology.



Your Committee finds that the mental health needs of individuals in Hawaii continue to outweigh the capacity of the State's mental health system. According to a December 2014 report on findings from the Hawaii Physician Workforce Assessment Project, physician shortages, including psychiatry, are highest in Hawaii's rural areas. The neighbor islands are particularly impacted by a shortage of psychiatrists, with Maui County facing a 41.2 percent shortage, followed by Hawaii County at 39.2 percent, and Kauai County at 29.5 percent. Although the report did not indicate a shortage of psychiatrists for the City and County of Honolulu, the report did not take into account other aspects of accessibility, such as availability (i.e., how soon and how often a patient can be seen) and acceptability (i.e., the quality of the relationship). Increasing access to qualified health care professionals who are trained in the pharmacological treatment of mental and emotional disorders is therefore of critical importance for the State.

Your Committee further finds that licensed clinical psychologists with specialized education and training in preparation for prescriptive practice have been allowed to prescribe psychotropic medications to active duty military personnel and their families in federal facilities and the United States Public Health Service, including the Indian Health Service, for decades. In recent years, Iowa, Illinois, Louisiana, and New Mexico have successfully adopted legislation authorizing prescriptive authority for advanced trained psychologists. Your Committee additionally finds that the post-doctoral, master's level clinical psychopharmacology training requirement in this measure is equivalent to the American Psychological Association's recommendations for obtaining the requisite sequence of training and certification specific to the practice of prescribing psychotropic medication.

Your Committee also finds that this measure includes multiple safeguards that ensure patient safety and quality patient care. Importantly, your Committee notes that this measure requires a collaborative agreement between a prescribing psychologist and a primary care provider and does not permit a prescribing psychologist to prescribe and administer without a collaborative agreement. For patients who are forensically encumbered or diagnosed with a serious mental illness, this measure requires a prescribing psychologist to work with a Department of Health psychiatrist or enter into a collaborative agreement with the



Department of Health. This measure also requires prescribing psychologists to complete extensive coursework and training requirements; pass a rigorous national examination; obtain a federal Drug Enforcement Administration registration number; prescribe and administer only those medications related to the diagnosis and treatment of mental and emotional disorders pursuant to the practice of psychology, but excluding those drugs classified into schedule I, II, or III pursuant to chapter 329, Hawaii Revised Statutes, opiates, or narcotic drugs and all off-label prescribing for patients aged seventeen or younger; but provided that prescribing psychologists may prescribe and administer stimulants for the treatment of attention deficit hyperactivity disorder regardless of the stimulant's schedule classification; and complete continuing education requirements specific to psychopharmacology, in addition to the existing continuing education requirements for licensed clinical psychologists.

Finally, your Committee notes that this measure ensures only those clinical psychologists with appropriate education, clinical training, and registration will be authorized to prescribe. This measure is a collaborative approach to mental health care in the State and is a viable option to benefit and improve access to care in Hawaii's rural and medically underserved areas.

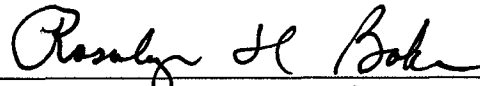
Your Committee has amended this measure by:

- (1) Ensuring consistency between the definition of "prescribing psychologist" in the new part of chapter 465, Hawaii Revised Statutes, and the definition of "psychologist with prescriptive authority privilege" in chapter 329, Hawaii Revised Statutes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 384, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 384, S.D. 1, and be referred to your Committees on Judiciary and Labor and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



