

STAND. COM. REP. NO. **866**

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 384
S.D. 2

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

Sir:

Your Committees on Judiciary and Labor and Ways and Means, to which was referred S.B. No. 384, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

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

Your Committees received testimony in support of this measure from the Board of Psychology, Hawai'i State Center for Nursing, Hawai'i Psychology Association, Hawaii Catholic Conference, Hawaii Medical Service Association, Mental Health America of Hawai'i, PHOCUSED, and fourteen individuals. Your Committees received testimony in opposition to this measure from the Hawaii Medical Association, Hawaii Psychiatric Medical Association, American Psychiatric Association, and one individual.



Your Committees find that the mental health needs of individuals in Hawaii continue to outweigh the capacity of the State's mental health system. Increasing access to qualified health care professionals who are trained in the pharmacological treatment of mental and emotional disorders is of critical importance for the State.

Your Committees further find that this measure includes multiple safeguards that ensure patient safety and quality patient care, and requires a collaborative agreement between a prescribing psychologist and a primary care provider. 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; provided that prescribing psychologists may prescribe and administer stimulants for the treatment of attention deficit hyperactivity disorder regardless of the stimulants' schedule classification; and complete continuing education requirements specific to psychopharmacology, in addition to the existing continuing education requirements for licensed clinical psychologists.

Your Committees have amended this measure by:

- (1) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Judiciary and Labor and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 384, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 384, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committees on Judiciary and
Labor and Ways and Means,



JILL N. TOKUDA, Chair



GILBERT S.C. KEITH-AGARAN, Chair

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 384, SDI	Committee Referral: CPH, JDL/WAM	Date: 2/28/17		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado				✓
THIELEN, Laura H.	/			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

