
A BILL FOR AN ACT

RELATING TO PSYCHOLOGISTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State needs more
2 mental health professionals having prescriptive authority to
3 provide its residents with access to care. The State is
4 experiencing a critical shortage of psychiatrists and primary
5 care physicians. This is especially true on the neighbor
6 islands, where shortages of psychiatrists reach as high as
7 seventy-five per cent. These shortages are leaving significant
8 mental health needs unmet.

9 The legislature further finds that the State currently
10 authorizes prescription privileges for advanced practice
11 registered nurses, optometrists, dentists, podiatrists, and
12 physician assistants, based on demonstration of specific
13 training, education, and practical competency. Although
14 clinical psychologists in Hawaii currently lack prescriptive
15 authority, psychologists in other states have been given this
16 privilege. Colorado, Idaho, Illinois, Iowa, Louisiana, and New
17 Mexico have granted prescriptive authority for advanced trained



1 psychologists. The United States Department of Defense and the
2 Indian Health Service also authorize specially trained
3 psychologists to prescribe psychotropic medications. The
4 American Psychological Association has developed a model
5 curriculum for psychologists to earn a master's degree in
6 psychopharmacology.

7 The legislature recognizes that allowing specially trained
8 psychologists to prescribe certain psychotropic medications
9 would provide more residents with access to needed mental health
10 care.

11 Accordingly, the purpose of this Act is to authorize and
12 appropriate funds for the board of psychology to grant
13 prescriptive authority to clinical psychologists who meet
14 specific education, training, and registration requirements.

15 SECTION 2. Chapter 465, Hawaii Revised Statutes, is
16 amended by adding a new part to be appropriately designated and
17 to read as follows:

18 **"PART . PRESCRIBING PSYCHOLOGISTS**

19 **§465-** **Definitions.** As used in this part:

20 "Advanced practice registered nurse with prescriptive
21 authority" means an advanced practice registered nurse, as



1 defined in section 457-2, with prescriptive authority granted
2 pursuant to section 457-8.6.

3 "Clinical experience" means a period of supervised clinical
4 training and practice during which clinical diagnoses and
5 interventions can be completed and supervised as part of, or
6 subsequent to, earning a post-doctoral master of science degree
7 in clinical psychopharmacology.

8 "Controlled substance" has the same meaning as defined in
9 section 329-1.

10 "Forensically encumbered" means a person who has been
11 detained by a state court for forensic examination or committed
12 to a psychiatric facility under the care and custody of the
13 director of health for appropriate placement by any court, has
14 been placed on conditional release or released on conditions by
15 a judge on a state court, or is involved in mental health court
16 or a jail diversion program.

17 "Narcotic drug" has the same meaning as defined in section
18 329-1.

19 "Opiate" has the same meaning as defined in section 329-1.

20 "Prescribing psychologist" means a clinical psychologist
21 who has undergone specialized training in clinical



1 psychopharmacology, passed a national proficiency examination in
2 psychopharmacology approved by the board, and been granted a
3 prescriptive authority privilege by the board.

4 "Prescription" means an order for a psychotropic medication
5 or any device or test directly related to the diagnosis and
6 treatment of mental and emotional disorders pursuant to the
7 practice of psychology.

8 "Prescriptive authority privilege" means the authority
9 granted by the board to prescribe and administer psychotropic
10 medication and other directly related procedures within the
11 scope of the practice of psychology in accordance with rules
12 adopted by the board.

13 "Primary care provider" means a physician or osteopathic
14 physician licensed or exempt from licensure pursuant to
15 section 453-2 or an advanced practice registered nurse with
16 prescriptive authority.

17 "Psychotropic medication" means only those agents related
18 to the diagnosis and treatment of mental and emotional disorders
19 pursuant to the practice of psychology, except drugs classified
20 as schedule I, II, or III pursuant to chapter 329, opiates, or
21 narcotic drugs; provided that psychotropic medication shall



1 include stimulants for the treatment of attention deficit
2 hyperactivity disorder regardless of the stimulants' schedule
3 classification.

4 "Serious mental illness" means bipolar I disorder,
5 bipolar II disorder, delusional disorder, major depressive
6 disorder with psychotic features, psychosis secondary to
7 substance use, schizophrenia, schizophreniform disorder, and
8 schizoaffective disorder, as defined by the most current version
9 of the Diagnostic and Statistical Manual of Mental Disorders.

10 **§465- Administration.** (a) The board shall prescribe
11 forms and fees for the application for and renewal of
12 prescriptive authority privilege by psychologists pursuant to
13 this part.

14 (b) The board shall develop and implement procedures for
15 reviewing the educational and training credentials of a
16 psychologist applying for or renewing prescriptive authority
17 privilege pursuant to this part, in accordance with current
18 standards of professional practice.

19 (c) The board shall develop the exclusionary formulary for
20 prescribing psychologists. The board may form an advisory panel



1 for developing the exclusionary formulary and establishing
2 rules.

3 (d) The board shall adopt rules pursuant to chapter 91 as
4 necessary to implement this part, including rules that:

5 (1) Establish the grounds for denial, suspension, or
6 revocation of prescriptive authority privilege,
7 including provisions for suspension or revocation of a
8 license to practice psychology upon suspension or
9 revocation of prescriptive authority privilege;
10 provided that rules governing actions of denial,
11 suspension, or revocation of prescriptive authority
12 privilege shall be in accordance with this chapter;
13 and

14 (2) Require a prescribing psychologist to collaborate with
15 the patient's primary health care provider.

16 (e) The board shall maintain current records on each
17 prescribing psychologist in the State, including the
18 psychologist's federal Drug Enforcement Administration
19 registration numbers, if applicable.

20 (f) The board shall provide to the board of pharmacy an
21 annual list of prescribing psychologists that contains the



1 information agreed upon between the board and the board of
2 pharmacy. The board shall promptly provide the board of
3 pharmacy with the names of any psychologists who are added to or
4 deleted from the list of prescribing psychologists.

5 (g) The board shall have all other powers necessary to
6 carry out the purposes of this part.

7 **\$465- Prescriptive authority privilege; requirements.**

8 Beginning on July 1, 2027, the board shall accept applications
9 for prescriptive authority privilege under this part. Each
10 applicant for prescriptive authority privilege shall submit
11 evidence, in a form and manner prescribed by the board,
12 satisfying the board that the applicant:

13 (1) Has clinical experience that includes:
14 (A) A minimum of eight hundred hours completed in a
15 clinical prescribing practicum, including
16 geriatric, pediatric, and pregnant patients,
17 completed in no fewer than twelve months and not
18 more than fifty-six months;
19 (B) The supervision of a minimum of one hundred
20 patients, including geriatric, pediatric, and
21 pregnant patients;



1 (C) A minimum of eighty hours completed in a physical
2 assessment practicum in a primary care, family
3 practice, community, or internal medicine
4 setting;

5 (D) A minimum of one hundred hours of community
6 service working with populations who are
7 low-income, homeless, or veterans; and

8 (E) A minimum of two hours per week of supervision by
9 a primary care provider or prescribing
10 psychologist; and

11 (2) Has demonstrated competency in neuroscience; nervous
12 system pathology; physiology and pathophysiology;
13 biopsychosocial and pharmacologic assessment and
14 monitoring; differential diagnosis; pharmacology;
15 clinical psychopharmacology; research; and in
16 integrating clinical psychopharmacology with the
17 practice of psychology and other diverse factors
18 including professional, legal, ethical, and
19 interprofessional concerns, by successfully passing
20 the nationally recognized Psychopharmacology
21 Examination for Psychologists, as determined by:





1 **§465- Prescriptive authority privilege; renewal.** (a)

2 The board shall develop and implement processes for renewing
3 prescriptive authority privilege in conjunction with the renewal
4 of a license under section 465-11.

5 (b) To qualify for the renewal of prescriptive authority
6 privilege, a prescribing psychologist shall present evidence
7 satisfactory to the board that the prescribing psychologist has
8 completed at least eighteen hours biennially of acceptable
9 continuing education, as determined by the board, relevant to
10 the pharmacological treatment of mental and emotional disorders;
11 provided that the continuing education requirement shall not
12 apply to a prescribing psychologist who is applying for the
13 psychologist's first prescriptive authority renewal.

14 (c) The continuing education required pursuant to
15 subsection (b) shall be in addition to the continuing education
16 requirement in section 465-11.

17 (d) The board may conduct random audits of prescribing
18 psychologists to determine compliance with the continuing
19 education required by subsection (b). The board shall provide
20 written notice of an audit to each randomly selected prescribing
21 psychologist. Within ninety days of notification, the



1 prescribing psychologist shall provide the board with
2 documentation verifying compliance with the continuing education
3 requirement established by subsection (b).

4 (e) The board shall grant prescriptive authority
5 privilege, without examination, to a psychologist who:

6 (1) Has been licensed or otherwise authorized to prescribe
7 for five or more years in a state that authorizes
8 prescriptive authority for psychologists;

9 (2) Is authorized to prescribe by any branch of the United
10 States armed forces;

11 (3) Is authorized to prescribe by the United States
12 Department of Health and Human Services; or

13 (4) Is authorized to prescribe by the Indian Health
14 Service.

15 **§465- Prescriptive authority privilege; prescribing**

16 **practices.** (a) It shall be unlawful for any psychologist not
17 granted prescriptive authority privilege pursuant to this part
18 to prescribe, offer to prescribe, administer, or offer to
19 prescribe or administer any medication; or to communicate,
20 represent, or imply in any manner, including through the use of



1 any sign, card, or device, that the psychologist is authorized
2 to prescribe or administer medication.

3 (b) A valid prescription issued by a prescribing
4 psychologist shall be legibly written and shall include:

5 (1) Date of issuance;

6 (2) Original signature of the prescribing psychologist;

7 (3) Name and business address of the prescribing
8 psychologist;

9 (4) Name, strength, dosage form, quantity, route of
10 administration, and specific instructions for use of
11 the psychotropic medication prescribed;

12 (5) Name and address of the patient for whom the
13 prescription is issued;

14 (6) Room number or other information identifying the
15 location of the patient, if the patient is receiving
16 care in an institutional facility; and

17 (7) Number of allowable refills, if applicable.

18 (c) A prescribing psychologist shall comply with all
19 applicable state and federal laws and rules relating to the
20 prescription and administration of psychotropic medication.

21 (d) A prescribing psychologist shall:





1 (C) After providing notification to all other health
2 care providers who are treating the patient; and
3 (4) Document all consultations in the patient's medical
4 record.

5 (e) A prescribing psychologist shall not prescribe or
6 administer a psychotropic medication to any patient who does not
7 have a primary care provider.

8 (f) A prescribing psychologist shall not delegate
9 prescriptive authority privilege to any other person.

10 \$465- Prescriptive authority privilege; exclusionary

11 **formulary.** (a) A prescribing psychologist shall only prescribe
12 and administer medications for the treatment of mental health
13 disorders as defined by the most current version of the
14 Diagnostic and Statistical Manual of Mental Disorders.

15 (b) The exclusionary formulary for prescribing
16 psychologists shall consist of drugs or categories of drugs
17 adopted by the board.

18 (c) The exclusionary formulary and any revised formularies
19 shall be made available to licensed pharmacies at the request of
20 the pharmacy and at no cost.



19 **§465- Violation; penalties.** Any person who violates
20 this part shall be guilty of a misdemeanor and, upon conviction,
21 subject to penalties as provided in section 465-15(b). Any



1 person who violates this part may also be subject to
2 disciplinary action by the board."

3 SECTION 3. Section 329-1, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By adding two new definitions to be appropriately
6 inserted and to read:

7 "Prescribing psychologist" means a clinical psychologist
8 licensed under chapter 465 who has:

9 (1) Undergone specialized training in clinical
10 psychopharmacology;
11 (2) Passed a national proficiency examination in
12 psychopharmacology, as approved by the board of
13 psychology; and
14 (3) Been granted prescriptive authority privilege by the
15 board of psychology.

16 "Psychotropic medication" means only those agents related
17 to the diagnosis and treatment of mental and emotional disorders
18 pursuant to the practice of psychology, as that term is defined
19 in section 465-1, except:

20 (1) Drugs classified into schedule I, II, or III pursuant
21 to this chapter;



1 (2) Opiates; or

2 (3) Narcotics;

3 provided that "psychotropic medication" includes stimulants for
4 the treatment of attention deficit hyperactivity disorder,
5 regardless of the stimulants' schedule classification and
6 buprenorphine for the treatment of opioid use disorder."

7 2. By amending the definition of "practitioner" to read:

8 ""Practitioner" means:

9 (1) A physician, dentist, veterinarian, scientific
10 investigator, or other person licensed and registered
11 under section 329-32 to distribute, dispense, or
12 conduct research with respect to a controlled
13 substance in the course of professional practice or
14 research in this State;

15 (2) An advanced practice registered nurse with
16 prescriptive authority licensed and registered under
17 section 329-32 to prescribe and administer controlled
18 substances in the course of professional practice in
19 this State;

20 (3) A licensed midwife practicing as a certified midwife
21 registered under section 329-32 to prescribe and



1 administer controlled substances in the course of
2 professional practice in this State; [and]
3 (4) A prescribing psychologist licensed and registered
4 under section 329-32 to prescribe and administer
5 psychotropic medication in the course of professional
6 practice in this State; and
7 [4] (5) A pharmacy, hospital, or other institution
8 licensed, registered, or otherwise permitted to
9 distribute, dispense, conduct research with respect to
10 or to administer a controlled substance in the course
11 of professional practice or research in this State."

12 SECTION 4. Section 329-38, Hawaii Revised Statutes, is
13 amended by amending subsection (h) to read as follows:

14 "[+] (h) [+] Prescriptions for controlled substances shall
15 be issued only as follows:

16 (1) All prescriptions for controlled substances shall
17 originate from within the State and be dated as of,
18 and signed on, the day when the prescriptions were
19 issued and shall contain:

20 (A) The first and last name and address of the
21 patient; and



(B) The drug name, strength, dosage form, quantity prescribed, and directions for use. Where a prescription is for gamma hydroxybutyric acid, methadone, or buprenorphine, the practitioner shall record as part of the directions for use, the medical need of the patient for the prescription.

Except for electronic prescriptions, controlled substance prescriptions shall be no larger than eight and one-half inches by eleven inches and no smaller than three inches by four inches. A practitioner may sign a prescription in the same manner as the practitioner would sign a check or legal document (e.g., J.H. Smith or John H. Smith) and shall use both words and figures (e.g., alphabetically and numerically as indications of quantity, such as five (5)), to indicate the amount of controlled substance to be dispensed. Where an oral order or electronic prescription is not permitted, prescriptions shall be written with ink or indelible pencil or typed, shall be manually signed by the practitioner, and shall



1 include the name, address, telephone number, and
2 registration number of the practitioner. The
3 prescriptions may be prepared by a secretary or agent
4 for the signature of the practitioner, but the
5 prescribing practitioner shall be responsible in case
6 the prescription does not conform in all essential
7 respects to this chapter and any rules adopted
8 pursuant to this chapter. In receiving an oral
9 prescription from a practitioner, a pharmacist shall
10 promptly reduce the oral prescription to writing,
11 which shall include the following information: the
12 drug name, strength, dosage form, quantity prescribed
13 in figures only, and directions for use; the date the
14 oral prescription was received; the full name, Drug
15 Enforcement Administration registration number, and
16 oral code number of the practitioner; and the name and
17 address of the person for whom the controlled
18 substance was prescribed or the name of the owner of
19 the animal for which the controlled substance was
20 prescribed.



1 A corresponding liability shall rest upon a
2 pharmacist who fills a prescription not prepared in
3 the form prescribed by this section. A pharmacist may
4 add a patient's missing address or change a patient's
5 address on all controlled substance prescriptions
6 after verifying the patient's identification and
7 noting the identification number on the back of the
8 prescription document on file. The pharmacist shall
9 not make changes to the patient's name, the controlled
10 substance being prescribed, the quantity of the
11 prescription, the practitioner's Drug Enforcement
12 Administration number, the practitioner's name, the
13 practitioner's electronic signature, or the
14 practitioner's signature;

15 (2) An intern, resident, or foreign-trained physician, or
16 a physician on the staff of a Department of Veterans
17 Affairs facility or other facility serving veterans,
18 exempted from registration under this chapter, shall
19 include on all prescriptions issued by the physician:
20 (A) The registration number of the hospital or other
21 institution; and



(B) The special internal code number assigned to the physician by the hospital or other institution in lieu of the registration number of the practitioner required by this section.

The hospital or other institution shall forward a copy of this special internal code number list to the department as often as necessary to update the department with any additions or deletions. Failure to comply with this paragraph shall result in the suspension of that facility's privilege to fill controlled substance prescriptions at pharmacies outside of the hospital or other institution. Each written prescription shall have the name of the physician stamped, typed, or hand-printed on it, as well as the signature of the physician;

(3) An official exempted from registration shall include on all prescriptions issued by the official:

- (A) The official's branch of service or agency (e.g., "U.S. Army" or "Public Health Service"); and
- (B) The official's service identification number, in lieu of the registration number of the



practitioner required by this section. The service identification number for a Public Health Service employee shall be the employee's social security or other government issued identification number.

Each prescription shall have the name of the officer stamped, typed, or [handprinted] hand-printed on it, as well as the signature of the officer; [and]

(4) A physician assistant registered to prescribe controlled substances under the authorization of a supervising physician shall include on all controlled substance prescriptions issued:

- (A) The Drug Enforcement Administration registration number of the supervising physician; and
- (B) The Drug Enforcement Administration registration number of the physician assistant.

Each written controlled substance prescription issued shall include the printed, stamped, typed, or hand-printed name, address, and phone number of both the supervising physician and physician assistant, and shall be signed by the physician assistant []; and



1 (5) A psychologist authorized to prescribe and administer
2 psychotropic medication in consultation and
3 collaboration with a primary care provider pursuant to
4 part of chapter 465 shall include on all
5 prescriptions issued by the psychologist:
6 (A) The Drug Enforcement Administration registration
7 number of the primary care provider;
8 (B) The printed, stamped, typed, or hand-printed
9 name, address, and phone number of both the
10 licensed primary care provider and the
11 psychologist; and
12 (C) The signature of the psychologist."

13 SECTION 5. Section 329-39, Hawaii Revised Statutes, is

14 amended by amending subsection (b) to read as follows:

15 "(b) Whenever a pharmacist sells or dispenses any
16 controlled substance on a prescription issued by a physician,
17 dentist, podiatrist, [or] veterinarian, or psychologist, the
18 pharmacist shall affix to the bottle or other container in which
19 the drug is sold or dispensed:

20 (1) The pharmacy's name and business address;
21 (2) The serial number of the prescription;



- (3) The name of the patient or, if the patient is an animal, the name of the owner of the animal and the species of the animal;
- (4) The name of the physician, dentist, podiatrist, psychologist, or veterinarian by whom the prescription is written; and
- (5) [Such] The directions as may be stated on the prescription.

(c) No person shall alter, deface, or remove any label attached to a package, bottle, or other container in which a drug is sold or dispensed, except for the purpose of replacing the label with the person's own lawful authorized label."

SECTION 6. Section 346-59.9, Hawaii Revised Statutes, is

14 amended by amending subsection (h) to read as follows:

15 "(h) All psychotropic medications covered by this section
16 shall be prescribed by a psychiatrist, a psychologist with
17 prescriptive authority privilege under part of chapter 465,
18 a physician, or an advanced practice registered nurse with
19 prescriptive authority under chapter 457 and duly licensed in
20 the State."



1 SECTION 7. Chapter 465, Hawaii Revised Statutes, is
2 amended by designating sections 465-1 to 465-15 as part I and
3 inserting a title before section 465-1 to read as follows:

4 **"PART I. GENERAL PROVISIONS"**

5 SECTION 8. Section 465-3, Hawaii Revised Statutes, is
6 amended by amending subsection (e) to read as follows:

7 "(e) [Nothing] Except as provided in part , nothing in
8 this chapter shall be construed as permitting the administration
9 or prescription of drugs, or in any way engaging in the practice
10 of medicine as defined in the laws of the State."

11 SECTION 9. (a) The board of psychology shall submit a
12 report and any proposed legislation, to the legislature no later
13 than twenty days prior to the convening of the regular session
14 of 2027, on the authorization of prescriptive authority
15 privilege to psychologists who meet specific education,
16 training, and registration requirements pursuant to this Act.

17 (b) The board of psychology shall collaborate with the
18 department of health when preparing report data regarding the
19 treatment of patients who are forensically encumbered or who
20 have a diagnosis of serious mental illness and are subject to
21 the department's jurisdiction.



1 SECTION 10. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2026-2027 for
4 the board of psychology to implement prescriptive authority
5 privilege for certain psychologists pursuant to this Act,
6 including for the hiring of any necessary staff.

7 The sum appropriated shall be expended by the department of
8 commerce and consumer affairs for the purposes of this Act.

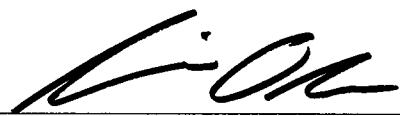
9 SECTION 11. This Act does not affect rights and duties
10 that matured, penalties that were incurred, and proceedings that
11 were begun before its effective date.

12 SECTION 12. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 13. This Act shall take effect on July 1, 2026.

15

INTRODUCED BY:



JAN 26 2026



H.B. NO. 2169

Report Title:

Board of Psychology; Clinical Psychologists; Prescriptive Authority Privilege; Report; Appropriation

Description:

Authorizes and appropriates moneys for the Board of Psychology to grant prescriptive authority privilege to clinical psychologists who meet specific education, training, and registration requirements. Requires the Board of Psychology to accept applications for prescriptive authority privilege beginning 7/1/2027. Requires reports to the Legislature.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

