

FIRST REGULAR SESSION

SENATE BILL NO. 204

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS GOODMAN, SHOEMYER AND CLEMENS.

Read 1st time January 15, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

0974S.03I

AN ACT

To repeal sections 195.070, 195.100, 337.010, 337.015, 337.020, 337.050, and 338.198, RSMo, and to enact in lieu thereof eight new sections relating to psychologist licensing.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 195.070, 195.100, 337.010, 337.015, 337.020, 337.050, 2 and 338.198, RSMo, are repealed and eight new sections enacted in lieu thereof, 3 to be known as sections 195.070, 195.100, 337.010, 337.015, 337.020, 337.031, 4 337.050, and 338.198, to read as follows:

195.070. 1. A physician, podiatrist, dentist, or a registered optometrist 2 certified to administer pharmaceutical agents as provided in section 336.220, 3 RSMo, in good faith and in the course of his or her professional practice only, may 4 prescribe, administer, and dispense controlled substances or he or she may cause 5 the same to be administered or dispensed by an individual as authorized by 6 statute.

7 2. An advanced practice registered nurse, as defined in section 335.016, 8 RSMo, but not a certified registered nurse anesthetist as defined in subdivision 9 (8) of section 335.016, RSMo, who holds a certificate of controlled substance 10 prescriptive authority from the board of nursing under section 335.019, RSMo, 11 and who is delegated the authority to prescribe controlled substances under a 12 collaborative practice arrangement under section 334.104, RSMo, may prescribe 13 any controlled substances listed in Schedules III, IV, and V of section 14 195.017. However, no such certified advanced practice registered nurse shall 15 prescribe controlled substance for his or her own self or family. Schedule III 16 narcotic controlled substance prescriptions shall be limited to a one hundred

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 twenty-hour supply without refill.

18 3. A veterinarian, in good faith and in the course of his professional
19 practice only, and not for use by a human being, may prescribe, administer, and
20 dispense controlled substances and he may cause them to be administered by an
21 assistant or orderly under his direction and supervision.

22 4. **A prescribing psychologist licensed under section 337.015,**
23 **RSMo, in good faith and in the course of professional practice only,**
24 **may prescribe psychotropic drugs as referenced in subsection 4 of**
25 **section 337.015, RSMo. Such prescribing psychologist shall not**
26 **purchase, administer, or dispense any medication.**

27 5. A practitioner shall not accept any portion of a controlled substance
28 unused by a patient, for any reason, if such practitioner did not originally
29 dispense the drug.

30 [5.] 6. An individual practitioner may not prescribe or dispense a
31 controlled substance for such practitioner's personal use except in a medical
32 emergency.

195.100. 1. It shall be unlawful to distribute any controlled substance in
2 a commercial container unless such container bears a label containing an
3 identifying symbol for such substance in accordance with federal laws.

4 2. It shall be unlawful for any manufacturer of any controlled substance
5 to distribute such substance unless the labeling thereof conforms to the
6 requirements of federal law and contains the identifying symbol required in
7 subsection 1 of this section.

8 3. The label of a controlled substance in Schedule II, III or IV shall, when
9 dispensed to or for a patient, contain a clear, concise warning that it is a criminal
10 offense to transfer such narcotic or dangerous drug to any person other than the
11 patient.

12 4. Whenever a manufacturer sells or dispenses a controlled substance and
13 whenever a wholesaler sells or dispenses a controlled substance in a package
14 prepared by him, he shall securely affix to each package in which that drug is
15 contained a label showing in legible English the name and address of the vendor
16 and the quantity, kind, and form of controlled substance contained therein. No
17 person except a pharmacist for the purpose of filling a prescription under sections
18 195.005 to 195.425, shall alter, deface, or remove any label so affixed.

19 5. Whenever a pharmacist or practitioner sells or dispenses any controlled
20 substance on a prescription issued by a physician, dentist, podiatrist,

21 veterinarian, **licensed prescribing psychologist**, or advanced practice
22 registered nurse, he shall affix to the container in which such drug is sold or
23 dispensed a label showing his own name and address of the pharmacy or
24 practitioner for whom he is lawfully acting; the name of the patient or, if the
25 patient is an animal, the name of the owner of the animal and the species of the
26 animal; the name of the physician, dentist, podiatrist, advanced practice
27 registered nurse, [or] veterinarian, **or licensed prescribing psychologist** by
28 whom the prescription was written; the name of the collaborating physician if the
29 prescription is written by an advanced practice registered nurse, and such
30 directions as may be stated on the prescription. No person shall alter, deface, or
31 remove any label so affixed.

337.010. As used in sections 337.010 to 337.090 the following terms mean:

- 2 (1) "Committee", the state committee of psychologists;
- 3 (2) "Department", the department of insurance, financial institutions and
4 professional registration;
- 5 (3) "Division", the division of professional registration;
- 6 (4) **"Licensed prescribing psychologist", any licensed psychologist**
7 **who is also a certified health service provider and who holds a license**
8 **as a prescribing psychologist;**
- 9 (5) "Licensed psychologist", any person who offers to render psychological
10 services to individuals, groups, organizations, institutions, corporations, schools,
11 government agencies or the general public for a fee, monetary or otherwise,
12 implying that such person is trained, experienced and licensed to practice
13 psychology and who holds a current and valid, whether temporary, provisional or
14 permanent, license in this state to practice psychology;
- 15 [(5)] (6) "Provisional licensed psychologist", any person who is a graduate
16 of a recognized educational institution with a doctoral degree in psychology as
17 defined in section 337.025, and who otherwise meets all requirements to become
18 a licensed psychologist except for passage of the licensing exams, oral
19 examination and completion of the required period of postdegree supervised
20 experience as specified in subsection 2 of section 337.025;
- 21 [(6)] (7) "Recognized educational institution":
- 22 (a) A school, college, university or other institution of higher learning in
23 the United States, which, at the time the applicant was enrolled and graduated,
24 had a graduate program in psychology and was accredited by one of the regional
25 accrediting associations approved by the Council on Postsecondary Accreditation;

26 or

27 (b) A school, college, university or other institution of higher learning
28 outside the United States, which, at the time the applicant was enrolled and
29 graduated, had a graduate program in psychology and maintained a standard of
30 training substantially equivalent to the standards of training of those programs
31 accredited by one of the regional accrediting associations approved by the Council
32 of Postsecondary Accreditation;

33 [(7)] (8) "Temporary license", a license which is issued to a person
34 licensed as a psychologist in another jurisdiction, who has applied for licensure
35 in this state either by reciprocity or endorsement of the score from the
36 Examination for Professional Practice in Psychology, and who is awaiting either
37 a final determination by the committee relative to such person's eligibility for
38 licensure or who is awaiting the results of the jurisprudence examination or oral
39 examination.

337.015. 1. No person shall represent himself as a psychologist in the
2 state of Missouri unless he is validly licensed and registered under the provisions
3 of this chapter. No person shall engage in the practice of psychology in the state
4 of Missouri unless he is validly licensed and registered under the provisions of
5 this chapter unless otherwise exempt under the provisions of sections 337.010 to
6 337.090.

7 2. A person represents himself as a "psychologist" within the meaning of
8 this chapter when he holds himself out to the public by any title or description
9 of services incorporating the words "psychology", "psychological", or "psychologist",
10 or any term of like import, "psychometry", "psychometrics", "psychometrist",
11 "psychotherapy", "psychotherapists", "psychoanalysis", "psychoanalyst", or
12 variants thereof or when the person purports to be trained, experienced or an
13 expert in the field of psychology, and offers to render or renders services as
14 defined below to individuals, groups, organizations, or the public for a fee,
15 monetary or otherwise; provided, however, that professional counselors licensed
16 to practice under this chapter, or a physician licensed to practice pursuant to
17 chapter 334, RSMo, who specializes in psychiatry, may use any of such terms
18 except "psychology", "psychological", or "psychologist" so long as such is consistent
19 with their respective licensing laws.

20 3. The "practice of psychology" within the meaning of this chapter is
21 defined as the observation, description, evaluation, interpretation, treatment, and
22 modification of human behavior by the application of psychological principles,

23 methods, and procedures, for the purpose of preventing, treating, or eliminating
24 symptomatic, maladaptive, or undesired behavior and of enhancing interpersonal
25 relationships, work and life adjustment, personal effectiveness, behavioral health,
26 and mental health. The practice of psychology includes, but is not limited to,
27 psychometric or psychological testing and the evaluation or assessment of
28 personal characteristics, such as intelligence, personality, abilities, interests,
29 aptitudes, and neuropsychological functioning; counseling, psychoanalysis,
30 psychotherapy, hypnosis, biofeedback, and behavior analysis and therapy;
31 diagnosis and treatment of mental and emotional disorder or disability in both
32 inpatient and outpatient settings, alcoholism and substance abuse, disorders of
33 habit or conduct, as well as the psychological aspects of physical illness, accident,
34 injury, or disability; psychoeducational evaluation, therapy, remediation, and
35 consultation; and teaching and training of psychological
36 competence. Psychological services may be rendered to individuals, families,
37 groups, and the public. The practice of psychology shall be construed within the
38 meaning of this definition without regard to whether payment is received for
39 services rendered.

40 **4. For a licensed prescribing psychologist, the practice of**
41 **psychology shall include the authority to prescribe but not purchase,**
42 **administer, or dispense medication. This authority shall include**
43 **Schedule II stimulants and Schedule IV benzodiazepines. Such**
44 **psychologists may also prescribe antianxiety drugs, antidepressants,**
45 **antiepileptics, antipsychotics, cognitive enhancers, and mood**
46 **stabilizers. Standard medications for the limited treatment of side**
47 **effects of authorized psychotropic medications are also**
48 **authorized. Licensed prescribing psychologists shall not prescribe**
49 **other controlled substances. Laboratory testing of blood and urine are**
50 **authorized to monitor treatment. Authority to order electro-convulsive**
51 **therapy is not granted by the provisions of this subsection.**

52 **5.** The application of these principles and methods includes, but is not
53 restricted to: diagnosis, prevention, treatment, and amelioration of adjustment
54 problems and emotional and mental disturbances of individuals and groups;
55 hypnosis; counseling; educational and vocational counseling; personnel selection
56 and management; the evaluation and planning for effective work and learning
57 situations; advertising and market research; and the resolution of interpersonal
58 and social conflicts.

337.020. 1. Each person desiring to obtain a license, whether temporary,
2 provisional or permanent, as a psychologist shall make application to the
3 committee upon such forms and in such manner as may be prescribed by the
4 committee and shall pay the required application fee. The application fee shall
5 not be refundable. Each application shall contain a statement that it is made
6 under oath or affirmation and that its representations are true and correct to the
7 best knowledge and belief of the person signing the application, subject to the
8 penalties of making a false affidavit or declaration.

9 2. Each applicant, whether for temporary, provisional or permanent
10 licensure, shall submit evidence satisfactory to the committee that the applicant
11 is at least twenty-one years of age, is of good moral character, and meets the
12 appropriate educational requirements as set forth in either section 337.021 or
13 337.025, or is qualified for licensure without examination pursuant to section
14 337.029. In determining the acceptability of the applicant's qualifications, the
15 committee may require evidence that it deems reasonable and proper, in
16 accordance with law, and the applicant shall furnish the evidence in the manner
17 required by the committee.

18 3. The committee with assistance from the division shall issue a
19 permanent license to and register as a psychologist any applicant who, in
20 addition to having fulfilled the other requirements of sections 337.010 to 337.090,
21 passes the examination for professional practice in psychology and such other
22 examinations in psychology which may be adopted by the committee, except that
23 an applicant fulfilling the requirement of section 337.029 shall upon successful
24 completion of the jurisprudence examination and completion of the oral
25 examination be permanently licensed without having to retake the examination
26 for professional practice in psychology.

27 4. The committee, with assistance from the division, shall issue a
28 provisional license to, and register as being a provisionally licensed psychologist,
29 any applicant who is a graduate of a recognized educational institution with a
30 doctoral degree in psychology as defined in section 337.025, and who otherwise
31 meets all requirements to become a licensed psychologist, except for passage of
32 the national and state licensing exams, oral examination and completion of the
33 required period of postdegree supervised experience as specified in subsection 2
34 of section 337.025.

35 5. A provisional license issued pursuant to subsection 4 of this section
36 shall only authorize and permit the applicant to render those psychological

37 services which are under the supervision and the full professional responsibility
38 and control of such person's postdoctoral degree licensed supervisor. A
39 provisional license shall automatically terminate upon issuance of a permanent
40 license, upon a finding of cause to discipline after notice and hearing pursuant
41 to section 337.035, upon the expiration of one year from the date of issuance
42 whichever event first occurs, or upon termination of supervision by the licensed
43 supervisor. The provisional license may be renewed after one year with a
44 maximum issuance of two years total per provisional licensee. The committee by
45 rule shall provide procedures for exceptions and variances from the requirement
46 of a maximum issuance of two years due to vacations, illness, pregnancy and
47 other good causes.

48 6. The committee, with assistance from the division, shall immediately
49 issue a temporary license to any applicant for licensure either by reciprocity
50 pursuant to section 337.029, or by endorsement of the score from the examination
51 for professional practice in psychology upon receipt of an application for such
52 licensure and upon proof that the applicant is either licensed as a psychologist
53 in another jurisdiction, is a diplomate of the American Board of Professional
54 Psychology, or is a member of the National Register of Health Services Providers
55 in Psychology.

56 7. A temporary license issued pursuant to subsection 6 of this section
57 shall authorize the applicant to practice psychology in this state, the same as if
58 a permanent license had been issued. Such temporary license shall be issued
59 without payment of an additional fee and shall remain in full force and effect
60 until the earlier of the following events:

61 (1) A permanent license has been issued to the applicant following
62 successful completion of the jurisprudence examination and the oral interview
63 examination;

64 (2) In cases where the committee has found the applicant ineligible for
65 licensure and no appeal has been taken to the administrative hearing
66 commission, then at the expiration of such appeal time; or

67 (3) In cases where the committee has found the applicant ineligible for
68 licensure and the applicant has taken an appeal to the administrative hearing
69 commission and the administrative hearing commission has also found the
70 applicant ineligible, then upon the rendition by the administrative hearing
71 commission of its findings of fact and conclusions of law to such effect.

72 8. **The committee, with assistance from the division, shall issue**

73 a **prescribing psychologist license to and register as a licensed**
74 **prescribing psychologist any person who in addition to being a licensed**
75 **psychologist and a certified health service provider also meets the**
76 **training, education, experience, and examination requirements**
77 **necessary for licensure as a prescribing psychologist promulgated by**
78 **the division under section 337.031.**

79 **9.** Written and oral examinations pursuant to sections 337.010 to 337.090
80 shall be administered by the committee at least twice each year to any applicant
81 who meets the educational requirements set forth in either section 337.021 or
82 337.025 or to any applicant who is seeking licensure either by reciprocity
83 pursuant to section 337.029, or by endorsement of the score from the examination
84 of professional practice in psychology. The committee shall examine in the areas
85 of professional knowledge, techniques and applications, research and its
86 interpretation, professional affairs, ethics, and Missouri law and regulations
87 governing the practice of psychology. The committee may use, in whole or in part,
88 the examination for professional practice in psychology national examination in
89 psychology or such other national examination in psychology which may be
90 available.

91 **[9.] 10.** If an applicant fails any examination, the applicant shall be
92 permitted to take a subsequent examination, upon the payment of an additional
93 reexamination fee. This reexamination fee shall not be refundable.

337.031. 1. The provisions of this section shall govern the
2 **training, education, experience, and examination requirements**
3 **necessary for licensure as a prescribing psychologist.**

4 **2. The division shall promulgate rules establishing requirements**
5 **necessary for licensure as a prescribing psychologist which shall**
6 **include requirements that the applicant for licensure as a prescribing**
7 **psychologist:**

8 **(1) Complete a minimum of four hundred hours of didactic**
9 **educational instruction consistent with the model curriculum standards**
10 **for prescriptive authority as currently established by the American**
11 **Psychological Association, or complete a post-doctoral masters degree**
12 **in psychopharmacology;**

13 **(2) Complete a one-year supervised fellowship. The psychologist**
14 **shall have weekly supervision by a physician and maintain a full-time**
15 **caseload of patients during the year, with duties that shall include**

16 medication management, psychological evaluations, and therapeutic
17 services;

18 (3) Pass a national examination testing competency to engage in
19 the practice of prescriptive authority such as the examination offered
20 by the American Psychological Association Practice Organization's
21 College of Professional Psychology or the International College of
22 Prescribing Psychologists Examination with passage levels for any such
23 national examination to be based on recommendations from the
24 committee;

25 (4) Be awarded a prescribing psychologist's license following the
26 satisfactory completion of the one year supervised fellowship and
27 passage of the national examination referenced in subdivisions (2) and
28 (3) of this subsection;

29 (5) Complete a one-year collaborative practice agreement after
30 licensure similar to section 334.104, RSMo, and 20 CSR 2150-5.100 with
31 a physician licensed under chapter 334, RSMo, under which all
32 prescribing shall be done. Such agreement shall be jointly drawn by
33 the board of registration for the healing arts and the state committee
34 of psychologists and shall be subject to approval by the state board of
35 pharmacy and the department of health and senior services; and

36 (6) Maintain medical liability insurance at levels appropriate to
37 the profession both during the training period and thereafter.

38 3. In addition to the requirements for licensure under subsection
39 2 of this section, the division may promulgate rules establishing
40 additional requirements for licensure as a prescribing psychologist that
41 are based on current educational guidelines stated in the American
42 Psychological Association's publication of Recommended Postdoctoral
43 Training in Psychopharmacology for Prescription Privileges. Such
44 additional requirements shall relate to any number of the following
45 didactic subject areas and preceptorship-supervision models:

46 (1) Pharmacology/psychopharmacology: child, adult, geriatric,
47 general clinical:

48 (a) Pharmacokinetics and pharmacodynamics, drug interactions,
49 side effects, substance abuse; and

50 (b) Serology, laboratory and maintenance of therapeutic drug
51 levels;

52 (2) Related sciences:

53 **(a) Neuroanatomy, neurophysiology, neurochemistry; and**
54 **(b) Pathophysiology, organ, and anatomy systems of functioning**
55 **and nonfunctioning and metabolism/biotransformation;**
56 **(3) Treatment applications:**
57 **(a) Consultation with other professionals;**
58 **(b) Ethics and professional issues; and**
59 **(c) Computer-enhanced record and history accountability.**
60 **4. Any rule or portion of a rule, as that term is defined in section**
61 **536.010, RSMo, that is created under the authority delegated in this**
62 **section shall become effective only if it complies with and is subject to**
63 **all of the provisions of chapter 536, RSMo, and, if applicable, section**
64 **536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
65 **and if any of the powers vested with the general assembly pursuant to**
66 **chapter 536, RSMo, to review, to delay the effective date, or to**
67 **disapprove and annul a rule are subsequently held unconstitutional,**
68 **then the grant of rulemaking authority and any rule proposed or**
69 **adopted after August 28, 2009, shall be invalid and void.**

337.050. 1. There is hereby created and established a "State Committee
2 of Psychologists", which shall consist of seven licensed psychologists and one
3 public member. The state committee of psychologists existing on August 28,
4 1989, is abolished. Nothing in this section shall be construed to prevent the
5 appointment of any current member of the state committee of psychologists to the
6 new state committee of psychologists created on August 28, 1989.

7 2. Appointments to the committee shall be made by the governor upon the
8 recommendations of the director of the division, upon the advice and consent of
9 the senate. The division, prior to submitting nominations, shall solicit nominees
10 from professional psychological associations and licensed psychologists in the
11 state. The term of office for committee members shall be five years, and
12 committee members shall not serve more than ten years. No person who has
13 previously served on the committee for ten years shall be eligible for
14 appointment. In making initial appointments to the committee, the governor
15 shall stagger the terms of the appointees so that two members serve initial terms
16 of two years, two members serve initial terms of three years, and two members
17 serve initial terms of four years.

18 3. Each committee member shall be a resident of the state of Missouri for
19 one year, shall be a United States citizen, and shall, other than the public

20 member, have been licensed as a psychologist in this state for at least three
21 years. Committee members shall reflect a diversity of practice specialties. To
22 ensure adequate representation of the diverse fields of psychology, the committee
23 shall consist of at least two psychologists who are engaged full time in the
24 doctoral teaching and training of psychologists, and at least two psychologists
25 who are engaged full time in the professional practice of psychology. In addition,
26 the first appointment to the committee shall include at least one psychologist who
27 shall be licensed on the basis of a master's degree who shall serve a full term of
28 five years. Nothing in sections 337.010 to 337.090 shall be construed to prohibit
29 full membership rights on the committee for psychologists licensed on the basis
30 of a master's degree. If a member of the committee shall, during the member's
31 term as a committee member, remove the member's domicile from the state of
32 Missouri, then the committee shall immediately notify the director of the division,
33 and the seat of that committee member shall be declared vacant. All such
34 vacancies shall be filled by appointment of the governor with the advice and
35 consent of the senate, and the member so appointed shall serve for the unexpired
36 term of the member whose seat has been declared vacant.

37 4. The public member shall be at the time of the public member's
38 appointment a citizen of the United States; a resident of this state for a period
39 of one year and a registered voter; a person who is not and never was a member
40 of any profession licensed or regulated pursuant to sections 337.010 to 337.093
41 or the spouse of such person; and a person who does not have and never has had
42 a material, financial interest in either the providing of the professional services
43 regulated by sections 337.010 to 337.093, or an activity or organization directly
44 related to any profession licensed or regulated pursuant to sections 337.010 to
45 337.093. The duties of the public member shall not include the determination of
46 the technical requirements to be met for licensure or whether any person meets
47 such technical requirements or of the technical competence or technical judgment
48 of a licensee or a candidate for licensure.

49 5. The committee shall hold a regular annual meeting at which it shall
50 select from among its members a chairperson and a secretary. A quorum of the
51 committee shall consist of a majority of its members. In the absence of the
52 chairperson, the secretary shall conduct the office of the chairperson.

53 6. Each member of the committee shall receive, as compensation, an
54 amount set by the division not to exceed fifty dollars for each day devoted to the
55 affairs of the committee and shall be entitled to reimbursement for necessary and

56 actual expenses incurred in the performance of the member's official duties.

57 7. Staff for the committee shall be provided by the director of the division
58 of professional registration.

59 8. The governor may remove any member of the committee for misconduct,
60 inefficiency, incompetency, or neglect of office.

61 9. In addition to the powers set forth elsewhere in sections 337.010 to
62 337.090, the division may adopt rules and regulations, not otherwise inconsistent
63 with sections 337.010 to 337.090, to carry out the provisions of sections 337.010
64 to 337.090. The committee may promulgate, by rule, "Ethical Rules of Conduct"
65 governing the practices of psychology which rules shall be based upon the ethical
66 principles promulgated and published by the American Psychological Association.

67 10. Any rule or portion of a rule, as that term is defined in section
68 536.010, RSMo, that is promulgated to administer and enforce sections 337.010
69 to 337.090, shall become effective only if the agency has fully complied with all
70 of the requirements of chapter 536, RSMo, including but not limited to, section
71 536.028, RSMo, if applicable, after August 28, 1998. All rulemaking authority
72 delegated prior to August 28, 1998, is of no force and effect and repealed as of
73 August 28, 1998, however nothing in this act shall be interpreted to repeal or
74 affect the validity of any rule adopted and promulgated prior to August 28, 1998.
75 If the provisions of section 536.028, RSMo, apply, the provisions of this section
76 are nonseverable and if any of the powers vested with the general assembly
77 pursuant to section 536.028, RSMo, to review, to delay the effective date, or to
78 disapprove and annul a rule or portion of a rule are held unconstitutional or
79 invalid, the purported grant of rulemaking authority and any rule so proposed
80 and contained in the order of rulemaking shall be invalid and void, except that
81 nothing in this act shall affect the validity of any rule adopted and promulgated
82 prior to August 28, 1998.

83 11. The committee may sue and be sued in its official name, and shall
84 have a seal which shall be affixed to all certified copies or records and papers on
85 file, and to such other instruments as the committee may direct. All courts shall
86 take judicial notice of such seal. Copies of records and proceedings of the
87 committee, and of all papers on file with the division on behalf of the committee
88 certified under the seal shall be received as evidence in all courts of record.

89 12. When applying for a renewal of a license pursuant to section 337.030,
90 each licensed psychologist shall submit proof of the completion of at least forty
91 hours of continuing education credit within the two-year period immediately

92 preceding the date of the application for renewal of the license. The type of
93 continuing education to be considered shall include, but not be limited to:

94 (1) Attending recognized educational seminars, the content of which are
95 primarily psychological, as defined by rule;

96 (2) Attending a graduate level course at a recognized educational
97 institution where the contents of which are primarily psychological, as defined by
98 rule;

99 (3) Presenting a recognized educational seminar, the contents of which are
100 primarily psychological, as defined by rule;

101 (4) Presenting a graduate level course at a recognized educational
102 institution where the contents of which are primarily psychological, as defined by
103 rule; and

104 (5) Independent course of studies, the contents of which are primarily
105 psychological, which have been approved by the committee and defined by rule.

106 **Those psychologists holding licensed prescribing authorization shall**
107 **complete at least twenty hours of psychopharmacology continuing**
108 **education credit within the two-year period immediately preceding the**
109 **date of the application for renewal of the license in addition to the**
110 **general forty-hour continuing education requirements of this**
111 **subsection.** The committee shall determine by administrative rule the amount
112 of training, instruction, self-instruction or teaching that shall be counted as an
113 hour of continuing education credit.

338.198. Other provisions of law to the contrary notwithstanding, a
2 pharmacist may fill a physician's prescription, **a prescription of a licensed**
3 **prescribing psychologist**, or the prescription of an advanced practice nurse
4 working under a collaborative practice arrangement with a physician, when it is
5 forwarded to the pharmacist by a registered professional nurse or registered
6 physician's assistant or other authorized agent. The written collaborative
7 practice arrangement shall specifically state that the registered professional
8 nurse or registered physician assistant is permitted to authorize a pharmacist to
9 fill a prescription on behalf of the physician.

✓