

SENATE BILL 568

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CF 6lr2323

By: **Senator Ellis**

Introduced and read first time: February 4, 2026

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Licensed Psychologists – Prescriptive Authority**

3 FOR the purpose of authorizing a licensed psychologist to use prescriptive authority under
4 certain circumstances if the psychologist is certified by the State Board of Examiners
5 of Psychologists; establishing the Prescriptive Authority Advisory Committee to
6 advise the Board on oversight and implementation of certain provisions of this Act;
7 establishing application and qualification requirements for certified prescribing
8 psychologists; establishing requirements for prescribing psychologists who use
9 prescriptive authority; and generally relating to licensed psychologists and
10 prescriptive authority.

11 BY repealing and reenacting, without amendments,
12 Article – Health Occupations
13 Section 12–101(a), 18–101(a), and 18–302(a) through (f) and (h)(1)
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2025 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Health Occupations
18 Section 12–101(b), 12–102(e), and 18–101(f)
19 Annotated Code of Maryland
20 (2021 Replacement Volume and 2025 Supplement)

21 BY adding to
22 Article – Health Occupations
23 Section 18–3B–01 through 18–3B–09 to be under the new subtitle “Subtitle 3B.
24 Prescriptive Authority”
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Health Occupations

12–101.

(a) In this title the following words have the meanings indicated.

(b) “Authorized prescriber” means any licensed dentist, licensed dental hygienist with prescriptive authority under § 4–206.4 of this article, licensed physician, licensed podiatrist, licensed veterinarian, advanced practice registered nurse with prescriptive authority under Title 8 of this article, licensed nurse anesthetist, **LICENSED PSYCHOLOGIST WITH PRESCRIPTIVE AUTHORITY UNDER TITLE 18, SUBTITLE 3B OF THIS ARTICLE**, or other individual authorized by law to prescribe prescription or nonprescription drugs or devices.

12–102.

(e) (1) This title does not prohibit:

(i) A dentist, physician, nurse or midwife, or podiatrist from administering a prescription drug or device in the course of treating a patient;

(ii) A licensed dental hygienist from administering medication under § 4–206.4 of this article; [or]

(iii) A nurse anesthetist from administering medication under § 8–513 of this article; **OR**

(IV) A PRESCRIBING PSYCHOLOGIST FROM ADMINISTERING MEDICATION UNDER TITLE 18, SUBTITLE 3B OF THIS ARTICLE.

(2) For the purposes of paragraph (1)(i) of this subsection, “administering” means the direct introduction of a single dosage of a drug or device at a given time, whether by injection or other means, and whether in liquid, tablet, capsule, or other form.

18–101.

(a) In this title the following words have the meanings indicated.

(f) (1) “Practice psychology” means to provide to any person:

(i) Any service for compensation involving the application of psychological principles, psychological methods, or psychological procedures for understanding, predicting, or influencing behavior, including the principles that relate to

learning, perception, motivation, emotions, organizational relationships, and interpersonal relationships;

(ii) Any service for compensation involving the application of psychological methods or psychological procedures for interviewing, counseling, psychotherapy, behavior modification, or hypnosis; or

(iii) Any service for compensation involving the application of psychological methods or psychological procedures for constructing, administering, or interpreting tests of mental abilities, neuropsychological functioning, aptitudes, interests, attitudes, personality characteristics, emotions, or motivations.

(2) "Practice psychology" includes:

(i) The application of psychological principles and psychological methods in the diagnosis, prevention, treatment, and amelioration of psychological problems, emotional conditions, or mental conditions of individuals or groups;

(ii) The use of psychological methods to assist an individual in acquiring greater human effectiveness or to modify feelings, conditions, attitudes, or behavior that is emotionally, intellectually, or socially ineffectual or maladjusted; [and]

(iii) The use of biofeedback instruments that do not pierce or cut the skin to measure physical and mental functioning; AND

(IV) THE USE OF PRESCRIPTIVE AUTHORITY AS AUTHORIZED UNDER SUBTITLE 3B OF THIS TITLE.

(3) In this subsection, "psychological methods", "psychological principles", and "psychological procedures" include the body of information that can be derived from a graduate program in psychology, and other education or training recognized by the Board as prerequisites for a license under this title, and that does not amount to the practice of medicine.

18–302.

(a) To qualify for a license or registration, an applicant shall be an individual who meets the requirements of this section.

(b) The applicant shall be of good moral character.

(c) The applicant shall be at least 18 years old.

(d) (1) Except as provided in this subsection, an applicant shall reside or practice, or intend to reside or practice, in this State.

(2) The Board may issue a license or registration to an applicant who is neither a resident of this State nor practicing in this State if the applicant shows that issuing the license or registration would be in the interest of the citizens or government of this State.

(e) The applicant shall submit to a criminal history records check in accordance with § 18–302.1 of this subtitle.

(f) In addition to the other requirements of this section, to qualify to be a licensed psychologist, an applicant must have:

(1) (i) A doctoral degree in psychology as defined in § 18–101(c)(1)(i) or (iii) of this title; and

(ii) At least 2 years of professional, supervised experience in psychology that is approved by the Board in accordance with regulations adopted by the Board; or

(2) (i) A doctoral degree in psychology as defined in § 18–101(c)(1)(ii) of this title;

(ii) Received a postdoctoral respecialization certificate from a department of psychology that, at the time the certificate was issued, had a degree program that was accredited by the American Psychological Association or the Canadian Psychological Association and that included a minimum of 1,750 hours in a supervised internship in accordance with regulations adopted by the Board; and

(iii) Completed a minimum of 1,500 hours of postcertification advanced training hours or precertification hours of service as a registered psychology associate in accordance with regulations adopted by the Board.

(h) (1) An applicant for a psychologist license shall successfully pass:

(i) A national examination in the practice of psychology; and

(ii) The State jurisprudence examination.

SUBTITLE 3B. PRESCRIPTIVE AUTHORITY.

18–3B–01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ADVISORY COMMITTEE” MEANS THE PRESCRIPTIVE AUTHORITY ADVISORY COMMITTEE.

1 (C) "CONTROLLED SUBSTANCE" HAS THE MEANING STATED IN § 5-101 OF
2 THE CRIMINAL LAW ARTICLE.

3 (D) "DRUG" HAS THE MEANING STATED IN § 5-101 OF THE CRIMINAL LAW
4 ARTICLE.

5 (E) "PRESCRIBING PSYCHOLOGIST" MEANS AN INDIVIDUAL WHO MEETS
6 THE REQUIREMENTS OF § 18-3B-04 OF THIS SUBTITLE AND IS CERTIFIED BY THE
7 BOARD TO USE PRESCRIPTIVE AUTHORITY.

8 (F) "PRESCRIPTION" MEANS AN ORDER FOR A DRUG, A LABORATORY TEST,
9 OR ANY MEDICINES, DEVICES, OR TREATMENTS, INCLUDING CONTROLLED
10 SUBSTANCES.

11 (G) (1) "PRESCRIPTIVE AUTHORITY" MEANS THE AUTHORITY TO
12 PRESCRIBE, ADMINISTER, MODIFY, DISCONTINUE, OR DISTRIBUTE WITHOUT
13 CHARGE STARTER DOSAGES, DRUGS, OR CONTROLLED SUBSTANCES RECOGNIZED IN
14 OR CUSTOMARILY USED IN THE DIAGNOSIS, TREATMENT, AND MANAGEMENT OF
15 INDIVIDUALS WITH PSYCHIATRIC, MENTAL, COGNITIVE, NERVOUS, EMOTIONAL,
16 DEVELOPMENTAL, OR BEHAVIORAL DISORDERS.

17 (2) "PRESCRIPTIVE AUTHORITY" INCLUDES:

18 (I) ISSUING ORAL, WRITTEN, OR ELECTRONIC PRESCRIPTIONS;

19 (II) IN CONJUNCTION WITH A PRESCRIPTION, THE ORDERING
20 OF LABORATORY TESTS, DIAGNOSTIC EXAMINATIONS, AND PROCEDURES
21 NECESSARY TO OBTAIN THE LABORATORY TESTS OR DIAGNOSTIC EXAMINATIONS;
22 AND

23 (III) OTHER PROCEDURES DIRECTLY RELATED TO THE SCOPE
24 OF PRACTICE OF PSYCHOLOGY AS DETERMINED IN REGULATIONS ADOPTED BY THE
25 BOARD.

26 18-3B-02.

27 (A) THERE IS A PRESCRIPTIVE AUTHORITY ADVISORY COMMITTEE.

28 (B) THE PURPOSE OF THE ADVISORY COMMITTEE IS TO ADVISE THE BOARD
29 ON OVERSIGHT AND IMPLEMENTATION OF THIS SUBTITLE.

30 (C) THE ADVISORY COMMITTEE CONSISTS OF:

(1) THREE LICENSED PSYCHOLOGISTS WHO CURRENTLY SERVE ON THE BOARD;

(2) ONE LICENSED PHYSICIAN WHO CURRENTLY SERVES ON THE STATE BOARD OF PHYSICIANS OR IS APPOINTED BY THE STATE BOARD OF PHYSICIANS; AND

(3) ONE LICENSED PHARMACIST WHO CURRENTLY SERVES ON THE STATE BOARD OF PHARMACY.

(D) EACH MEMBER SHALL BE APPOINTED BY THE RESPECTIVE BOARD OF EACH MEMBER.

(E) (1) THE TERM OF A MEMBER IS 3 YEARS.

(2) A MEMBER MAY BE REAPPOINTED.

(F) THE BOARD MAY REMOVE A MEMBER, AFTER A NOTICE AND A HEARING, FOR INCAPACITY, INCOMPETENCE, NEGLECT OF DUTY, OR MALFEASANCE IN OFFICE.

18-3B-03.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A LICENSED PSYCHOLOGIST SHALL BE CERTIFIED BY THE BOARD AS A PRESCRIBING PSYCHOLOGIST BEFORE THE LICENSED PSYCHOLOGIST MAY USE PRESCRIPTIVE AUTHORITY IN THE STATE.

(B) THIS SECTION DOES NOT APPLY TO A LICENSED PSYCHOLOGIST WHO HAS SUCCESSFULLY COMPLETED THE U.S. DEPARTMENT OF DEFENSE PSYCHOPHARMACOLOGY DEMONSTRATION PROGRAM.

18-3B-04.

(A) TO QUALIFY TO BECOME CERTIFIED AS A PRESCRIBING PSYCHOLOGIST, AN APPLICANT MUST:

(1) BE A LICENSED PSYCHOLOGIST IN GOOD STANDING WITH THE BOARD;

(2) HAVE SUCCESSFULLY COMPLETED AN EDUCATIONAL PROGRAM RECOGNIZED BY THE BOARD THAT INCLUDES:

1 (I) BASIC SCIENCE;

2 (II) FUNCTIONAL NEUROSCIENCES;

3 (III) PHYSICAL EXAMINATION;

4 (IV) INTERPRETATION OF LABORATORY TESTS;

5 (V) PATHOLOGICAL BASIS DISEASE;

6 (VI) CLINICAL MEDICINE;

7 (VII) CLINICAL NEUROTHERAPEUTICS;

8 (VIII) SYSTEMS OF CARE;

9 (IX) PHARMACOLOGY;

10 (X) CLINICAL PHARMACOLOGY;

11 (XI) PSYCHOPHARMACOLOGY;

12 (XII) PSYCHOPHARMACOLOGY RESEARCH;

13 (XIII) PROFESSIONAL, ETHICAL, AND LEGAL ISSUES; AND

14 (XIV) AT LEAST 30 HOURS OF DIDACTIC INSTRUCTION TO ENSURE
15 ACQUISITION OF THE NECESSARY KNOWLEDGE AND SKILLS TO PRESCRIBE IN A SAFE
16 AND EFFECTIVE MANNER;

17 (3) HAVE SUCCESSFULLY COMPLETED A POSTDOCTORAL
18 PRESCRIBING PSYCHOLOGY FELLOWSHIP THAT INCLUDES AT LEAST 400 HOURS OF
19 PSYCHOPHARMACOLOGICAL TREATMENT OF AT LEAST 100 PATIENTS OF A DIVERSE
20 PATIENT POPULATION UNDER THE DIRECTION OF QUALIFIED PRACTITIONERS; AND

21 (4) HAVE PASSED:

22 (I) THE PSYCHOPHARMACOLOGY EXAMINATION FOR
23 PSYCHOLOGISTS OFFERED BY THE ASSOCIATION OF STATE AND PROVINCIAL
24 PSYCHOLOGY BOARDS; OR

(II) AN EXAMINATION DEVELOPED BY A NATIONALLY
RECOGNIZED BODY APPROVED BY THE BOARD.

(B) THE BOARD, IN CONSULTATION WITH THE ADVISORY COMMITTEE,
SHALL ESTABLISH A JOINT POLICY FOR THE RENEWAL OF THE LICENSE AND
CERTIFICATION OF A PRESCRIBING PSYCHOLOGIST THAT REQUIRES THAT AT LEAST
20 HOURS OF THE CONTINUING EDUCATION INSTRUCTION REQUIRED FOR LICENSE
RENEWAL BE RELEVANT TO PRESCRIPTIVE AUTHORITY.

(C) THE BOARD, IN CONSULTATION WITH THE ADVISORY COMMITTEE,
SHALL DEVELOP AND IMPLEMENT PROCEDURES FOR REVIEWING EDUCATION AND
TRAINING CREDENTIALS FOR COMPLIANCE WITH CURRENT STANDARDS OF
PROFESSIONAL PRACTICE.

18-3B-05.

TO APPLY TO BECOME CERTIFIED TO USE PRESCRIPTIVE AUTHORITY, A
LICENSED PSYCHOLOGIST SHALL SUBMIT A FORM AND EVIDENCE OF COMPLIANCE
WITH THIS SUBTITLE AS REQUIRED BY THE BOARD.

18-3B-06.

THE BOARD SHALL CERTIFY AS A PRESCRIBING PSYCHOLOGIST ANY
APPLICANT WHO MEETS THE REQUIREMENTS OF THIS SUBTITLE.

18-3B-07.

(A) A PRESCRIBING PSYCHOLOGIST MAY USE PRESCRIPTIVE AUTHORITY IN
THE STATE FOR INDIVIDUALS WITH WHOM THE PRESCRIBING PSYCHOLOGIST HAS
AN ESTABLISHED CLIENT OR PATIENT RECORD AT THE TIME THE PRESCRIBING
PSYCHOLOGIST USES THE PRESCRIPTIVE AUTHORITY.

(B) A PRESCRIBING PSYCHOLOGIST WHO USES PRESCRIPTIVE AUTHORITY
SHALL:

(1) COORDINATE WITH THE PATIENT'S LICENSED MEDICAL
PROVIDER; AND

(2) MAKE AND DOCUMENT REASONABLE EFFORTS TO ENCOURAGE
THE PATIENT TO MAINTAIN OR ESTABLISH A RELATIONSHIP WITH A LICENSED
MEDICAL PROVIDER.

1 (C) FOR EACH PRESCRIPTION ISSUED BY A PRESCRIBING PSYCHOLOGIST,
2 THE PRESCRIBING PSYCHOLOGIST SHALL:

3 (1) ENSURE THAT THE PRESCRIPTION:

4 (I) COMPLIES WITH STATE AND FEDERAL LAW; AND

5 (II) IS IDENTIFIABLE AS BEING ISSUED BY THE PRESCRIBING
6 PSYCHOLOGIST IN A MANNER DETERMINED BY THE BOARD;

7 (2) DOCUMENT THE PRESCRIPTION IN THE PATIENT'S RECORD; AND

8 (3) AS APPLICABLE, REPORT THE PRESCRIPTION TO THE
9 PRESCRIPTION DRUG MONITORING PROGRAM IN ACCORDANCE WITH TITLE 21,
10 SUBTITLE 2A OF THE HEALTH – GENERAL ARTICLE.

11 (D) BEFORE A PRESCRIBING PSYCHOLOGIST PRESCRIBES A CONTROLLED
12 SUBSTANCE, THE PRESCRIBING PSYCHOLOGIST SHALL FILE WITH THE BOARD:

13 (1) THE U.S. DRUG ENFORCEMENT AGENCY REGISTRATION NUMBER
14 OF THE PRESCRIBING PSYCHOLOGIST; AND

15 (2) THE MARYLAND STATE CONTROLLED DANGEROUS SUBSTANCE
16 REGISTRATION NUMBER OF THE PRESCRIBING PSYCHOLOGIST.

17 (E) A PRESCRIBING PSYCHOLOGIST MAY NOT DELEGATE PRESCRIPTIVE
18 AUTHORITY TO ANOTHER PERSON.

19 18-3B-08.

20 (A) A LICENSED PSYCHOLOGIST MAY NOT USE PRESCRIPTIVE AUTHORITY
21 UNLESS THE LICENSED PSYCHOLOGIST IS CERTIFIED UNDER THIS SUBTITLE.

22 (B) UNLESS CERTIFIED AS A PRESCRIBING PSYCHOLOGIST UNDER THIS
23 SUBTITLE, A PERSON MAY NOT USE THE WORDS OR TERM "PRESCRIBING
24 PSYCHOLOGIST" WITH THE INTENT TO REPRESENT THAT THE PERSON IS A
25 PRESCRIBING PSYCHOLOGIST.

26 18-3B-09.

27 (A) THE BOARD SHALL MAINTAIN RECORDS ON EACH PRESCRIBING
28 PSYCHOLOGIST THAT INCLUDE:

1 **(1) THE NAME OF THE PRESCRIBING PSYCHOLOGIST;**

2 **(2) THE IDENTIFICATION NUMBER OF THE PRESCRIBING**
3 **PSYCHOLOGIST ASSIGNED BY THE BOARD;**

4 **(3) THE U.S. DRUG ENFORCEMENT AGENCY REGISTRATION NUMBER**
5 **AND MARYLAND STATE CONTROLLED DANGEROUS SUBSTANCE REGISTRATION**
6 **NUMBER OF THE PRESCRIBING PSYCHOLOGIST, IF APPLICABLE; AND**

7 **(4) THE EFFECTIVE DATE OF THE CERTIFICATE ISSUED TO THE**
8 **PRESCRIBING PSYCHOLOGIST.**

9 **(B) (1) AT THE TIME THE BOARD CERTIFIES A PRESCRIBING**
10 **PSYCHOLOGIST UNDER THIS SUBTITLE, THE BOARD SHALL PROMPTLY TRANSMIT**
11 **THE INFORMATION LISTED IN SUBSECTION (A) OF THIS SECTION FOR THE**
12 **PRESCRIBING PSYCHOLOGIST TO THE STATE BOARD OF PHYSICIANS AND THE**
13 **STATE BOARD OF PHARMACY.**

14 **(2) THE BOARD SHALL PROMPTLY NOTIFY THE STATE BOARD OF**
15 **PHYSICIANS AND THE STATE BOARD OF PHARMACY IF THE BOARD REVOKES,**
16 **SUSPENDS, OR REINSTATES THE CERTIFICATION OR LICENSE OF A PRESCRIBING**
17 **PSYCHOLOGIST OR HAS A CERTIFICATION OR LICENSE REVOKED, SUSPENDED, OR**
18 **REINSTATED.**

19 **(C) (1) THE BOARD SHALL ADOPT RULES AND REGULATIONS FOR**
20 **DENYING, MODIFYING, SUSPENDING, OR REVOKING THE CERTIFICATION OR**
21 **LICENSE OF A PRESCRIBING PSYCHOLOGIST.**

22 **(2) THE BOARD MAY REQUIRE REMEDIATION OF ANY DEFICIENCIES**
23 **IN THE TRAINING OR PRACTICE PATTERN OF A PRESCRIBING PSYCHOLOGIST IF, IN**
24 **THE JUDGMENT OF THE BOARD, THE DEFICIENCIES COULD BE REASONABLY**
25 **EXPECTED TO JEOPARDIZE THE HEALTH, SAFETY, OR WELFARE OF THE PUBLIC.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2026.