

By: González of El Paso

H.B. No. 5537

A BILL TO BE ENTITLED

AN ACT

relating to the prescriptive authority of certain psychologists;
authorizing a fee.

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

SECTION 1. Section 501.003(a)(1), Occupations Code, is
amended to read as follows:

(1) "Practice of psychology" means:

(A) the observation, description, diagnosis,
evaluation, assessment, interpretation, or treatment of and
intervention in human behavior by applying education, training,
methods, and procedures for the purpose of:

(i) preventing, predicting, treating,
remediating, or eliminating:

(a) symptomatic, maladaptive, or
undesired behavior;

(b) emotional, interpersonal,
learning, substance use, neuropsychological, cognitive, or
behavioral disorders or disabilities, including those that
accompany medical problems; or

(c) mental illness;

(ii) evaluating, assessing, or
facilitating, by a license holder or a person who represents the
person to the public by a title or description of services that
includes the word "psychological," "psychologist," or

"psychology," the enhancement of individual, group, or organizational effectiveness, including evaluating, assessing, or facilitating:

(a) personal effectiveness;

(b) adaptive behavior;

(c) interpersonal relationships;

(d) academic, vocational, and life adjustment;

(e) health; or

(f) individual, group, or organizational performance;

(iii) providing psychological, neuropsychological, and psychoeducational evaluation, therapy, and remediation as well as counseling, psychoanalysis, psychotherapy, hypnosis, and biofeedback; or

(iv) consulting with others, including other mental health professionals, physicians, school personnel, or organizations within the scope of the provider's competency and training with respect to services provided for a specific individual; ~~or~~

(B) action taken under the authority granted by a certificate issued under Subchapter H-1; or

(C) the supervision of an activity or service described by Paragraph (A) or (B).

SECTION 2. Section 501.051, Occupations Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) To ensure adequate representation on the board of the diverse fields of psychology, the governor in making appointments under Subsection (a)(1) shall appoint:

(1) at least two members who provide psychological services;

(2) at least two members who hold certificates issued under Subchapter H-1;

(3) at least one member who conducts research in the field of psychology; and

(4) ~~[(3)]~~ at least one member who teaches as a member of the faculty of a psychological training institution.

(b-1) Notwithstanding Subsection (b)(2), a person satisfies the requirement of that subdivision if the person has completed the requirements of Sections 501.372(b)(1) and (2), regardless of whether the person has been issued a certificate under Subchapter H-1. This subsection expires October 31, 2029.

SECTION 3. Subchapter D, Chapter 501, Occupations Code, is amended by adding Section 501.152 to read as follows:

Sec. 501.152. ADVISORY COMMITTEE ON PRESCRIPTIVE AUTHORITY. (a) The executive council shall appoint an advisory committee on prescriptive authority for psychologists.

(a-1) Effective September 1, 2025, the advisory committee consists of six members as follows:

(1) three members who are psychologists, each of whom has completed the requirements of Sections 501.372(b)(1) and (2);

(2) one member who is a psychiatrist;

(3) one member who is a pediatrician or primary care

1 physician with experience in child and adolescent medicine; and

2 (4) one member who represents the public.

3 (a-2) In appointing members under Subsection (a-1)(1), the
4 executive council shall give preference to psychologists who have
5 previously been licensed or certified to prescribe drugs in another
6 jurisdiction. This subsection and Subsection (a-1) expire
7 September 1, 2028.

8 (b) Effective September 1, 2028, the advisory committee
9 consists of six members as follows:

10 (1) five members who each hold a certificate issued
11 under Subchapter H-1; and

12 (2) one member who represents the public.

13 (c) A member appointed to represent the public may not have
14 a significant financial interest, as determined by executive
15 council rule, in the practice of psychology or prescriptive
16 authority for psychologists.

17 (d) The advisory committee shall make recommendations to
18 the executive council and board regarding the regulation of
19 psychologists who hold certificates issued under Subchapter H-1,
20 including recommendations concerning rules to establish:

21 (1) eligibility requirements;

22 (2) standards of practice for certificate holders;

23 (3) continuing education requirements;

24 (4) requirements regarding the use of appropriate
25 prescription drug monitoring programs by a psychologist with a
26 certificate issued under Subchapter H-1;

27 (5) requirements for training programs described by

1 Section 501.372(b)(1)(B);

2 (6) guidelines and procedures for peer review of a
3 psychologist with a conditional prescription certificate issued
4 under Section 501.372;

5 (7) procedures for the review of an applicant under
6 Section 501.379; and

7 (8) procedures for the review of a complaint involving
8 a psychologist with a certificate issued under Subchapter H-1.

9 (e) Chapter 2110, Government Code, does not apply to the
10 composition or duration of the advisory committee.

11 SECTION 4. Chapter 501, Occupations Code, is amended by
12 adding Subchapter H-1 to read as follows:

13 SUBCHAPTER H-1. PRESCRIPTION CERTIFICATE

14 Sec. 501.371. DEFINITIONS. In this subchapter:

15 (1) "Prescribing psychologist" means a psychologist
16 to whom a prescription certificate or conditional prescription
17 certificate has been issued under this subchapter.

18 (2) "Prescription drug" and "prescription drug order"
19 have the meanings assigned by Section 551.003.

20 (3) "Psychotropic medication" means a controlled
21 substance, as defined by Section 481.002, Health and Safety Code,
22 or dangerous drug, as defined by Section 483.001, Health and Safety
23 Code, that is used for the diagnosis, treatment, or management of
24 mental, nervous, emotional, behavioral, substance use, or
25 cognitive disorders.

26 (4) "Supervising clinician" means a physician or
27 psychologist who meets the requirements of Section 501.382 to

1 supervise a psychologist with a conditional prescription
2 certificate.

3 Sec. 501.372. CONDITIONAL PRESCRIPTION CERTIFICATE. (a)
4 The executive council shall issue a conditional prescription
5 certificate to a psychologist who:

6 (1) meets the eligibility requirements of Subsection
7 (b);

8 (2) submits an application on a form prescribed by the
9 executive council;

10 (3) has not, in the two-year period preceding the date
11 of the application, had a certificate under this subchapter
12 revoked; and

13 (4) pays the fee set by the executive council.

14 (b) To be eligible for a conditional prescription
15 certificate a psychologist must:

16 (1) have completed a training program in
17 psychopharmacology from:

18 (A) a postdoctoral education and training
19 program that has received designation in psychopharmacology from
20 the American Psychological Association; or

21 (B) a psychopharmacology training program
22 approved by the executive council that includes instruction in:

23 (i) basic life sciences;

24 (ii) neuroscience;

25 (iii) clinical and research pharmacology
26 and psychopharmacology;

27 (iv) clinical pathophysiology;

1 (v) physical assessments and laboratory
2 examinations;

3 (vi) clinical pharmacotherapeutics; and

4 (vii) ethical and legal issues relevant to
5 prescriptive authority and associated research;

6 (2) pass a nationally recognized examination approved
7 by the executive council in the area of prescriptive authority;

8 (3) provide evidence of professional liability
9 coverage in amounts required by executive council rule;

10 (4) have completed a practicum in clinical assessment
11 and pathophysiology under the supervision of a physician that
12 included not less than 80 hours of supervised practice;

13 (5) have completed, under the supervision of a
14 physician or psychologist with a prescription certificate issued
15 under Section 501.373, a practicum consisting of not less than 400
16 hours observing, participating in, or assisting in the treatment of
17 mental disorders with psychotropic medication in not less than 100
18 patients;

19 (6) have completed training approved by the executive
20 council on the administration of psychotropic medications by
21 injection; and

22 (7) satisfy any other requirement of executive council
23 rule.

24 (c) A psychologist who holds a conditional prescription
25 certificate is authorized to:

26 (1) issue a prescription drug order;

27 (2) administer or dispense a prescription drug;

1 (3) order tests commonly associated with monitoring
2 the use of prescription drugs;

3 (4) represent that the psychologist holds a
4 conditional prescription certificate; and

5 (5) under the supervision of a supervising clinician,
6 administer a psychotropic medication by injection.

7 (d) A psychologist who holds a conditional prescription
8 certification shall notify the executive council of the name of the
9 psychologist's supervising clinician in accordance with executive
10 council rule.

11 Sec. 501.373. PRESCRIPTION CERTIFICATE. (a) The executive
12 council shall issue a prescription certificate to a psychologist
13 who:

14 (1) meets the eligibility requirements of Subsection
15 (b);

16 (2) submits an application on a form prescribed by the
17 executive council;

18 (3) has not, in the two-year period preceding the date
19 of the application, had a certificate under this subchapter
20 revoked; and

21 (4) pays the fee set by the executive council.

22 (b) To be eligible for a prescription certificate a
23 psychologist must:

24 (1) have a conditional prescription certificate
25 issued under Section 501.372;

26 (2) have not less than two years of experience
27 prescribing psychotropic medication under a supervising clinician;

1 (3) have completed an independent peer review of the
2 applicant's experience described by Subdivision (2) as provided by
3 executive council rule;

4 (4) have completed training approved by the executive
5 council on the administration of psychotropic medications by
6 injection;

7 (5) provide evidence of professional liability
8 coverage in amounts required by executive council rule; and

9 (6) satisfy any other requirement of executive council
10 rule.

11 (c) A psychologist who holds a prescription certificate is
12 authorized to:

13 (1) issue a prescription drug order;

14 (2) administer or dispense a prescription drug;

15 (3) order tests commonly associated with monitoring
16 the use of prescription drugs;

17 (4) represent that the psychologist holds a
18 prescription certificate; and

19 (5) administer a psychotropic medication by
20 injection.

21 Sec. 501.374. REQUIREMENTS FOR PRESCRIPTION DRUG ORDER. A
22 prescription drug order issued by a prescribing psychologist must:

23 (1) comply with applicable state and federal law; and

24 (2) include:

25 (A) a statement that the order is issued by a
26 "psychologist certified to prescribe"; and

27 (B) the psychologist's certificate number.

1 Sec. 501.375. NOTICE TO PRIMARY CARE PRACTITIONER. (a) A
2 prescribing psychologist shall notify a patient's primary care
3 practitioner not later than:

4 (1) 72 hours after the time the psychologist issues
5 for the patient a prescription drug order for a psychotropic
6 medication or changes the type or dosage of a psychotropic
7 medication for the patient; and

8 (2) the 20th day after the date the psychologist
9 issues for the patient a prescription drug order for a drug to
10 manage or protect from a side effect of a psychotropic medication.

11 (b) A primary care practitioner is not liable for an act of a
12 prescribing psychologist based solely on the practitioner
13 receiving a notice under Subsection (a).

14 (c) This section does not require a prescribing
15 psychologist to give notice to or obtain approval from the
16 patient's primary care practitioner before prescribing a drug to a
17 patient with whom the psychologist has established a
18 psychologist-patient relationship.

19 Sec. 501.376. DRUG ENFORCEMENT ADMINISTRATION REGISTRATION
20 NUMBER. A prescribing psychologist who has a current federal Drug
21 Enforcement Administration registration number shall submit
22 information regarding that registration to the executive council in
23 accordance with executive council rule.

24 Sec. 501.377. RECORDS. A prescribing psychologist shall
25 maintain a record of all prescription drug orders issued by the
26 psychologist with the applicable patient record.

27 Sec. 501.378. DELEGATION PROHIBITED. A prescribing

1 psychologist may not delegate to any other person the authority to
2 perform any act for which a certificate issued under this
3 subchapter is required.

4 Sec. 501.379. ISSUANCE OF CERTIFICATE TO PRESCRIBING
5 PSYCHOLOGIST FROM ANOTHER JURISDICTION. The executive council
6 shall issue a prescription certificate under Section 501.373 to a
7 psychologist who:

8 (1) has previously been authorized to prescribe
9 psychotropic medication for not less than three years in another
10 jurisdiction if the other jurisdiction's requirements for the
11 authorization are substantially equal to the requirements of
12 Section 501.373;

13 (2) provides evidence of professional liability
14 coverage in amounts required by executive council rule; and

15 (3) satisfies any other requirement adopted by
16 executive council rule.

17 Sec. 501.380. EXPIRATION AND RENEWAL. The executive
18 council shall adopt rules providing for the expiration and renewal
19 of a certificate under this subchapter. The rules must provide that
20 a license holder's certificate expires on the same date as the
21 license under this chapter.

22 Sec. 501.381. CONTINUING EDUCATION. The executive council
23 shall adopt rules requiring a psychologist with a prescription
24 certificate issued under Section 501.373 to complete continuing
25 education on the prescribing of psychotropic medications as a
26 requirement to renew the certificate.

27 Sec. 501.382. REQUIREMENT OF SUPERVISING CLINICIAN. (a) A

person may not act as a supervising clinician for a psychologist with a conditional prescription certificate unless the person:

(1) is a physician or psychologist with a prescription certificate issued under Section 501.373; and

(2) has not less than three years of experience prescribing psychotropic medications.

(b) A physician or psychologist acting as a supervising clinician shall notify the Texas Medical Board or the executive council, as applicable, of that fact and of the name of each psychologist being supervised in accordance with rules of the Texas Medical Board or executive council.

(c) A supervising clinician may not supervise more than the full-time equivalent of seven psychologists, as determined by executive council rule.

(d) A supervising clinician may supervise a psychologist with a conditional prescription certificate through in-person meetings or by use of telecommunications technology.

Sec. 501.383. LIMITATION ON LIABILITY OF SUPERVISING CLINICIAN. A supervising clinician is not liable for any injury or loss resulting from the acts of a psychologist under the clinician's supervision unless the injury or loss arose from an act under the direction or control of the clinician.

Sec. 501.384. DISCIPLINARY ACTION. The executive council may deny, revoke, suspend, or refuse to renew a certificate issued under this subchapter if the certificate holder violates this chapter or a rule adopted under this chapter.

Sec. 501.385. RULES. The executive council shall adopt

1 rules to implement this subchapter.

2 SECTION 5. Section 481.002(39), Health and Safety Code, is
3 amended to read as follows:

4 (39) "Practitioner" means:

5 (A) a physician, dentist, veterinarian,
6 podiatrist, scientific investigator, psychologist, or other person
7 licensed, registered, or otherwise permitted to distribute,
8 dispense, analyze, conduct research with respect to, or administer
9 a controlled substance in the course of professional practice or
10 research in this state;

11 (B) a pharmacy, hospital, or other institution
12 licensed, registered, or otherwise permitted to distribute,
13 dispense, conduct research with respect to, or administer a
14 controlled substance in the course of professional practice or
15 research in this state;

16 (C) a person practicing in and licensed by
17 another state as a physician, dentist, veterinarian, psychologist,
18 or podiatrist, having a current Federal Drug Enforcement
19 Administration registration number, who may legally prescribe
20 Schedule II, III, IV, or V controlled substances in that state; or

21 (D) an advanced practice registered nurse or
22 physician assistant to whom a physician has delegated the authority
23 to prescribe or order a drug or device under Section 157.0511,
24 157.0512, or 157.054, Occupations Code.

25 SECTION 6. Section 481.074(d), Health and Safety Code, is
26 amended to read as follows:

27 (d) Except as specified in Subsections (e) and (f), the

board, by rule and in consultation with the Texas Medical Board and the Texas Behavioral Health Executive Council, shall establish the period after the date on which the prescription is issued that a person may fill a prescription for a controlled substance listed in Schedule II. A person may not refill a prescription for a substance listed in Schedule II.

SECTION 7. Sections 481.076(a) and (c), Health and Safety Code, are amended to read as follows:

(a) The board may not permit any person to have access to information submitted to the board under Section 481.074(q) or 481.075 except:

(1) the board, the Texas Medical Board, the Texas Department of Licensing and Regulation, with respect to the regulation of podiatrists, the State Board of Dental Examiners, the State Board of Veterinary Medical Examiners, the Texas Board of Nursing, ~~or~~ the Texas Optometry Board, or the Texas Behavioral Health Executive Council, with respect to the regulation of psychologists, for the purpose of:

(A) investigating a specific license holder; or

(B) monitoring for potentially harmful prescribing or dispensing patterns or practices under Section 481.0762;

(2) an authorized employee of the board engaged in the administration, investigation, or enforcement of this chapter or another law governing illicit drugs in this state or another state;

(3) the department or other law enforcement or prosecutorial official engaged in the administration,

1 investigation, or enforcement of this chapter or another law
2 governing illicit drugs in this state or another state, if the board
3 is provided a warrant, subpoena, or other court order compelling
4 the disclosure;

5 (4) a medical examiner conducting an investigation;

6 (5) provided that accessing the information is
7 authorized under the Health Insurance Portability and
8 Accountability Act of 1996 (Pub. L. No. 104-191) and regulations
9 adopted under that Act:

10 (A) a pharmacist or a pharmacist-intern,
11 pharmacy technician, or pharmacy technician trainee, as defined by
12 Section 551.003, Occupations Code, acting at the direction of a
13 pharmacist, who is inquiring about a recent Schedule II, III, IV, or
14 V prescription history of a particular patient of the pharmacist;
15 or

16 (B) a practitioner who:

17 (i) is a physician, dentist, veterinarian,
18 podiatrist, optometrist, psychologist, or advanced practice nurse
19 or is a physician assistant described by Section 481.002(39)(D) or
20 an employee or other agent of a practitioner acting at the direction
21 of a practitioner; and

22 (ii) is inquiring about a recent Schedule
23 II, III, IV, or V prescription history of a particular patient of
24 the practitioner;

25 (6) a pharmacist or practitioner who is inquiring
26 about the person's own dispensing or prescribing activity or a
27 practitioner who is inquiring about the prescribing activity of an

1 individual to whom the practitioner has delegated prescribing
2 authority;

3 (7) one or more states or an association of states with
4 which the board has an interoperability agreement, as provided by
5 Subsection (j);

6 (8) a health care facility certified by the federal
7 Centers for Medicare and Medicaid Services; or

8 (9) the patient, the patient's parent or legal
9 guardian, if the patient is a minor, or the patient's legal
10 guardian, if the patient is an incapacitated person, as defined by
11 Section 1002.017(2), Estates Code, inquiring about the patient's
12 prescription record, including persons who have accessed that
13 record.

14 (c) The board by rule shall design and implement a system
15 for submission of information to the board by electronic or other
16 means and for retrieval of information submitted to the board under
17 this section and Sections 481.074 and 481.075. The board shall use
18 automated information security techniques and devices to preclude
19 improper access to the information. The board shall submit the
20 system design to the director, ~~and~~ the Texas Medical Board, and
21 the Texas Behavioral Health Executive Council for review and
22 comment a reasonable time before implementation of the system and
23 shall comply with the comments of those agencies unless it is
24 unreasonable to do so.

25 SECTION 8. Section 483.001(12), Health and Safety Code, is
26 amended to read as follows:

27 (12) "Practitioner" means:

(A) a person [~~licensed by~~]:

(i) licensed by the Texas Medical Board, State Board of Dental Examiners, Texas Optometry Board, or State Board of Veterinary Medical Examiners to prescribe and administer dangerous drugs; [~~or~~]

(ii) licensed by the Texas Department of Licensing and Regulation, with respect to podiatry, to prescribe and administer dangerous drugs; or

(iii) certified by the Texas Behavioral Health Executive Council, with respect to psychology, to prescribe and administer dangerous drugs;

(B) a person licensed by another state in a health field in which, under the laws of this state, a licensee may legally prescribe dangerous drugs;

(C) a person licensed in Canada or Mexico in a health field in which, under the laws of this state, a licensee may legally prescribe dangerous drugs; or

(D) an advanced practice registered nurse or physician assistant to whom a physician has delegated the authority to prescribe or order a drug or device under Section 157.0511, 157.0512, or 157.054, Occupations Code.

SECTION 9. Sections 576.025(b), (c), (e), and (f), Health and Safety Code, are amended to read as follows:

(b) Consent to the administration of psychoactive medication given by a patient or by a person authorized by law to consent on behalf of the patient is valid only if:

(1) the consent is given voluntarily and without

1 coercive or undue influence;

2 (2) the treating physician, a treating psychologist
3 who holds a certificate issued under Subchapter H-1, Chapter 501,
4 Occupations Code, or a person designated by the physician or
5 psychologist, provided the following information, in a standard
6 format approved by the department, to the patient and, if
7 applicable, to the patient's representative authorized by law to
8 consent on behalf of the patient:

9 (A) the specific condition to be treated;

10 (B) the beneficial effects on that condition
11 expected from the medication;

12 (C) the probable health and mental health
13 consequences of not consenting to the medication;

14 (D) the probable clinically significant side
15 effects and risks associated with the medication;

16 (E) the generally accepted alternatives to the
17 medication, if any, and why the physician or psychologist
18 recommends that they be rejected; and

19 (F) the proposed course of the medication;

20 (3) the patient and, if appropriate, the patient's
21 representative authorized by law to consent on behalf of the
22 patient is informed in writing that consent may be revoked; and

23 (4) the consent is evidenced in the patient's clinical
24 record by a signed form prescribed by the facility or by a statement
25 of the ~~[treating]~~ physician or psychologist described by
26 Subdivision (2), or a person designated by the physician or the
27 psychologist, that documents that consent was given by the

1 appropriate person and the circumstances under which the consent
2 was obtained.

3 (c) If the [~~treating~~] physician or psychologist described
4 by Subsection (b)(2) designates another person to provide the
5 information under Subsection (b), then, not later than two working
6 days after that person provides the information, excluding weekends
7 and legal holidays, the physician or psychologist shall meet with
8 the patient and, if appropriate, the patient's representative who
9 provided the consent, to review the information and answer any
10 questions.

11 (e) In prescribing psychoactive medication, a [~~treating~~]
12 physician or psychologist described by Subsection (b)(2) shall:

13 (1) prescribe, consistent with clinically appropriate
14 medical care, the medication that has the fewest side effects or the
15 least potential for adverse side effects, unless the class of
16 medication has been demonstrated or justified not to be effective
17 clinically; and

18 (2) administer the smallest therapeutically
19 acceptable dosages of medication for the patient's condition.

20 (f) If a physician or psychologist described by Subsection
21 (b)(2) issues an order to administer psychoactive medication to a
22 patient without the patient's consent because the patient is having
23 a medication-related emergency:

24 (1) the physician or psychologist shall document in
25 the patient's clinical record in specific medical or behavioral
26 terms the necessity of the order and that the physician or
27 psychologist has evaluated but rejected other generally accepted,

1 less intrusive forms of treatment, if any; and

2 (2) treatment of the patient with the psychoactive
3 medication shall be provided in the manner, consistent with
4 clinically appropriate medical care, least restrictive of the
5 patient's personal liberty.

6 SECTION 10. Section 301.002(2), Occupations Code, is
7 amended to read as follows:

8 (2) "Professional nursing" means the performance of an
9 act that requires substantial specialized judgment and skill, the
10 proper performance of which is based on knowledge and application
11 of the principles of biological, physical, and social science as
12 acquired by a completed course in an approved school of
13 professional nursing. The term does not include acts of medical
14 diagnosis or the prescription of therapeutic or corrective
15 measures. Professional nursing involves:

16 (A) the observation, assessment, intervention,
17 evaluation, rehabilitation, care and counsel, or health teachings
18 of a person who is ill, injured, infirm, or experiencing a change in
19 normal health processes;

20 (B) the maintenance of health or prevention of
21 illness;

22 (C) the administration of a medication or
23 treatment as ordered by a health care practitioner legally
24 authorized to prescribe the medication or treatment [~~physician,~~
25 ~~podiatrist, or dentist~~];

26 (D) the supervision or teaching of nursing;

27 (E) the administration, supervision, and

1 evaluation of nursing practices, policies, and procedures;

2 (F) the requesting, receiving, signing for, and
3 distribution of prescription drug samples to patients at practices
4 at which an advanced practice registered nurse is authorized to
5 sign prescription drug orders as provided by Subchapter B, Chapter
6 157;

7 (G) the performance of an act delegated by a
8 physician under Section 157.0512, 157.054, 157.058, or 157.059; and

9 (H) the development of the nursing care plan.

10 SECTION 11. Section 551.003(34), Occupations Code, is
11 amended to read as follows:

12 (34) "Practitioner" means:

13 (A) a person licensed, certified, or registered
14 to prescribe, distribute, administer, or dispense a prescription
15 drug or device in the course of professional practice in this state,
16 including a physician, dentist, podiatrist, psychologist, or
17 veterinarian but excluding a person licensed under this subtitle;

18 (B) a person licensed by another state, Canada,
19 or the United Mexican States in a health field in which, under the
20 law of this state, a license or certificate holder in this state may
21 legally prescribe a dangerous drug;

22 (C) a person practicing in another state and
23 licensed by another state as a physician, dentist, veterinarian,
24 psychologist, or podiatrist, who has a current federal Drug
25 Enforcement Administration registration number and who may legally
26 prescribe a Schedule II, III, IV, or V controlled substance, as
27 specified under Chapter 481, Health and Safety Code, in that other

1 state; or

2 (D) an advanced practice registered nurse or
3 physician assistant to whom a physician has delegated the authority
4 to prescribe or order a drug or device under Section 157.0511,
5 157.0512, or 157.054.

6 SECTION 12. Section 501.051(b), Occupations Code, as
7 amended by this Act, does not affect the entitlement of a member
8 serving on the Texas State Board of Examiners of Psychologists
9 immediately before the effective date of this Act to continue to
10 serve for the remainder of the member's term. With the first
11 appointment of a member described by Section 501.051(a)(1),
12 Occupations Code, to be made by the governor on or after the
13 effective date of this Act, the governor shall appoint a member to
14 the board who has the qualifications required by Section
15 501.051(b), Occupations Code, as amended by this Act.

16 SECTION 13. (a) Not later than December 1, 2025, the Texas
17 Behavioral Health Executive Council shall appoint members of the
18 advisory committee in accordance with Section 501.152(a-1),
19 Occupations Code, as added by this Act.

20 (b) Not later than June 1, 2026, the advisory committee
21 shall make initial recommendations to the Texas Behavioral Health
22 Executive Council and the Texas State Board of Examiners of
23 Psychologists as described by Section 501.152(d), Occupations
24 Code, as added by this Act.

25 (c) Not later than September 1, 2028, the Texas Behavioral
26 Health Executive Council shall appoint members to the advisory
27 committee so that the composition of the committee complies with

1 Section 501.152(b), Occupations Code, as added by this Act.

2 SECTION 14. Not later than December 1, 2026, the Texas
3 Behavioral Health Executive Council shall adopt rules and
4 procedures necessary to implement Subchapter H-1, Chapter 501,
5 Occupations Code, as added by this Act.

6 SECTION 15. This Act takes effect September 1, 2025.