



OHIO LEGISLATIVE SERVICE COMMISSION

Nicholas J. Blaine

Fiscal Note & Local Impact Statement

Bill: H.B. 326 of the 132nd G.A.
(L_132_0194-3)

Status: In House Health

Sponsor: Reps. Seitz and Gavarone

Local Impact Statement Procedure Required: No

Subject: Permits psychologists to prescribe medication, order tests, and give nurses medication orders

State Fiscal Highlights

- The State Board of Psychology will experience a minimal cost to implement rules to provide a certificate to prescribe for psychologists and to regulate certificate holders; this amount will be offset, at least in part, by a \$50 application fee per certificate.
- Psychologists will be required to certify to the State Board of Pharmacy that they have been granted access to the Ohio Automated Rx Reporting System (OARRS); the Board may experience a minimal cost to grant access to certificate holders.

Detailed Fiscal Analysis

Certificate to prescribe

H.B. 326 creates a certificate to prescribe for a psychologist licensed by the State Board of Psychology that is valid for two years. With this certificate, a psychologist will be able to prescribe certain drugs and devices, as well as order laboratory tests and procedures necessary to safely prescribe or furnish the drugs and therapeutic devices. Psychologists applying for the certificate will pay a \$50 application fee. The Board will experience one-time costs to promulgate rules and implement the certificate program. Any cost is likely to be minimal and will be offset at least in part by the application fees. The costs associated with processing certificates, as well as the revenue generated, will depend on the number of certificate applications the Board receives. The bill also requires the Board to renew a certificate to prescribe according to procedures and a renewal schedule specified in rules. There will likely be a minimal gain in revenue each biennium and a corresponding minimal increase in administrative costs to process certificate renewals and to regulate certificate holders. The total amount will depend on the renewal fee amount and the number of certificate renewal applications the Board receives.

The bill requires that any psychologist who receives a certificate to prescribe must have a collaborative agreement with a physician, physician assistant, certified nurse practitioner, clinical nurse specialist, or another psychologist holding a certificate to prescribe. Public hospitals and regional psychiatric hospitals may experience a

minimal savings if psychologists with certificates to prescribe are able to reduce workloads on others who would otherwise prescribe medication. However, any savings could be offset by additional work required of employees serving as collaborating qualified prescribers.

Investigations and discipline

The bill adds several additional grounds for which the Board can pursue disciplinary action against a psychologist. Disciplinary action can be taken if the licensee, among other things, does the following:

- Allows their license to practice psychology expire or is suspended;
- Sells, gives away, or administers drugs or therapeutic devices for other than legal or legitimate therapeutic purposes;
- Fails to comply with the bill's requirements concerning the review of patient information in the Ohio Automated Rx Reporting System (OARRS); or
- Fails to comply with law governing opioid analgesic prescriptions issued to minors.

The expanded scope of practice, coupled with these additional grounds for disciplinary action, may increase the number of complaints and subsequent disciplinary hearings; any increase is expected to be minimal.

State Board of Pharmacy

The bill requires a psychologist that prescribes opioid analgesics and benzodiazepines to certify to the State Board of Pharmacy that he or she has been granted access to OARRS. The psychologist is also required to review patient information in OARRS as a condition of treating patients with opioid analgesics or benzodiazepines. There could be a minimal cost to the State Board of Pharmacy to grant additional access to certificate holders.

State Board of Psychology membership

The bill modifies the composition of the State Board of Psychology. Under current law, the Board has nine members appointed to five-year terms, including six psychologists or school psychologists, and three patient advocates. Two years after going into effect, the bill replaces one of the patient advocate members with a physician member. Additionally, at least one of the six psychologists or school psychologists will have to hold a certificate to prescribe. Adjusting the membership of the Board should pose no additional cost.