

**TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 22 PSYCHOLOGISTS AND PSYCHOLOGIST ASSOCIATES**  
**PART 20 CONDITIONAL PRESCRIPTION CERTIFICATE; PRESCRIPTION CERTIFICATE:**  
**HEALTH CARE PRACTITIONER COLLABORATION GUIDELINES**

**16.22.20.1 ISSUING AGENCY:** Regulation and Licensing Department Board of Psychologist Examiners.  
[16.22.20.1 NMAC - Rp, 16.22.20.1 NMAC, 11/15/2006]

**16.22.20.2 SCOPE:** This part applies to psychologists with conditional prescription certificate, and the general public.  
[16.22.20.2 NMAC - Rp, 16.22.20.2 NMAC, 11/15/2006]

**16.22.20.3 STATUTORY AUTHORITY:** This part is adopted pursuant to the Professional Psychologist Act, Section 61-9-17.2 NMSA 1978  
[16.22.20.3 NMAC - Rp, 16.22.20.3 NMAC, 11/15/2006]

**16.22.20.4 DURATION:** Permanent.  
[16.22.20.4 NMAC - Rp, 16.22.20.4 NMAC, 11/15/2006]

**16.22.20.5 EFFECTIVE DATE:** November 15, 2006, unless a later date is cited at the end of the section.  
[16.22.20.5 NMAC - Rp, 16.22.20.5 NMAC, 11/15/2006]

**16.22.20.6 OBJECTIVE:** The objective of Part 20 is to set forth the provisions, which apply to all of Chapter 22, and all persons affected or regulated by Chapter 22 of Title 16.  
[16.22.20.6 NMAC - Rp, 16.22.20.6 NMAC, 11/15/2006]

**16.22.20.7 DEFINITIONS: [RESERVED]**  
[Refer to 16.22.1.7 NMAC]

**16.22.20.8 CONDITIONAL PRESCRIPTION CERTIFICATE OR PRESCRIPTION CERTIFICATE**  
**HEALTH CARE PRACTITIONER COLLABORATION GUIDELINES:**

**A.** A conditional prescribing or prescribing psychologist shall obtain a release of information from the patient or the patient's legal guardian authorizing the psychologist to contact the patient's primary treating health care practitioner, as required by law.

**B.** If a patient or the patient's legal guardian refuses to sign a release of information for the patient's primary treating health care practitioner, the conditional prescribing or prescribing psychologist shall inform the patient or the patient's legal guardian that the psychologist cannot treat the patient pharmacologically without an ongoing collaborative relationship with the primary treating health care practitioner. The psychologist shall refer the patient to another mental health care provider who is not required to maintain an ongoing collaborative relationship with a health care practitioner.

**C.** A conditional prescribing or prescribing psychologist ~~shall contact~~ must provide written notice to the primary treating health care practitioner [prior to prescribing medication] within 24 hours of issuance of a prescription to the patient.

~~(1) The conditional prescribing or prescribing psychologist shall inform the primary treating health care practitioner the medications the psychologist intends to prescribe for mental illness and any laboratory tests that the psychologist ordered or reviewed and shall discuss the relevant indications and contraindications to the patient of prescribing these medications.~~

~~(2) The conditional prescribing or prescribing psychologist shall document the date and time of contacts with the primary treating health care practitioner, a summary of what was discussed, and the outcome of the discussions or decisions reached.~~

~~(3) If the primary treating health care practitioner and the conditional prescribing or prescribing psychologist do not agree about a particular psychopharmacological treatment strategy, the psychologist shall document the reasons for recommending the psychopharmacological treatment strategy that is in disagreement and shall inform the primary treating health care practitioner of that recommendation. If the primary treating health care practitioner believes the medication is contraindicated because of a patient's medical condition, the conditional~~

~~prescribing or prescribing psychologist shall defer to the judgment of the primary treating health care practitioner and shall not prescribe.~~

~~(4) If a conditional prescribing or prescribing psychologist determines that an emergency exists that may jeopardize the health or well being of the patient, the psychologist may, without prior consultation with the patient's primary treating health care practitioner, prescribe psychotropic medications or modify an existing prescription for psychotropic medication previously written for that patient by that psychologist. The conditional prescribing or prescribing psychologist shall consult with the primary treating health care practitioner as required herein as soon as possible. The conditional prescribing or prescribing psychologist shall document in the patient's psychological evaluation/treatment file the nature and extent of the emergency and the attempt(s) made to contact the primary treating health care practitioner prior to prescribing or other reason why contact could not be made.~~

~~(5) If a conditional prescribing psychologist or prescribing psychologist is working in a declared emergency/disaster area, the on-site medical staff can serve as the evaluating primary care physician.~~

**D.** If a patient does not have a primary treating health care practitioner, the conditional prescribing or prescribing psychologist shall refer the patient to a health care practitioner prior to psychopharmacological treatment. The psychologist must receive the results of the health care practitioner's assessment and shall contact the health care practitioner as required herein prior to prescribing.

**E.** Once the collaborative relationship is established with the primary treating health care practitioner, the conditional prescribing or prescribing psychologist shall maintain and document the collaborative relationship to ensure that relevant information is exchanged accurately and in a timely manner. The ongoing collaborative relationship shall be maintained pursuant to the following guidelines.

~~(1) A conditional prescribing or prescribing psychologist shall contact the primary treating health care practitioner for any changes in medication not previously discussed with the primary treating health care practitioner.~~

~~(2)~~ **(1)** A conditional prescribing or prescribing psychologist shall ~~[contact]~~ notify the primary treating health care practitioner if and when the patient experiences adverse effects from medications prescribed by the psychologist that may be related to the patient's medical condition for which he or she is being treated by a health care practitioner.

~~(3)~~ **(2)** A conditional prescribing or prescribing psychologist shall ~~[contact]~~ notify the primary treating health care practitioner regarding results of laboratory tests related to the medical care of the patient that have been ordered by the psychologist in conjunction with psychopharmacological treatment.

~~(4) The patient's treating health care practitioner shall inform a conditional prescribing or prescribing psychologist of any new medical diagnosis or changes in the patient's medical condition that may affect the treatment being provided by the psychologist.~~

~~(5)~~ **(3)** A conditional prescribing or prescribing psychologist shall ~~[inform]~~ notify a treating health care practitioner as soon as possible of any change in the patient's psychological condition that may affect the medical treatment being provided by the health care practitioner.

~~(6) The patient's primary treating or other health care practitioner shall inform the conditional prescribing or prescribing psychologist of any psychotropic medications prescribed or discontinued by the primary or other treating health care practitioner, the dates of any subsequent changes in psychotropic medications prescribed by the primary or other treating health care practitioner, and the efforts to coordinate the mental health care of the patient as soon as possible.~~

[16.22.20.8 NMAC - Rp, 16.22.20.8 NMAC, 11/15/2006; A, xx/xx/xxxx]

## **HISTORY OF 16.22.20 NMAC:**

### **History of Repealed Material:**

16.22.20 NMAC, Health Care Practitioner Collaboration Guidelines - Repealed 11/15/2006