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APA Says Louisiana's Psychologist-Prescribing Rules "Fail to Protect Patients"

Speaking on behalf of the American Psychiatric Association (APA), David Edward Post, M.D., a Baton Rouge-based psychiatrist and president of the Louisiana Psychiatric Medical Association, conveyed to the Louisiana State Board of Examiners of Psychologists today that the regulations the board is considering to implement the state's psychologist-prescribing law "fail to protect patients, fail to establish adequate training requirements and do not address access to care issues." Through Dr. Post, the APA urged the board to make substantial changes to the draft rules.

The state's psychologist-prescribing law was passed by the legislature and signed by the governor in April and May 2004, respectively. It would grant psychologists, who are not physicians and who lack sufficient medical training, the right to prescribe psychotropic medications. The regulations under consideration today, if adopted, will clear the way for some psychologists to prescribe, perhaps before the year is out.

In full, the APA response, communicated by Dr. Post, said:

To the chairman and members of the board, thank you for the opportunity to comment on the proposed draft rules for prescriptive authority for psychologists. I am David Edward Post, M.D., and I am a psychiatrist speaking today on behalf of the American Psychiatric Association, the national medical specialty society whose more than 36,000 physician members specialize in the diagnosis, treatment and prevention of mental illnesses.

First, while the APA remains opposed to granting prescriptive authority to psychologists by legislative means rather than medical training, we acknowledge your responsibility to implement the statute that was passed by the Louisiana State Legislature earlier this year. The rules, as drafted, present several serious concerns, which I will summarize for you. Please note that the APA has also submitted written comments for your review.

The APA feels strongly that the proposed rules fail to protect patient safety. The rules would potentially allow for a prescribing psychologist to *not* have any contact with a physician throughout his or her training. Exposure to trained medical specialists – including psychiatrists – is vital to patient safety.

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The statute and draft regulations vest sole oversight of “medical psychologists” with you, the Louisiana State Board of Examiners of Psychologists. The APA believes this Board serves a vital role in regulating the profession of psychology in this state, but respectfully asserts that members of this board are not appointed by virtue of training in the practice of medicine, a requirement for judging others’ medical competency. At the same time, no role is given to the Louisiana State Board of Medical Examiners, the fine medical schools in this state, the Louisiana State Medical Society, or any other medical organization.

The statute and corresponding regulations are virtually silent on educational requirements. What is required of psychopharmacology training programs is deficient. There are no specifications on students’ clinical instruction or clinical contact experience with patients. The didactic portion of the training does not require any prioritization of the topical areas and could occur exclusively online. Students are not required to complete a practicum under the supervision of a responsible attending physician. And “competence” in tests that may be needed to prescribe is not mentioned (for example, the EKG).

Related to the above and to the training deficiencies in general, psychologists should not be allowed to prescribe to children and the elderly, who have physiologic and pathophysiologic differences well beyond the scope of the training. The recent debate over the severe side effects and complications of antidepressants in children only underscore this point.

The APA would further like to add that, although the law was passed to address access to care issues for underserved communities, there is nothing in the draft rules to encourage prescribing psychologists to train and serve in rural parts of the state and inner city communities.

Finally, the draft regulations contain many examples of unclear and undefined terms, as well as phrases that are awkwardly worded. As a whole, the regulations are open to interpretation – frequently in ways that will not serve the interests of patients.

In conclusion, the APA notes that these rules, as drafted, fail to protect patients, fail to establish adequate training requirements and do not address access to care issues. For these reasons, the APA urges the board to make the substantial revisions as detailed in our written comments, which have already been submitted. Thank you for the opportunity to summarize our concerns.

In addition to the above-stated oral testimony, the APA submitted written comments on the draft rules to the board, which are posted on our Web site at www.psych.org.

The American Psychiatric Association is a national medical specialty society, founded in 1844, whose more than 36,000 physician members specialize in the diagnosis, treatment and prevention of mental illnesses including substance use disorders. For more information, visit the APA Web site at www.psych.org.

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