

IN THE SENATE

SENATE BILL NO. 1088

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO PSYCHOLOGISTS; AMENDING SECTION 54-2302, IDAHO CODE, TO DE-
2 FINE A TERM; AMENDING SECTION 54-2304, IDAHO CODE, TO PROVIDE A RE-
3 QUIREMENT FOR THE BOARD OF PSYCHOLOGIST EXAMINERS; AMENDING SECTION
4 54-2305, IDAHO CODE, TO PROVIDE FOR COLLABORATION; AMENDING SECTION
5 54-2307, IDAHO CODE, TO PROVIDE FOR A FINGERPRINT-BASED CRIMINAL HIS-
6 TORY BACKGROUND CHECK AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
7 SECTION 54-2312, IDAHO CODE, TO PROVIDE FOR A FINGERPRINT-BASED CRIM-
8 INAL HISTORY BACKGROUND CHECK; AMENDING SECTION 54-2312A, IDAHO CODE,
9 TO PROVIDE FOR A FINGERPRINT-BASED CRIMINAL HISTORY BACKGROUND CHECK;
10 REPEALING SECTION 54-2313, IDAHO CODE, RELATING TO THE UNAUTHORIZED
11 PRACTICE OF MEDICINE; AMENDING SECTION 54-2316, IDAHO CODE, TO RE-
12 VISE PROVISIONS REGARDING PRESCRIPTIVE AUTHORITY; AMENDING SECTION
13 54-2317, IDAHO CODE, TO REVISE PROVISIONS REGARDING PRESCRIPTIVE AU-
14 THORITY PROVISIONAL CERTIFICATION; AMENDING SECTION 54-2318, IDAHO
15 CODE, TO REVISE PROVISIONS REGARDING CERTIFICATION FOR PRESCRIPTIVE
16 AUTHORITY; REPEALING SECTION 54-2320, IDAHO CODE, RELATING TO AN AD-
17 VISORY PANEL TO REVIEW AND ADVISE THE BOARD ON PROPOSED PRESCRIPTIVE
18 RULES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
19

20 Be It Enacted by the Legislature of the State of Idaho:

21 SECTION 1. That Section 54-2302, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 54-2302. DEFINITIONS. ~~Within the meaning~~ For the purposes of this
24 chapter, the following definitions apply:

25 (1) "Department" means the department of self-governing agencies of
26 the state of Idaho.

27 (2) "Board" means the Idaho state board of psychologist examiners.

28 (3) "Collaborative agreement" means a written agreement between a li-
29 censed psychologist who is applying for provisional prescriptive authority
30 or gaining prescriptive authority experience with pediatric or geriatric
31 patients and a collaborative prescriber that outlines the nature of the
32 collaborative relationship, including but not limited to frequency of col-
33 laborative consultation and procedures for emergency situations.

34 (4) "Collaborative prescriber" means a physician, advanced practice
35 registered nurse, pharmacist, or prescribing psychologist with a minimum of
36 two (2) years of experience in the management of psychotropic medication who
37 is licensed pursuant to this title or an equivalent licensing provision of
38 the law of another state in good standing.

39 ~~(3)~~ (5) "Division administrator" means the chief administrative offi-
40 cer of the division of occupational and professional licenses.

41 ~~(4)~~ (6) "Licensed medical provider" means a physician or physician as-
42 sistant licensed pursuant to chapter 18, title 54, Idaho Code, or an advanced

1 practice registered nurse licensed pursuant to chapter 14, title 54, Idaho
2 Code.

3 ~~(5)~~ (7) "Person" means a human individual.

4 ~~(6)~~ (8) "Psychological services" means any services to which the words
5 "psychological," "psychologist" or "psychology" are applied by the person
6 rendering or offering to render them or to the "practice of psychology" as
7 defined in subsection ~~(7)~~ (9) of this section.

8 ~~(7)~~ (9) "Practice of psychology" means the application of established
9 principles of learning, motivation, perception, thinking, and emotional
10 relationships to problems of personnel evaluation, group relations, and
11 behavior adjustment. The application of said principles includes, but is
12 not restricted to, counseling and the use of psychotherapeutic measures
13 with persons or groups to eliminate symptomatic, maladaptive or undesired
14 behavior so as to enhance interpersonal relationships in the areas of work,
15 family, school, and personal relationships; measuring and testing of per-
16 sonality, intelligence, aptitudes, emotions, public opinion, attitudes,
17 and skills; diagnosing and treating mental and emotional disorders or dis-
18 abilities; and doing research on problems relating to human behavior.

19 ~~(8)~~ (10) ~~A person represents himself to be a psychologist when he~~
20 "Psychologist" means any person who holds himself out to the public by any
21 title or description incorporating the words "psychological," "psycholo-
22 gist" or "psychology" or offers to render or renders psychological services
23 for remuneration.

24 ~~(9)~~ (11) "Service extender" means a person who has earned a doctoral de-
25 gree in psychology, the equivalent to a master's degree in psychology while
26 in a psychology doctoral program, or a master's degree in a mental health
27 field and who is permitted to provide psychological services under the su-
28 per vision of a licensed psychologist.

29 ~~(10)~~ (12) "Temporary permit" means a document issued by the board to a
30 psychologist licensed in another state authorizing the individual to prac-
31 tice psychology in Idaho for a limited period as set forth in this chapter and
32 rules of the board.

33 SECTION 2. That Section 54-2304, Idaho Code, be, and the same is hereby
34 amended to read as follows:

35 54-2304. ESTABLISHMENT OF BOARD OF PSYCHOLOGIST EXAMINERS. There is
36 hereby created in the division of occupational and professional licenses an
37 Idaho state board of psychologist examiners as follows:

38 (1) Said board shall consist of four (4) licensed psychologist members
39 and one (1) public member who is not a practitioner or spouse of a practi-
40 tioner in any health care field and who is not a convicted felon and who has
41 not been an applicant for licensure as a psychologist, who are citizens of
42 the United States, residents of the state of Idaho, and appointed by the
43 governor for four (4) year terms. The psychologist members' terms shall be
44 staggered such that only one (1) term expires June 30 of each year.

45 (2) Each psychologist board member shall be licensed under this chap-
46 ter.

47 (3) When the term of each psychologist member of the board ends, the
48 governor shall appoint his successor for a term of four (4) years. The gover-
49 nor may consider recommendations for appointment to the board from the Idaho

1 psychological association and from any individual residing in this state.
 2 Any vacancy occurring on the board shall be filled by the governor by ap-
 3 pointment for the unexpired term. Board members shall serve at the pleasure
 4 of the governor.

5 (4) At all times, the board shall have at least one (1) member who is en-
 6 gaged primarily in rendering services in psychology and at least one (1) mem-
 7 ber who is engaged primarily in teaching, training, or research in psychol-
 8 ogy.

9 (5) At all times, the board shall have at least one (1) member who has
 10 completed a master's of science in clinical psychopharmacology degree.

11 ~~(5)~~ (6) No board member shall serve more than two (2) consecutive terms.

12 ~~(6)~~ (7) Each board member shall be compensated as provided by section
 13 59-509(n), Idaho Code.

14 ~~(7)~~ (8) The board shall annually in the month of July, hold a meeting,
 15 and elect a chairman and vice chairman. The board shall meet at such other
 16 times as deemed necessary and advisable by the chairman, or by a majority of
 17 its members, or by the governor. Reasonable notice of all meetings shall be
 18 given as required by law. A majority of the board shall constitute a quorum
 19 at any meeting or hearing.

20 SECTION 3. That Section 54-2305, Idaho Code, be, and the same is hereby
 21 amended to read as follows:

22 54-2305. BOARD OF PSYCHOLOGIST EXAMINERS -- POWERS. The board of psy-
 23 chologist examiners shall have the following powers:

24 (1) To pass upon the qualifications and fitness of applicants for li-
 25 censes, reciprocal licenses, certification and provisional certification
 26 of prescriptive authority; and, at its option, to adopt and revise rules re-
 27 quiring applicants to pass examinations relating to their qualifications as
 28 a prerequisite to the issuance of licenses.

29 (2) To adopt and, from time to time, revise such rules in accordance
 30 with the provisions of chapter 52, title 67, Idaho Code, and not inconsis-
 31 tent with the law as may be necessary to carry into effect the provisions of
 32 this chapter. Such rules shall include, but need not be limited to, a code
 33 of ethics for psychologists in the state consistent with the current, and as
 34 future amended, ethical standards for psychologists of the American psycho-
 35 logical association and the educational and professional qualifications of
 36 applicants for licensing under this chapter.

37 (3) To examine for, deny, approve, issue, revoke, suspend and renew the
 38 licenses, permits, and certifications of psychologists, service extenders,
 39 and psychologist applicants pursuant to this chapter, and to conduct hear-
 40 ings in connection therewith.

41 (4) To conduct hearings upon complaints concerning violations of the
 42 provisions of, and the rules adopted pursuant to, this chapter and cause the
 43 prosecution and enjoinder of all such violations.

44 (5) The board, or its duly appointed hearing officer, shall have the
 45 power in any disciplinary proceeding under this chapter to administer oaths,
 46 take depositions of witnesses within or without the state in the manner pro-
 47 vided by law in civil cases, and may apply to any district court of this state
 48 for a subpoena to require the attendance of such witnesses and the produc-
 49 tion of such books, records, and papers as it deems necessary. The fees and

1 mileage of the witnesses shall be the same as that allowed in district courts
 2 in criminal cases, which fees and mileage shall be paid in the same manner as
 3 other expenses of the board are paid. In any case of disobedience to, or ne-
 4 glect of, any subpoena or subpoena duces tecum served upon any person, or the
 5 refusal of any witness to testify to any matter regarding which he may be law-
 6 fully interrogated, it shall be the duty of any district court in this state,
 7 on application by the board, to compel compliance with the subpoena by pro-
 8 ceedings for contempt, as in the case of disobedience of the requirements of
 9 the subpoena issued from such court for refusal to testify therein. The li-
 10 censed person accused in such proceedings shall have the same right of sub-
 11 poena.

12 (6) Proceedings before the board and judicial review of the action of
 13 the board shall be governed by the provisions of chapter 52, title 67, Idaho
 14 Code.

15 (7) To authorize, by written agreement, the division of occupational
 16 and professional licenses as agent to act in its interest.

17 (8) To adopt a rule requiring continuing education as a condition of
 18 continued licensure and certification.

19 (9) To adopt rules allowing for a temporary permit to individuals li-
 20 censed as psychologists in another state authorizing such individuals to
 21 practice psychology in Idaho for a period not to exceed thirty (30) days pur-
 22 suant to such terms and requirements as set forth in the rules.

23 (10) To establish by rule an inactive license status.

24 (11) To establish by rule the standards and requirements for the use of
 25 communication technology in the practice of psychology, including supervi-
 26 sion and collaborative agreements.

27 (12) To establish by rule certification and provisional certification
 28 of prescriptive authority pursuant to sections 54-2316 through 54-2319,
 29 Idaho Code.

30 (13) To establish by rule a limited formulary or formularies for pre-
 31 scribing use by holders of certification and provisional certification of
 32 prescriptive authority.

33 (14) To establish by rule the permitting of service extenders.

34 SECTION 4. That Section 54-2307, Idaho Code, be, and the same is hereby
 35 amended to read as follows:

36 54-2307. QUALIFICATIONS FOR LICENSE -- APPLICANTS FOR WHOM AN EXAM-
 37 INATION MAY BE REQUIRED. An applicant shall be qualified for a license to
 38 practice psychology provided proof satisfactory to the board has been re-
 39 ceived showing:

40 (1) That the applicant has not been convicted, found guilty, or
 41 received a withheld judgment or suspended sentence in this state or in
 42 any other state of a crime deemed relevant in accordance with section
 43 67-9411(1), Idaho Code; ~~and~~

44 (2) Either ~~one~~ of the following:

45 (a) Graduation from an accredited college or university with a doc-
 46 toral degree in psychology and two (2) years of supervised experience
 47 acceptable to the board, one (1) year of which may include a predoctoral
 48 practicum or internship and one (1) of which must be postdoctoral; or

1 (b) Graduation from an accredited college or university with a doctoral
2 degree in a field related to psychology, provided experience and train-
3 ing are acceptable to the board; ~~and~~

4 (3) Successful passage of an examination, if such examination is re-
5 quired by the rules duly adopted by the board; ~~and~~

6 (4) That the applicant has submitted to a fingerprint-based criminal
7 history background check in accordance with section 67-9411A, Idaho Code;
8 and

9 ~~(4)~~ (5) Receipt of a completed application accompanied by an applica-
10 tion fee as established by board rules not to exceed three hundred dollars
11 (\$300), and when an examination is required a processing fee of twenty-five
12 dollars (\$25.00) payable to the division of occupational and professional
13 licenses. The fee for any required examination or reexamination shall be
14 submitted directly to the national examining entity. The application fee
15 and the processing fee are not refundable.

16 SECTION 5. That Section 54-2312, Idaho Code, be, and the same is hereby
17 amended to read as follows:

18 54-2312. QUALIFICATIONS FOR LICENSE -- ENDORSEMENT. The board may
19 recommend the granting of a license to any person who is licensed or certi-
20 fied by a regulatory board of psychologists in the United States or Canada
21 where such certification or licensure was based on a doctoral degree and who:

22 (1) Submits a complete application, including the application fee and
23 a license fee not to exceed three hundred dollars (\$300) as established by
24 board rule;

25 (2) Has not been convicted, found guilty, or received a withheld judg-
26 ment or suspended sentence in this state or in any other state of a crime
27 deemed relevant in accordance with section 67-9411(1), Idaho Code;

28 (3) Has submitted to a fingerprint-based criminal history background
29 check in accordance with section 67-9411A, Idaho Code;

30 ~~(3)~~ (4) Has not had a certification or license revoked, suspended or
31 otherwise sanctioned; and

32 ~~(4)~~ (5) Has certified under oath that they have reviewed and will abide
33 by the laws and rules governing the practice of psychology in Idaho and the
34 code of ethics of the American psychological association and either:

35 (a) Holds a current certificate of professional qualification in psy-
36 chology or holds a certificate of professional standing issued by a na-
37 tional credentialing entity approved by the board by rule; or

38 (b) Meets the requirements of section 54-2307(2), Idaho Code, and board
39 rules relating to endorsement and educational and credentialing re-
40 quirements for licensure.

41 SECTION 6. That Section 54-2312A, Idaho Code, be, and the same is hereby
42 amended to read as follows:

43 54-2312A. SENIOR PSYCHOLOGIST. The board may grant a license to any
44 person who submits a completed application, including the application fee
45 and a license fee not to exceed three hundred dollars (\$300) as established
46 by board rule, and who:

1 (1) Has not been convicted, found guilty, or received a withheld judg-
 2 ment or suspended sentence in this state or in any other state of a crime
 3 deemed relevant in accordance with section 67-9411(1), Idaho Code;

4 (2) Has submitted to a fingerprint-based criminal history background
 5 check in accordance with section 67-9411A, Idaho Code;

6 ~~(2)~~ (3) Has maintained a valid psychology license based on a doctoral
 7 degree in the United States or Canada for a period of not less than twenty
 8 (20) years;

9 ~~(3)~~ (4) Has a documented record of psychology practice for five (5) of
 10 the last seven (7) years immediately prior to the date of application;

11 ~~(4)~~ (5) Has a documented record of meeting the continuing education re-
 12 quirement of the jurisdiction where they practiced for not less than five (5)
 13 calendar years immediately prior to the date of application;

14 ~~(5)~~ (6) Has not been the subject of any disciplinary action within the
 15 last seven (7) years prior to application or has never voluntarily surren-
 16 dered a license to practice psychology in any jurisdiction; and

17 ~~(6)~~ (7) Has certified under oath that he has reviewed and will abide by
 18 the laws and rules governing the practice of psychology in Idaho and the code
 19 of ethics of the American psychological association.

20 SECTION 7. That Section [54-2313](#), Idaho Code, be, and the same is hereby
 21 repealed.

22 SECTION 8. That Section 54-2316, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-2316. PRESCRIPTIVE AUTHORITY. (1) No psychologist licensed under
 25 this chapter shall issue a prescription without valid certification or pro-
 26 visional certification of prescriptive authority issued pursuant to section
 27 54-2317, 54-2318 or 54-2319, Idaho Code.

28 (2) Psychologists licensed under this chapter who hold a certification
 29 or a provisional certification of prescriptive authority shall prescribe
 30 only those drugs or controlled substances that are:

31 (a) Recognized in or customarily used in the diagnosis, treatment and
 32 management of individuals with psychiatric, mental, cognitive, ner-
 33 vous, emotional or behavioral disorders;

34 (b) Relevant to the practice of psychology or other procedures directly
 35 related thereto; and

36 (c) Within the scope of the psychologist's license and certification of
 37 prescriptive authority.

38 (3) A psychologist who holds provisional certification of prescriptive
 39 authority may prescribe only ~~under the direct supervision of a supervis-~~
 40 ~~ing physician pursuant to a collaborative agreement with at least one (1)~~
 41 collaborative prescriber who meets the requirements of section ~~54-2317(6)-~~
 42 54-2302(4), Idaho Code.

43 (4) A psychologist who issues a prescription to a patient pursuant
 44 to this section shall collaborate with the patient's licensed medical
 45 provider.

46 (5) All prescriptions issued pursuant to this section shall comply with
 47 all applicable federal and state laws, rules and regulations and rules of the
 48 board.

1 (6) No psychologist may prescribe for a pediatric or geriatric patient
 2 without meeting all requirements of this chapter, including the provisions
 3 of section ~~57-2318(2)~~ 54-2318 (2), Idaho Code.

4 ~~(7) No person licensed under this chapter shall accept any payment, di-~~
 5 ~~rectly or indirectly:~~

6 ~~(a) From any person licensed as a health care provider under title 54,~~
 7 ~~Idaho Code, whose license does not permit the writing of prescriptions,~~
 8 ~~for writing a prescription or dispensing a prescription drug to a pa-~~
 9 ~~tient;~~

10 ~~(b) From any person who holds himself or herself out as a health care~~
 11 ~~provider in any form who is not licensed under title 54, Idaho Code; or~~

12 ~~(c) From any business or professional entity regardless of the form of~~
 13 ~~its organization, for writing a prescription or dispensing a prescrip-~~
 14 ~~tion drug to a patient unless such entity is authorized to conduct busi-~~
 15 ~~ness under chapter 17, title 54, Idaho Code, or licensed as a licensed~~
 16 ~~health care provider or health care facility or is otherwise approved by~~
 17 ~~the board.~~

18 ~~(8) The restriction contained in subsection (7) of this section shall~~
 19 ~~not prevent a person licensed under this chapter from accepting payment from~~
 20 ~~any such person who is a patient, or for services provided to a patient or to~~
 21 ~~someone the patient is legally obligated to support or from any insurer or~~
 22 ~~other entity authorized under the laws of this state to provide insurance or~~
 23 ~~pay benefits on behalf of a self-insured plan or government program.~~

24 SECTION 9. That Section 54-2317, Idaho Code, be, and the same is hereby
 25 amended to read as follows:

26 54-2317. PRESCRIPTIVE AUTHORITY -- PROVISIONAL CERTIFICATION. To
 27 qualify for provisional certification of prescriptive authority, a psychol-
 28 ogist licensed under this chapter shall meet such standards as prescribed by
 29 rule of the board. At a minimum, these standards shall include:

30 (1) A current license to practice psychology in Idaho;

31 (2) A doctorate degree in psychology awarded by an accredited program
 32 within a ~~United States department of education-approved, regionally ac-~~
 33 ~~credited institution of higher education~~ an institution of higher education
 34 that is accredited by a regional accrediting organization recognized by the
 35 United States department of education;

36 (3) A master's degree in clinical psychopharmacology awarded by an
 37 ~~accredited program within a United States department of education-approved,~~
 38 ~~regionally accredited institution of higher education~~ American psycho-
 39 logical association-designated program or a program that satisfies the
 40 requirements to become an American psychological association-designated
 41 program within an institution of higher education that is accredited by a
 42 regional accrediting organization recognized by the United States depart-
 43 ment of education. The didactic portion of the education shall be at least
 44 two (2) years of full-time education, or the equivalent thereof, and shall be
 45 substantially equivalent to the education required of an advanced practice
 46 psychiatric nurse practitioner in this state as determined by the insti-
 47 tution that offers both clinical psychopharmacology and psychiatric nurse
 48 practitioner degrees. The necessary prerequisites for the education shall
 49 be determined by the institution that offers the degrees and, in the insti-

1 tution's judgment, shall include sufficient biomedical education to ensure
 2 the necessary knowledge and skills to prescribe psychotropic medications in
 3 a safe and effective manner. ~~The program shall satisfy the requirements to~~
 4 ~~become designated a post-doctoral education and training program in clin-~~
 5 ~~ical psychopharmacology by the American psychological association.~~ The
 6 program must be established and administered by biomedically trained edu-
 7 cators and must demonstrate that all content is covered and that students
 8 achieve clinical competency in all areas, ~~and shall include at a minimum:.~~

9 ~~(a) Basic science:~~

- 10 ~~(i) Anatomy;~~
- 11 ~~(ii) Physiology;~~
- 12 ~~(iii) Biochemistry;~~

13 ~~(b) Neurosciences:~~

- 14 ~~(i) Neuroanatomy;~~
- 15 ~~(ii) Neurophysiology;~~
- 16 ~~(iii) Neurochemistry;~~

17 ~~(c) Physical assessments and laboratory exams:~~

- 18 ~~(i) Physical assessment;~~
- 19 ~~(ii) Laboratory and radiological assessment;~~
- 20 ~~(iii) Medical terminology and documentation;~~

21 ~~(d) Clinical medicine and pathophysiology:~~

- 22 ~~(i) Pathophysiology with particular emphasis on cardiac, renal,~~
 23 ~~hepatic, neurologic, gastrointestinal, hematologic, dermatol-~~
 24 ~~ogic and endocrine systems;~~
- 25 ~~(ii) Clinical medicine with particular emphasis on signs, symp-~~
 26 ~~toms and treatment of disease states with behavioral, cognitive~~
 27 ~~and emotional manifestations or comorbidities;~~
- 28 ~~(iii) Differential diagnosis;~~
- 29 ~~(iv) Clinical correlations -- the illustration of the content of~~
 30 ~~this domain through case study;~~
- 31 ~~(v) Substance related and co-occurring disorders;~~
- 32 ~~(vi) Chronic pain management;~~

33 ~~(e) Clinical and research pharmacology and psychopharmacology:~~

- 34 ~~(i) Pharmacology;~~
- 35 ~~(ii) Clinical pharmacology;~~
- 36 ~~(iii) Pharmacogenetics;~~
- 37 ~~(iv) Psychopharmacology;~~
- 38 ~~(v) Developmental psychopharmacology;~~
- 39 ~~(vi) Issues of diversity in pharmacological practice -- lifespan~~
 40 ~~related to drug metabolism;~~

41 ~~(f) Clinical pharmacotherapeutics:~~

- 42 ~~(i) Combined therapies -- psychotherapy/pharmacotherapy inter-~~
 43 ~~actions;~~
- 44 ~~(ii) Computer-based aids to practice;~~
- 45 ~~(iii) Pharmacoepidemiology;~~

46 ~~(g) Research:~~

- 47 ~~(i) Methodology and design of psychopharmacology research;~~
- 48 ~~(ii) Interpretation and evaluation of research;~~
- 49 ~~(iii) Federal food and drug administration drug development and~~
 50 ~~regulatory processes; and~~

1 ~~(h) Professional, ethical, and legal issues:~~

2 ~~(i) Application of existing law, standards and guidelines to~~
 3 ~~pharmacological practice; and~~

4 ~~(ii) Relationship with pharmaceutical industry:~~

5 ~~1. Conflicts of interest;~~

6 ~~2. Evaluation of pharmaceutical marketing practices; and~~

7 ~~3. Critical consumer;~~

8 (4) Clinical experience that is sufficient to attain competency in
 9 the psychopharmacological treatment of a diverse patient population under
 10 the direction of qualified practitioners ~~including, but not limited to,~~
 11 ~~licensed physicians and prescribing psychologists~~ as determined by the in-
 12 stitution offering the clinical psychopharmacology degree;

13 (5) A passing score on an examination developed by a nationally recog-
 14 nized body and approved by the board; and

15 (6) ~~Supervision agreements with board-certified psychiatrists, neu-~~
 16 ~~rologists, family medicine physicians, or other physicians with a minimum~~
 17 ~~of two (2) years of experience in the management of psychotropic medication~~
 18 ~~who are licensed under chapter 18, title 54, Idaho Code, or an equivalent li-~~
 19 ~~icensing provision of the law of an adjoining state. A written collaborative~~
 20 ~~agreement entered into with at least one (1) collaborative prescriber and~~
 21 ~~provided to the board upon request.~~

22 SECTION 10. That Section 54-2318, Idaho Code, be, and the same is hereby
 23 amended to read as follows:

24 54-2318. PRESCRIPTIVE AUTHORITY -- CERTIFICATION. (1) An applicant
 25 for certification of prescriptive authority may be granted such certifi-
 26 cation by the board if the applicant possesses provisional certification
 27 of prescriptive authority and has successfully completed two (2) years of
 28 satisfactory prescribing as attested to by ~~the supervising physician or~~
 29 ~~physicians~~ a collaborative prescriber participating in a collaborative
 30 agreement.

31 (2) An applicant for certification of prescriptive authority who seeks
 32 to ~~prescribe~~ specialize in prescribing for pediatric or geriatric patients
 33 shall have completed at least one (1) year of satisfactory prescribing,
 34 which may be part of a two (2) year collaborative agreement, to such patient
 35 populations as attested to by a ~~supervising physician or supervising physi-~~
 36 ~~eians with~~ collaborative prescriber who participates in a collaborative
 37 agreement and who has specialized training and experience in treating such
 38 patient populations. For the purposes of this section, "specialization"
 39 means to see twenty-five (25) or more pediatric or geriatric patients in a
 40 single calendar year.

41 (3) The board shall develop rules to effect the purposes of sections
 42 54-2316 through 54-2319, Idaho Code. Such rules shall include educational
 43 and training standards necessary to qualify for certification of prescrip-
 44 tive authority, application and testing procedures, and fees for an applica-
 45 tion, provisional certification, certification, and renewal of certifica-
 46 tion. Such fees shall not exceed six hundred dollars (\$600) each.

47 SECTION 11. That Section 54-2320, Idaho Code, be, and the same is hereby
 48 repealed.

1 SECTION 12. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2025.