

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Clinical Psychologist Licensing Act is
5 amended by changing Section 4.3 as follows:

6 (225 ILCS 15/4.3)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 4.3. Written collaborative agreements.

9 (a) A written collaborative agreement is required for all
10 prescribing psychologists practicing under a prescribing
11 psychologist license issued pursuant to Section 4.2 of this
12 Act.

13 (b) A written delegation of prescriptive authority by a
14 collaborating physician may only include medications for the
15 treatment of mental health disease or illness the
16 collaborating physician generally provides to his or her
17 patients in the normal course of his or her clinical practice
18 with the exception of the following:

19 (1) patients who are less than 17 years of age ~~or over~~
20 ~~65 years of age;~~

21 (2) patients during pregnancy;

22 (3) patients with serious medical conditions, such as
23 heart disease, cancer, stroke, or seizures, and with

1 developmental disabilities and intellectual disabilities;
2 and

3 (4) prescriptive authority for benzodiazepine Schedule
4 III controlled substances.

5 (c) The collaborating physician shall file with the
6 Department notice of delegation of prescriptive authority and
7 termination of the delegation, in accordance with rules of the
8 Department. Upon receipt of this notice delegating authority
9 to prescribe any nonnarcotic Schedule III through V controlled
10 substances, the licensed clinical psychologist shall be
11 eligible to register for a mid-level practitioner controlled
12 substance license under Section 303.05 of the Illinois
13 Controlled Substances Act.

14 (d) All of the following shall apply to delegation of
15 prescriptive authority:

16 (1) Any delegation of Schedule III through V
17 controlled substances shall identify the specific
18 controlled substance by brand name or generic name. No
19 controlled substance to be delivered by injection may be
20 delegated. No Schedule II controlled substance shall be
21 delegated.

22 (2) A prescribing psychologist shall not prescribe
23 narcotic drugs, as defined in Section 102 of the Illinois
24 Controlled Substances Act.

25 Any prescribing psychologist who writes a prescription for
26 a controlled substance without having valid and appropriate

1 authority may be fined by the Department not more than \$50 per
2 prescription and the Department may take any other
3 disciplinary action provided for in this Act.

4 All prescriptions written by a prescribing psychologist
5 must contain the name of the prescribing psychologist and his
6 or her signature. The prescribing psychologist shall sign his
7 or her own name.

8 (e) The written collaborative agreement shall describe the
9 working relationship of the prescribing psychologist with the
10 collaborating physician and shall delegate prescriptive
11 authority as provided in this Act. Collaboration does not
12 require an employment relationship between the collaborating
13 physician and prescribing psychologist. Absent an employment
14 relationship, an agreement may not restrict third-party
15 payment sources accepted by the prescribing psychologist. For
16 the purposes of this Section, "collaboration" means the
17 relationship between a prescribing psychologist and a
18 collaborating physician with respect to the delivery of
19 prescribing services in accordance with (1) the prescribing
20 psychologist's training, education, and experience and (2)
21 collaboration and consultation as documented in a jointly
22 developed written collaborative agreement.

23 (f) The agreement shall promote the exercise of
24 professional judgment by the prescribing psychologist
25 corresponding to his or her education and experience.

26 (g) The collaborative agreement shall not be construed to

1 require the personal presence of a physician at the place
2 where services are rendered. Methods of communication shall be
3 available for consultation with the collaborating physician in
4 person or by telecommunications in accordance with established
5 written guidelines as set forth in the written agreement.

6 (h) Collaboration and consultation pursuant to all
7 collaboration agreements shall be adequate if a collaborating
8 physician does each of the following:

9 (1) participates in the joint formulation and joint
10 approval of orders or guidelines with the prescribing
11 psychologist and he or she periodically reviews the
12 prescribing psychologist's orders and the services
13 provided patients under the orders in accordance with
14 accepted standards of medical practice and prescribing
15 psychologist practice;

16 (2) provides collaboration and consultation with the
17 prescribing psychologist in person at least once a month
18 for review of safety and quality clinical care or
19 treatment;

20 (3) is available through telecommunications for
21 consultation on medical problems, complications,
22 emergencies, or patient referral; and

23 (4) reviews medication orders of the prescribing
24 psychologist no less than monthly, including review of
25 laboratory tests and other tests as available.

26 (i) The written collaborative agreement shall contain

1 provisions detailing notice for termination or change of
2 status involving a written collaborative agreement, except
3 when the notice is given for just cause.

4 (j) A copy of the signed written collaborative agreement
5 shall be available to the Department upon request to either
6 the prescribing psychologist or the collaborating physician.

7 (k) Nothing in this Section shall be construed to limit
8 the authority of a prescribing psychologist to perform all
9 duties authorized under this Act.

10 (l) A prescribing psychologist shall inform each
11 collaborating physician of all collaborative agreements he or
12 she has signed and provide a copy of these to any collaborating
13 physician.

14 (m) No collaborating physician shall enter into more than
15 3 collaborative agreements with prescribing psychologists.

16 (Source: P.A. 101-84, eff. 7-19-19.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.