

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 22 PSYCHOLOGISTS AND PSYCHOLOGIST ASSOCIATES
PART 21 CONDITIONAL PRESCRIBING OR PRESCRIBING PSYCHOLOGISTS: LIMITS OF PRACTICE

16.22.21.1 ISSUING AGENCY: Regulation and Licensing Department Board of Psychologist Examiners.
[16.22.21.1 NMAC - Rp, 16.22.21.1 NMAC, 11/15/06]

16.22.21.2 SCOPE: This part applies to the board, licensees, applicants for licensure seeking licenses under prescriptive authority, and the general public.
[16.22.21.2 NMAC - Rp, 16.22.21.2 NMAC, 11/15/06]

16.22.21.3 STATUTORY AUTHORITY: This part is adopted pursuant to the Professional Psychologist Act, NMSA 1978 Section 61-9-17.2
[16.22.21.3 NMAC - Rp, 16.22.21.3 NMAC, 11/15/06]

16.22.21.4 DURATION: Permanent.
[16.22.21.4 NMAC - Rp, 16.22.21.4 NMAC, 11/15/06]

16.22.21.5 EFFECTIVE DATE: November 15, 2006, unless a later date is cited at the end of the section.
[16.22.21.5 NMAC - Rp, 16.22.21.5 NMAC, 11/15/06]

16.22.21.6 OBJECTIVE: The objective of Part 21 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.
[16.22.21.6 NMAC - Rp, 16.22.21.6 NMAC, 11/15/06]

16.22.21.7 DEFINITIONS: [RESERVED]
[Refer to 16.22.1.7 NMAC]

16.22.21.8 LIMITS OF PRACTICE:

A. A conditional prescribing/prescribing psychologist shall limit practice and supervision to the areas of competence in which proficiency has been gained through education, training and experience.

B. As defined in the collaboration guidelines of 16.22.20.8 NMAC, unless specifically agreed to by the primary treating health care practitioner, a conditional prescribing or prescribing psychologist shall not prescribe medications for patients with the following conditions:

- (1) patients with a serious co-morbid disease of the central nervous system;
- (2) patients with cardiac arrhythmia;
- (3) patients who are being pharmacologically treated for coronary vascular disease;
- (4) patients with blood dyscrasia;
- (5) patients who are hospitalized for an acute medical condition; or
- (6) women who are pregnant or breast feeding.

C. A conditional prescribing or prescribing psychologist shall not prescribe a drug, substance or controlled substance that is not contained in the formulary described in 16.22.27 NMAC, of these regulations.

D. A conditional prescribing or prescribing psychologist may order and review laboratory tests that are necessary to maximize the psychopharmacological effectiveness and to minimize the potential untoward effects of medications that are prescribed. In consultation with the PCP, the psychologist may also order neurovascular imaging procedures that use contrast media; neuro imaging that require the use of radioactive material; roentgenological procedures (x-rays) or other appropriate tests. The psychologist shall not:

- (1) perform medical procedures such as spinal taps, intramuscular or intravenous administration of medication, or phlebotomy; or
- (2) perform amygdala interviews.

E. A conditional prescribing or prescribing psychologist shall not self-prescribe medication and shall not prescribe medication to any person who is a member of the psychologist's family or household, or with whom the psychologist has a conflict of interest, including a prohibited dual relationship, as defined in 16.22.1 NMAC, of these regulations and the code of conduct adopted by the board.

F. A conditional prescribing or prescribing psychologist is subject to provisions of the Professional Psychologist Act and board regulations. A psychologist who violates the Professional Psychologist Act or board regulations is subject to disciplinary action by the board, which may include denial, suspension, or revocation of a conditional prescription certificate or prescription certificate or suspension or revocation of a license to practice psychology.

G. A conditional prescribing or prescribing psychologist must comply with all other state and federal laws regulating the administering and prescribing of controlled substances.
[16.22.21.8 NMAC - Rp, 16.22.21.8 NMAC, 11/15/06]

HISTORY OF 16.22.21 NMAC:

History of Repealed Material:

16.22.21 NMAC, Limits of Practice - Repealed 11/15/06