

# MEDICAL SOCIETY of the STATE OF NEW YORK

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## **MEMORANDUM IN OPPOSITION**

**IN SENATE HIGHER EDUCATION  
COMMITTEE**

**S66-A (HARCKHAM)**

**IN ASSEMBLY HIGHER EDUCATION  
COMMITTEE**

**A1262-A (MCDONALD)**

### **AN ACT to amend to education law, in relation to collaborative prescriptive authority for psychologists**

We are writing to you relative to the above referenced legislation that would amend the Education Law to grant prescribing rights to psychologists. **The Medical Society of the State of New York joins the New York Psychiatric Association in strong opposition to this legislation.** We are very concerned by the serious threat to patient safety this legislation would create by essentially permitting psychologists to practice medicine without the benefit of medical school, residencies, or fellowships essential to responsible prescribing.

The bill minimizes the extensive, and ongoing, importance of medical and pharmacological training for psychiatrists. The decision to prescribe psychotropic medication for patients is reached only after medical evaluation and diagnosis, including differential diagnoses to assess for other serious health conditions that may be causing mental illness or manifesting as psychiatric symptomatology. In addition, prescribers must carefully review possible side effects and drug interactions, particularly in the case of patients with other co-morbid conditions who may be taking multiple medications.

To protect patients, it is imperative that these complex determinations should be made only by those with the appropriate medical education, training, and experience, such as a psychiatrist who is required to complete four years of undergraduate study, four years of medical school and four years of psychiatric residency focusing on the treatment of mental illness, including psychopharmacology. This comprehensive education and training totals 16,000 hours of clinical patient care hours. There is no substitute for this type of training and experience. Conversely, this bill suggests that it is adequate to replace this extensive training with a doctoral degree, a one-to-two-year master's degree in psychopharmacology, a clinical practicum of only 80 hours (2 weeks) and a "passing score" on examination developed by an undefined "nationally recognized body."

While proponents for this legislation contend that psychology prescribing will address gaps in care in rural areas, research by the American Medical Association has determined that psychologists practice primarily in the same areas and regions as primary care physicians and psychiatrists. In the six states that have enacted this type of legislation, there have been complaints and lawsuits filed. The profession itself does not uniformly support psychology prescribing, as found in a recent informal poll of licensed psychologists in New York State.

This legislation is also counter to New York's efforts to prevent the abuse of controlled substances through the state's I-STOP law, which is designed to reduce the improper use of such powerful medications. If enacted, this bill would empower thousands of additional prescribers who lack the proper education and training to prescribe these medications.

We greatly respects the contributions made by psychologists to patient mental health care needs, but they simply are not adequately trained, nor would they be upon completion of the requirements outlined in this bill, to understand the enormous complexities involved in properly prescribing these powerful medications.

**For all of the reasons stated above, we urge that this bill be defeated.**

**5/1/2023  
ZDC – Oppose**

**Respectfully Submitted,**

**MSSNY DIVISION OF GOVERNMENTAL AFFAIRS**