



## 2019 Legislative Agenda

The Oklahoma Psychological Association (OPA) has a ROBUST legislative agenda for 2019 and while these are listed in order of importance to our members, any issue, by no means is being pushed any harder than another at the legislative level. Clay Taylor, OPA's lobbyist principal will spearhead these efforts with the support of OPA's Legislative Affairs Committee and OPA staff after thoroughly surveying its membership. More information can be found on the [OPA website](#).

### **PSYPACT (HB 1057 – KIGER)**

- Cooperative agreement that facilitates the practice of psychology using telepsychology and/or temporary in-person face-to-face practice
- Currently 6 other states have adopted
- Allows for use of telepsychology or temporary in-person, face-to-face practice across state lines in PSYPACT states
- Offers a higher degree of consumer protection across state lines

### **PHYSICIAN DEFINITION (HB - 2194 RANDLEMAN)**

- A federal and state issue, this is important and while APA continues to address this at the federal level, Oklahoma legislative leaders who govern and utilize state statutes, rules and regulations for governing health care providers already believe psychologists are part of the state physician definition, but psychologists are not included in Title 59.
- By changes to Title 59 and adding psychologists to the definition of physician would allow psychologists to access Medicare/Medicaid in in-patient psychiatric facilities, general hospital settings, partial hospital settings, skilled nursing facilities, and rural health clinics. Currently, Medicare requires physician oversight of psychologists in these settings and limits the CPT codes psychologists can use. Psychologists who want to or who are working in these settings would be under the direct supervision of an MD or DO who may/may not know anything about mental health and assessment. Currently, physician oversight is NOT required in Medicare Advantage, Veterans Administration, Tricare, or any private payer system. The legislation would NOT expand psychologists' scope of practice, only changes in state law can do that; and psychologists would not be considered "physicians" in every instance the term is used. The status would only apply to services within a psychologist's state licensure.

### **PSYCHOLOGIST LICENSING ACT SUNSET (SB 144 – FLOYD and SB 160 FLOYD)**

- 2019 is the year in which the state legislature will open up the Psychologist Licensing Act for review. As part of this, OPA will coordinate efforts and work on behalf of the OK State Board of Examiners of Psychologists (OSBEP) in being proactive in this review and making suggested modernization changes to our act. The OSBEP Board will meet in December to recommended minor changes and modernizations to our act and OPA will secure authors and advance these statutory changes through the 2019 Legislative process.
- SB 160 prohibits qualified members of other professions, such as physicians, licensed social workers, licensed professional counselors, licensed marital and family therapists, or pastoral counselors, from holding themselves out as derivatives of the terms psychological, psychologist, or psychology. The bill changes the reference to "another licensing fee" when an applicant for a psychologist license fails their examination to a "reexamination fee".

## ISSUES WE EDUCATE AND MONITOR

### **RXP RIGHTS**

- If Psychologists obtain these rights, this will improve the access, affordability, and quality of mental health services in Oklahoma
- Mental Health is killing our state, and we haven't put our whole team on the field. By allowing psychologists, who have the requisite training, to prescribe drugs to their mental health patients, we are greatly increasing the access Oklahoman's have to mental health care
- A shortage of Psychiatrists has helped aggravate the need for additional assistance. By allowing Psychologists to write mental health prescriptions, we would be DOUBLING the number of mental health professionals in Oklahoma who can give patients total care
- Idaho, Iowa, Louisiana, New Mexico, and Illinois have already passed this and others have current legislation pending

### **OCCUPATIONAL AND PROFESSIONAL LICENSING COMMISSION, MANAGED CARE MODEL, SCOPE OF PRACTICE AND GOVERNOR APPOINTMENT ISSUES/BILLS**

- Legislation in 2018 formed this Commission which includes those in the health medical profession. We will attend meetings and monitor any processes or legislation impacting the practice of psychology and the scope of practice.
- OPA continues to monitor bills introduced, discussed and used to leverage other legislation that deal with Oklahoma conforming to a Managed Care Model. Additionally, we protect any bills that try to dilute the Psychologist Scope of Practice. We also appoint many psychologists to state boards and commissions. In doing so, we strive to provide a candidate, through an objective process, that will represent the psychological practice and profession with science based and best practice experience and a psychologist that supports the efforts of the profession and the OPA membership.

## **HOW CAN OPA MEMBERS HELP?**

- **DONATE TO THE PAC TODAY**
  - The PAC is our way of building friendships in the legislature, and helping our friends with their elections is still the best way around
  - There is WELL ORGANIZED and WELL FUNDED opposition to what you all want to accomplish, and they will spend hundreds of thousands of dollars on elections every year
  - In order to compete, we need to have \$20,000.00/year in PAC funds to do this the right way
- **GET TO KNOW YOUR LEGISLATOR**
  - Write them a personal contribution
  - Give them your cell, and make sure you have theirs
  - DO NOT LET THE FIRST TIME YOU SPEAK WITH THEM BE WHEN YOU WANT SOMETHING
  - The Oklahoma Association of Electric Cooperatives put a free app together that works on any smartphone – go to your app store and look up the OAEC 57<sup>th</sup> for this current legislature.
- **WHEN WE ASK FOR HELP, WE MEAN IT!**
  - During session when bills come up in committees, on the floor, or any other thing might cause us to ask for your assistance with calls, emails, or maybe even coming to the capitol—PLEASE respond when asked, we will only ask when its important
- **SERVE AS PSYCHOLOGIST OF THE DAY**
  - This gives psychologists and the profession/practice exposure once a week at the Capitol. Be recognized, learn the process and visit with key leaders who pass laws that impact psychology. We give you all the tools you need to be successful. Or, shadow a psychologist your first experience.