

**TITLE 16        OCCUPATIONAL AND PROFESSIONAL LICENSING**  
**CHAPTER 22    PSYCHOLOGISTS AND PSYCHOLOGIST ASSOCIATES**  
**PART 27        CONDITIONAL PRESCRIBING OR PRESCRIBING PSYCHOLOGISTS: FORMULARY**

**16.22.27.1       ISSUING AGENCY:** Regulation and Licensing Department Board of Psychologist Examiners.  
[16.22.27.1 NMAC - Rp, 16.22.27.1 NMAC, 11/15/2006]

**16.22.27.2       SCOPE:** This part applies to the board, licensees, applicants for licensure seeking licenses under prescriptive authority, and the general public.  
[16.22.27.2 NMAC - Rp, 16.22.27.2 NMAC, 11/15/2006]

**16.22.27.3       STATUTORY AUTHORITY:** This part is adopted pursuant to the Professional Psychologist Act, Section 61-9-17.2 and 61-9-3 NMSA 1978.  
[16.22.27.3 NMAC - Rp, 16.22.27.3 NMAC, 11/15/2006]

**16.22.27.4       DURATION:** Permanent.  
[16.22.27.4 NMAC - Rp, 16.22.27.4 NMAC, 11/15/2006]

**16.22.27.5       EFFECTIVE DATE:** November 15, 2006, unless a later date is cited at the end of the section.  
[16.22.27.5 NMAC - Rp, 16.22.27.5 NMAC, 11/15/2006]

**16.22.27.6       OBJECTIVE:** The objective of Part 27 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.  
[16.22.27.6 NMAC - Rp, 16.22.27.6 NMAC, 11/15/2006]

**16.22.27.7       DEFINITIONS: [RESERVED]**  
[Refer to 16.22.1.7 NMAC]

**16.22.27.8       FORMULARY:**

**A.**        Conditional prescribing or prescribing psychologists shall exercise prescriptive authority using psychotropic medications, as defined in Section 61-9-3 NMSA 1978, within the recognized scope of practice for the treatment of mental disorders and for which the psychologist has been properly educated and trained.

**B.**        As provided by Section 61-9-3 NMSA 1978, of the Act when prescribing psychotropic medication for a patient, a conditional prescribing psychologist or a psychologist with a conditional prescription certificate shall maintain an ongoing collaborative relationship with a health care practitioner who oversees the patient's general medical care to ensure that necessary medical examinations are conducted, the psychotropic medication is appropriate for the patient's medical condition and significant changes in the patient's medical or psychological condition are discussed. The collaborative relationship shall be utilized to coordinate the patient's ongoing care, including, determining whether non-psychotropic medications should be prescribed to provide the patient with optimized care. In such cases, all non-psychotropic medications shall be prescribed by the health care practitioner who oversees the patient's general medical care, or by other health care practitioners involved in the patient's care who are authorized by law to prescribe such medications.

**C.**        A conditional prescribing or prescribing psychologist shall not prescribe psychotropic medication to treat patients for the following conditions:

- (1)        chronic pain;
- (2)        endocrine, cardiovascular, orthopedic, neurological, and gynecological illness or disorders;
- (3)        allergies; or
- (4)        other non-psychiatric illnesses, disorders, or illnesses causing mental disorders.

**D.**        A conditional prescribing or prescribing psychologist shall treat psychopharmacologically only mental disorders listed in the most recent edition of the diagnostic and statistical manual of mental disorders published by the American psychiatric association.

**E.**        A conditional prescribing psychologist or prescribing psychologist who prescribes outside the scope of practice specified in the act and these regulations is subject to disciplinary action by the board.  
[16.22.27.8 NMAC - Rp, 16.22.27.8 NMAC, 11/15/2006; A, 02/22/2013; A, 02/10/2022]

**HISTORY OF 16.22.27 NMAC:**

**History of Repealed Material:**

16.22.27 NMAC, Formulary - Repealed 11/15/2006