

### **Medication Recommendations**

The North Carolina Psychology Board has received numerous inquiries about whether a psychologist has a firm legal/ethical ground on which to stand when making medication recommendations either to a provider about his/her patients or directly to the patient himself/herself.

The Board's consideration of this issue was limited to whether this practice could potentially violate the N.C. Psychology Practice Act or Ethical Principles of Psychologists and Code of Conduct (APA 2002), which is the only authority the Board has with regard to any issues with which it is presented. Any other potential issues that may arise about this practice are outside of the Board's jurisdiction and were not considered.

The Board recognizes that there is not a simple answer to this inquiry, but rather that it depends upon the specific facts and circumstances with which the psychologist is confronted. However, the Board raises the potential problems that may arise as a result of this practice under the N.C. Psychology Practice Act and Ethical Principles of Psychologist and Code of Conduct.

Before making a medication recommendation to a provider, a psychologist must consider whether he/she is competent to do so. The issue of competence is set forth in N.C. Gen. Stat. § 90-270.15(a)(13), which states that it is a violation of the Psychology Practice Act if a licensee, "Has practiced psychology or conducted research outside the boundaries of demonstrated competence or the limitations of education, training, or supervised experience." Competence is also addressed in N.C. Gen. Stat. § 90-270.15(a)(14), which states that it is a violation of the Psychology Practice Act if a licensee, "Has failed to use, administer, score, or interpret psychological assessment techniques, including interviewing and observation, in a competent manner, or has provided findings or recommendations which do not accurately reflect the assessment data, or exceed what can reasonably be inferred, predicted, or determined from test, interview, or observational data."

Whether a psychologist is competent to engage in a certain activity is also addressed in the Ethical Principles of Psychologists and Code of Conduct, Standard 2.01 (a), which states, "Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience."

The Board consulted with the North Carolina Medical Board regarding whether this would constitute the practice of medicine and the Medical Board provided the information set forth in this paragraph. A psychologist making a specific medication recommendation to a patient, in and of itself, would most likely not constitute the practice of medicine as defined in NC Gen. Stat § 90-1.1(5). However, it would be inadvisable to do so. A specific drug recommendation could interfere with the physician-patient relationship. The Psychology Practice Act, specifically, N.C. Gen. Stat. 90-270.15(a)(19), is instructive on this point as that provision forbids psychologists

from engaging in conduct which “substantially impede or impair other psychologists’ or other professionals’ abilities to perform professional duties.” Therefore, a suggestion to a patient that he/she might want to discuss an antidepressant with his/her doctors would generally be acceptable; but a statement that a patient should tell his/her doctor that he/she needs a prescription for Prozac, would generally not be. The Medical Board’s concern was that the specific recommendation could interfere with the physician patient relationship and could negatively impact patient care.

Therefore, it is the Board’s position that a psychologist: 1) should not make a specific medication recommendation to a patient, but rather may consider suggesting a general classification of medications for which a patient may wish to seek consultation with a physician; and 2) should consider his/her own competence when deciding whether to make recommendations regarding medication to providers, or whether to make suggestions to a patient to see a physician about a general classifications of medications, otherwise the psychologist may be in violation of the N.C. Psychology Practice Act and/or the Ethical Principles of Psychologists and Code of Conduct.

There may be other issues that are not within the Board’s jurisdiction that a psychologist should consider in making a decision about engaging in this type of conduct. However, the Board’s position on this matter is limited, as described in this article.