



Sen. Lakesia Collins

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10400SB1743sam001

LRB104 11917 CCC 35353 a

1 AMENDMENT TO SENATE BILL 1743

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1743 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Clinical Psychologist Licensing Act is  
5 amended by changing Section 4.3 as follows:

6 (225 ILCS 15/4.3)

7 (Section scheduled to be repealed on January 1, 2027)

8 Sec. 4.3. Written collaborative agreements.

9 (a) A written collaborative agreement is required for all  
10 prescribing psychologists practicing under a prescribing  
11 psychologist license issued pursuant to Section 4.2 of this  
12 Act.

13 (b) A written delegation of prescriptive authority by a  
14 collaborating physician may only include medications for the  
15 treatment of mental health disease or illness the  
16 collaborating physician generally provides to his or her

1 patients in the normal course of his or her clinical practice  
2 with the exception of the following:

3 (1) patients who are less than 17 years of age ~~or over~~  
4 ~~65 years of age;~~

5 (2) patients during pregnancy;

6 (3) patients with serious medical conditions, such as  
7 heart disease, cancer, stroke, or seizures, and with  
8 developmental disabilities and intellectual disabilities;  
9 and

10 (4) prescriptive authority for benzodiazepine Schedule  
11 III controlled substances.

12 (c) The collaborating physician shall file with the  
13 Department notice of delegation of prescriptive authority and  
14 termination of the delegation, in accordance with rules of the  
15 Department. Upon receipt of this notice delegating authority  
16 to prescribe any nonnarcotic Schedule III through V controlled  
17 substances, the licensed clinical psychologist shall be  
18 eligible to register for a mid-level practitioner controlled  
19 substance license under Section 303.05 of the Illinois  
20 Controlled Substances Act.

21 (d) All of the following shall apply to delegation of  
22 prescriptive authority:

23 (1) Any delegation of Schedule III through V  
24 controlled substances shall identify the specific  
25 controlled substance by brand name or generic name. No  
26 controlled substance to be delivered by injection may be

1 delegated. No Schedule II controlled substance shall be  
2 delegated.

3 (2) A prescribing psychologist shall not prescribe  
4 narcotic drugs, as defined in Section 102 of the Illinois  
5 Controlled Substances Act.

6 Any prescribing psychologist who writes a prescription for  
7 a controlled substance without having valid and appropriate  
8 authority may be fined by the Department not more than \$50 per  
9 prescription and the Department may take any other  
10 disciplinary action provided for in this Act.

11 All prescriptions written by a prescribing psychologist  
12 must contain the name of the prescribing psychologist and his  
13 or her signature. The prescribing psychologist shall sign his  
14 or her own name.

15 (e) The written collaborative agreement shall describe the  
16 working relationship of the prescribing psychologist with the  
17 collaborating physician and shall delegate prescriptive  
18 authority as provided in this Act. Collaboration does not  
19 require an employment relationship between the collaborating  
20 physician and prescribing psychologist. Absent an employment  
21 relationship, an agreement may not restrict third-party  
22 payment sources accepted by the prescribing psychologist. For  
23 the purposes of this Section, "collaboration" means the  
24 relationship between a prescribing psychologist and a  
25 collaborating physician with respect to the delivery of  
26 prescribing services in accordance with (1) the prescribing

1 psychologist's training, education, and experience and (2)  
2 collaboration and consultation as documented in a jointly  
3 developed written collaborative agreement.

4 (f) The agreement shall promote the exercise of  
5 professional judgment by the prescribing psychologist  
6 corresponding to his or her education and experience.

7 (g) The collaborative agreement shall not be construed to  
8 require the personal presence of a physician at the place  
9 where services are rendered. Methods of communication shall be  
10 available for consultation with the collaborating physician in  
11 person or by telecommunications in accordance with established  
12 written guidelines as set forth in the written agreement.

13 (h) Collaboration and consultation pursuant to all  
14 collaboration agreements shall be adequate if a collaborating  
15 physician does each of the following:

16 (1) participates in the joint formulation and joint  
17 approval of orders or guidelines with the prescribing  
18 psychologist and he or she periodically reviews the  
19 prescribing psychologist's orders and the services  
20 provided patients under the orders in accordance with  
21 accepted standards of medical practice and prescribing  
22 psychologist practice;

23 (2) provides collaboration and consultation with the  
24 prescribing psychologist in person at least once a month  
25 for review of safety and quality clinical care or  
26 treatment;

1           (3) is available through telecommunications for  
2           consultation on medical problems, complications,  
3           emergencies, or patient referral; and

4           (4) reviews medication orders of the prescribing  
5           psychologist no less than monthly, including review of  
6           laboratory tests and other tests as available.

7           (i) The written collaborative agreement shall contain  
8           provisions detailing notice for termination or change of  
9           status involving a written collaborative agreement, except  
10          when the notice is given for just cause.

11          (j) A copy of the signed written collaborative agreement  
12          shall be available to the Department upon request to either  
13          the prescribing psychologist or the collaborating physician.

14          (k) Nothing in this Section shall be construed to limit  
15          the authority of a prescribing psychologist to perform all  
16          duties authorized under this Act.

17          (l) A prescribing psychologist shall inform each  
18          collaborating physician of all collaborative agreements he or  
19          she has signed and provide a copy of these to any collaborating  
20          physician.

21          (m) No collaborating physician shall enter into more than  
22          3 collaborative agreements with prescribing psychologists.

23          (Source: P.A. 101-84, eff. 7-19-19.)

24          Section 99. Effective date. This Act takes effect upon  
25          becoming law."