

1-1 By: Klick (Senate Sponsor - Sparks) H.B. No. 4331
1-2 (In the Senate - Received from the House May 1, 2023;
1-3 May 2, 2023, read first time and referred to Committee on Health &
1-4 Human Services; May 11, 2023, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 11, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the donors of certain unused prescription drugs.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 442.001(1), Health and Safety Code, is
1-22 amended to read as follows:

1-23 (1) "Donor" means an individual, a prescription drug
1-24 manufacturer, or a health care facility, including a pharmacy, that
1-25 [who] donates unused prescription drugs under this chapter to a
1-26 participating provider.

1-27 SECTION 2. Section 442.056, Health and Safety Code, is
1-28 amended to read as follows:

1-29 Sec. 442.056. RECIPIENT FORM. Before accepting a donated
1-30 prescription drug under this chapter, a recipient shall sign a form
1-31 prescribed by the department stating that:

1-32 (1) the recipient acknowledges that if the donor is an
1-33 individual, prescription drug manufacturer, or health care
1-34 facility other than a pharmacy, the donor is not a pharmacist and
1-35 the donor took ordinary care of the prescription drug;

1-36 (2) the recipient acknowledges that the donor is known
1-37 to the participating provider and that there is no reason to believe
1-38 that the prescription drug was improperly handled or stored;

1-39 (3) by accepting the prescription drug, the recipient
1-40 accepts any risk that an accidental mishandling could create; and

1-41 (4) the recipient releases the donor, participating
1-42 provider, and manufacturer of the drug from liability related to
1-43 the prescription drug.

1-44 SECTION 3. This Act takes effect September 1, 2023.

1-45 * * * * *