

By: Klick

H.B. No. 4332

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the redistribution of donated prepackaged prescription
3 drugs.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 442.001, Health and Safety Code, is
6 amended by adding Subdivision (6-a) to read as follows:

7 (6-a) "Prepackage" means the act of repackaging and
8 relabeling varying quantities of prescription drugs from a
9 manufacturer's original commercial container into a prescription
10 container, unit-dose packaging, or a multi-compartment container
11 for a pharmacist to dispense to a consumer.

12 SECTION 2. Subchapter B, Chapter 442, Health and Safety
13 Code, is amended by adding Section 442.0515 to read as follows:

14 Sec. 442.0515. REDISTRIBUTION OF DONATED PREPACKAGED
15 PRESCRIPTION DRUGS. (a) A participating provider may dispense to a
16 recipient donated prescription drugs that are prepackaged and
17 labeled in accordance with this section and rules adopted by the
18 Texas State Board of Pharmacy.

19 (b) A prepackaged prescription drug a participating
20 provider dispenses to a recipient must contain a label that
21 includes:

22 (1) the drug's brand name or, for a generic version of
23 the drug, the drug's generic name and the manufacturer or
24 distributor of the drug;

- 1 (2) the amount of the drug in a given dose;
- 2 (3) the drug's lot number;
- 3 (4) the earliest expiration date of the drug for that
4 drug lot number; and
- 5 (5) the quantity of any drug the provider dispenses in
6 more than one dose.

7 (c) A participating provider shall maintain a record of each
8 prepackaged prescription drug dispensed to a recipient. The record
9 must include:

- 10 (1) the drug's name, the amount of the drug in a given
11 dose, and the dosage size or frequency;
- 12 (2) the provider's lot number for that drug;
- 13 (3) the drug's manufacturer or distributor;
- 14 (4) the manufacturer's lot number for that drug;
- 15 (5) the expiration dates of the drug from that drug's
16 lot number;
- 17 (6) the quantity of the drug in each prepackaged unit;
- 18 (7) the number of prepackaged units that include the
19 drug;
- 20 (8) the date the drug was prepackaged;
- 21 (9) the name, initials, or written or electronic
22 signature of the individual who prepackaged the drug; and
- 23 (10) the written or electronic signature of the
24 pharmacist responsible for the drug's prepackaging.

25 SECTION 3. As soon as practicable after the effective date
26 of this Act, the Texas State Board of Pharmacy shall adopt any rules
27 necessary to implement the changes in law made by this Act.

1 SECTION 4. This Act takes effect September 1, 2023.