By: Klick (Senate Sponsor - Sparks) H.B. No. 4332

(In the Senate - Received from the House May 1, 2023; May 2, 2023, read first time and referred to Committee on Health & Human Services; May 11, 2023, reported favorably by the following vote: Yeas 9, Nays 0; May 11, 2023, sent to printer.)

COMMITTEE VOTE

	Yea	Nay	Absent	PNV
Kolkhorst	X			
Perry	X			
Blanco	X			
Hall	X			
Hancock	X			
Hughes	X			
LaMantia	X			
Miles	X			
Sparks	X			

A BILL TO BE ENTITLED
AN ACT

relating to the redistribution of donated prepackaged prescription drugs.

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

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

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

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

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

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

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

(2) the amount of the drug in a given dose;

(3) the drug's lot number;

(4) the earliest expiration date of the drug for that drug lot number; and

(5) the quantity of any drug the provider dispenses in more than one dose.

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

(1) the drug's name, the amount of the drug in a given dose, and the dosage size or frequency;

(2) the provider's lot number for that drug;

(3) the drug's manufacturer or distributor;

(4) the manufacturer's lot number for that drug;

(5) the expiration dates of the drug from that drug's lot number;

(6) the quantity of the drug in each prepackaged unit;

(7) the number of prepackaged units that include the drug;

(8) the date the drug was prepackaged;

(9) the name, initials, or written or electronic signature of the individual who prepackaged the drug; and

(10) the written or electronic signature of the pharmacist responsible for the drug's prepackaging.

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

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

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