

By: Talarico

H.B. No. 4799

A BILL TO BE ENTITLED

AN ACT

relating to the provision of opioid antagonists to clients on discharge from a chemical dependency treatment facility.

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

SECTION 1. Subchapter A, Chapter 464, Health and Safety Code, is amended by adding Sections 464.021 and 464.0211 to read as follows:

Sec. 464.021. PROVISION OF OPIOID ANTAGONISTS. (a) In this section, "opioid antagonist" and "opioid-related drug overdose" have the meanings assigned by Section 483.101, Health and Safety Code.

(b) In a state fiscal year during which a treatment facility licensed under this chapter receives state money by legislative appropriation made for chemical dependency treatment or a similar public purpose, or in which state money is otherwise made available for the facility's use in providing chemical dependency treatment, the facility must provide opioid antagonists to a client the facility reasonably believes to be at risk for an opioid-related drug overdose before discharging the client from the facility.

Sec. 464.0211. PRESCRIPTION OF OPIOID ANTAGONISTS. (a) A physician or person who has been delegated prescriptive authority under Chapter 157, Occupations Code, may prescribe opioid antagonists in the name of a treatment facility licensed under this chapter.

1 (b) A physician or other person who prescribes opioid
2 antagonists under Subsection (a) shall provide the treatment
3 facility with a standing order for the administration of an opioid
4 antagonist to a person reasonably believed to be experiencing an
5 opioid-related drug overdose.

6 (c) The standing order under Subsection (b) is not required
7 to be patient-specific, and the opioid antagonist may be
8 administered to a person without a previously established
9 physician-patient relationship.

10 (d) Notwithstanding any other provisions of law,
11 supervision or delegation by a physician is considered adequate if
12 the physician:

13 (1) periodically reviews the order; and

14 (2) is available through direct telecommunication as
15 needed for consultation, assistance, and direction.

16 (e) An order issued under this section must contain:

17 (1) the name and signature of the prescribing
18 physician or other person;

19 (2) the name of the treatment facility to which the
20 order is issued;

21 (3) the quantity of opioid antagonists to be obtained
22 and maintained under the order; and

23 (4) the date of issue.

24 (f) A pharmacist may dispense an opioid antagonist to a
25 treatment facility without requiring the name or any other
26 identifying information relating to the user.

27 SECTION 2. Section 464.021, Health and Safety Code, as

1 added by this Act, applies only to a client who is discharged from a
2 chemical dependency treatment facility on or after the effective
3 date of this Act. A client who is discharged from a facility before
4 that date is governed by the law in effect immediately before the
5 effective date of this Act, and the former law is continued in
6 effect for that purpose.

7 SECTION 3. This Act takes effect September 1, 2023.