

By: Villalobos

H.B. No. 4441

A BILL TO BE ENTITLED

AN ACT

relating to the administration of topical ophthalmic medications at certain health care facilities.

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

SECTION 1. This Act may be cited as the Topical Ophthalmic Medication Waste Reduction Act.

SECTION 2. Subtitle A, Title 6, Health and Safety Code, is amended by adding Chapter 446 to read as follows:

CHAPTER 446. ADMINISTRATION OF TOPICAL OPHTHALMIC MEDICATION AT CERTAIN HEALTH CARE FACILITY

Sec. 446.001. DEFINITIONS. In this chapter:

(1) "Health care facility" means:

(A) a hospital licensed under Chapter 241; or

(B) an ambulatory surgical center licensed under Chapter 243.

(2) "Topical ophthalmic medication" means a prescription drug for ophthalmic use in drop or ointment form, including antibiotic, anti-inflammation, dilation, or glaucoma medication.

Sec. 446.002. RELEASE OF UNUSED MEDICATION. (a) A health care facility shall offer to a patient on discharge from the facility following a surgical procedure performed on the patient any unused portion of a topical ophthalmic medication administered to the patient if:

1 (1) a health care professional at the facility ordered
2 the medication for the patient not more than 24 hours before the
3 surgical procedure; and

4 (2) the patient's treating physician prescribes the
5 medication to the patient for continuing treatment.

6 (b) A health care facility that provides to a patient a
7 topical ophthalmic medication under Subsection (a) shall ensure the
8 patient is counseled on the medication's proper use and
9 administration.

10 Sec. 446.003. REUSE OF UNUSED MEDICATION. A health care
11 facility that provides to a patient an unlabeled topical ophthalmic
12 medication held by the facility on reserve or obtained by the
13 facility from a prescription drug dispensing system may provide the
14 unused portion of the medication to other patients receiving
15 treatment at the facility for a period not to exceed 24 hours after
16 the medication's initial provision.

17 SECTION 3. This Act takes effect September 1, 2025.