

AN ACT

relating to the authority of the Texas Department on Aging to establish a prescription drug information and assistance program.

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

SECTION 1. Subchapter B, Chapter 101, Human Resources Code, is amended by adding Section 101.034 to read as follows:

Sec. 101.034. TEXAS CARES PROGRAM. (a) The department by rule may establish and operate a Texas Cares program to provide persons eligible for discount drug price programs offered by pharmaceutical companies with:

(1) information regarding the availability of those programs; and

(2) in appropriate circumstances, assistance in enrolling in those programs.

(b) The department may solicit and accept gifts, grants, and donations from any source to use in funding the Texas Cares program.

(c) The department shall design the Texas Cares program to meet the primary goal of increasing awareness in appropriate populations of the availability of discount drug price programs offered by pharmaceutical companies. To the extent that adequate resources are available, the department shall:

(1) make information regarding discount drug price programs readily available on the department's Internet site;

(2) maintain a toll-free telephone number through

1 which a person may obtain information regarding discount drug price
2 programs; and

3 (3) make brochures or other written informational
4 materials regarding discount drug price programs available on
5 request by a pharmacist, physician, representative of an
6 organization serving senior citizens, or other interested person.

7 (d) The department may:

8 (1) conduct community outreach and education
9 activities to increase awareness of the availability of discount
10 drug price programs offered by pharmaceutical companies;

11 (2) solicit and train volunteers to perform functions
12 associated with the Texas Cares program, including:

13 (A) providing assistance to eligible persons in
14 enrolling in discount drug price programs offered by pharmaceutical
15 companies; and

16 (B) conducting community outreach and education
17 activities; and

18 (3) coordinate operation of the Texas Cares program
19 with the activities of area agencies on aging.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2003.

President of the Senate

Speaker of the House

I certify that H.B. No. 1090 was passed by the House on May 8, 2003, by the following vote: Yeas 141, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1090 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor