

1-1 By: Miller, et al. (Senate Sponsor - Averitt) H.B. No. 1090
1-2 (In the Senate - Received from the House May 9, 2003;
1-3 May 13, 2003, read first time and referred to Committee on Health
1-4 and Human Services; May 23, 2003, reported favorably by the
1-5 following vote: Yeas 6, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of the Texas Department on Aging to
1-9 establish a prescription drug information and assistance program.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 101, Human Resources Code,
1-12 is amended by adding Section 101.034 to read as follows:

1-13 Sec. 101.034. TEXAS CARES PROGRAM. (a) The department by
1-14 rule may establish and operate a Texas Cares program to provide
1-15 persons eligible for discount drug price programs offered by
1-16 pharmaceutical companies with:

1-17 (1) information regarding the availability of those
1-18 programs; and

1-19 (2) in appropriate circumstances, assistance in
1-20 enrolling in those programs.

1-21 (b) The department may solicit and accept gifts, grants, and
1-22 donations from any source to use in funding the Texas Cares program.

1-23 (c) The department shall design the Texas Cares program to
1-24 meet the primary goal of increasing awareness in appropriate
1-25 populations of the availability of discount drug price programs
1-26 offered by pharmaceutical companies. To the extent that adequate
1-27 resources are available, the department shall:

1-28 (1) make information regarding discount drug price
1-29 programs readily available on the department's Internet site;

1-30 (2) maintain a toll-free telephone number through
1-31 which a person may obtain information regarding discount drug price
1-32 programs; and

1-33 (3) make brochures or other written informational
1-34 materials regarding discount drug price programs available on
1-35 request by a pharmacist, physician, representative of an
1-36 organization serving senior citizens, or other interested person.

1-37 (d) The department may:

1-38 (1) conduct community outreach and education
1-39 activities to increase awareness of the availability of discount
1-40 drug price programs offered by pharmaceutical companies;

1-41 (2) solicit and train volunteers to perform functions
1-42 associated with the Texas Cares program, including:

1-43 (A) providing assistance to eligible persons in
1-44 enrolling in discount drug price programs offered by pharmaceutical
1-45 companies; and

1-46 (B) conducting community outreach and education
1-47 activities; and

1-48 (3) coordinate operation of the Texas Cares program
1-49 with the activities of area agencies on aging.

1-50 SECTION 2. This Act takes effect immediately if it receives
1-51 a vote of two-thirds of all the members elected to each house, as
1-52 provided by Section 39, Article III, Texas Constitution. If this
1-53 Act does not receive the vote necessary for immediate effect, this
1-54 Act takes effect September 1, 2003.

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