

By: Uresti, Delisi, Reyna, Capelo,
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H.B. No. 2298

A BILL TO BE ENTITLED

AN ACT

relating to the authority of certain state agencies to purchase
prescription drugs and other medications jointly with other states.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is
amended by adding Section 531.063 to read as follows:

Sec. 531.063. JOINT PURCHASING OF PRESCRIPTION DRUGS AND
OTHER MEDICATIONS. (a) Notwithstanding any other law, the
commission and each health and human services agency authorized by
the commission may enter into an agreement with one or more other
states for the joint bulk purchasing of prescription drugs and
other medications to be used in the Medicaid program or another
government-funded health program in this state.

(b) The commission shall adopt procedures applicable to an
agreement and joint purchase authorized by this section. The
procedures must ensure that this state receives:

(1) all prescription drugs and other medications
purchased with money provided by this state; and

(2) an equitable share of any price benefits resulting
from the joint bulk purchase.

SECTION 2. If before implementing any provision of this Act
a state agency determines that a waiver or authorization from a
federal agency is necessary for implementation of that provision,
the agency affected by the provision shall request the waiver or

1 authorization and may delay implementing that provision until the
2 waiver or authorization is granted.

3 SECTION 3. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2003.