

By: Capelo

H.B. No. 3014

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to authorizing gifts and grants of drugs and other items to  
3 certain state agencies.

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

5 SECTION 1. Subchapter B, Chapter 531, Government Code, is  
6 amended by adding Section 531.0381 to read as follows:

7 Sec. 531.0381. CERTAIN GRANTS TO HEALTH AND HUMAN SERVICES  
8 AGENCIES. (a) Subject to this section, a health and human services  
9 agency may accept a gift or grant of money, drugs, equipment, or any  
10 other item of value from a pharmaceutical manufacturer,  
11 distributor, provider, or another entity engaged in a  
12 pharmaceutical-related business.

13 (b) Acceptance of a gift or grant under this section is  
14 subject to the written approval of the commissioner. Chapter 575  
15 does not apply to a gift or grant under this section.

16 (c) The commissioner may adopt rules and procedures to  
17 implement this section. The rules must ensure that acceptance of a  
18 gift or grant under this section is consistent with any applicable  
19 federal law or regulation and does not adversely affect federal  
20 financial participation in any state program, including the state  
21 Medicaid program.

22 (d) This section does not affect the authority under other  
23 law of the commission or a health and human services agency to  
24 accept a gift or grant from a person other than a pharmaceutical

1 manufacturer, distributor, provider, or another entity engaged in a  
2 pharmaceutical-related business.

3 SECTION 2. 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.