

1-1 By: Capelo (Senate Sponsor - Janek) H.B. No. 3014  
1-2 (In the Senate - Received from the House May 5, 2003;  
1-3 May 7, 2003, read first time and referred to Committee on Health  
1-4 and Human Services; May 22, 2003, reported favorably by the  
1-5 following vote: Yeas 9, Nays 0; May 22, 2003, sent to printer.)

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

1-8 relating to authorizing gifts and grants of drugs and other items to  
1-9 certain state agencies.

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

1-11 SECTION 1. Subchapter B, Chapter 531, Government Code, is  
1-12 amended by adding Section 531.0381 to read as follows:

1-13 Sec. 531.0381. CERTAIN GRANTS TO HEALTH AND HUMAN SERVICES  
1-14 AGENCIES. (a) Subject to this section, a health and human services  
1-15 agency may accept a gift or grant of money, drugs, equipment, or any  
1-16 other item of value from a pharmaceutical manufacturer,  
1-17 distributor, provider, or another entity engaged in a  
1-18 pharmaceutical-related business.

1-19 (b) Acceptance of a gift or grant under this section is  
1-20 subject to the written approval of the commissioner. Chapter 575  
1-21 does not apply to a gift or grant under this section.

1-22 (c) The commissioner may adopt rules and procedures to  
1-23 implement this section. The rules must ensure that acceptance of a  
1-24 gift or grant under this section is consistent with any applicable  
1-25 federal law or regulation and does not adversely affect federal  
1-26 financial participation in any state program, including the state  
1-27 Medicaid program.

1-28 (d) This section does not affect the authority under other  
1-29 law of the commission or a health and human services agency to  
1-30 accept a gift or grant from a person other than a pharmaceutical  
1-31 manufacturer, distributor, provider, or another entity engaged in a  
1-32 pharmaceutical-related business.

1-33 SECTION 2. This Act takes effect immediately if it receives  
1-34 a vote of two-thirds of all the members elected to each house, as  
1-35 provided by Section 39, Article III, Texas Constitution. If this  
1-36 Act does not receive the vote necessary for immediate effect, this  
1-37 Act takes effect September 1, 2003.

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