

By: Delisi

H.B. No. 3486

A BILL TO BE ENTITLED

AN ACT

relating to the return of certain unused medications.

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

SECTION 1. Chapter 431, Health and Safety Code, is amended by adding Section 431.326 to read as follows:

Sec. 431.326. PHARMACY RECLAMATION. The Texas Board of Pharmacy by rule shall provide that either a resident or consultant pharmacist in a health care facility may return to the pharmacy from which it was purchased certain unused medication provided that such medication is sealed in unopened, individually packaged units and within the recommended period of shelf life. Such rules and regulations shall permit the pharmacy to which such medication is returned to restock and redistribute such medication, and shall be required to reimburse or credit the purchaser for any such returned medication.

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