

BILL ANALYSIS

C.S.H.B. 820
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Prescription labeling errors can occur that can lead to the incorrect medication being given to a patient. Medications can be mislabeled. Patients can be given the right medicine but with the wrong usage directions or they can get the wrong medicine altogether. A study by the Institute of Medicine reported that up to 7,000 people are killed annually by prescription errors. The substitute requires new information to be put on the label of a drug prescription to improve customer safety.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The substitute adds two more items to the label of a prescription drug: 1.) the expiration date for the drug as either one year from time of dispensed or the actual expiration date if it is less than a year, 2.) a color image of a single dose or a written description of the drug dispensed. The bill exempts the identification code if the information on the drug is not available in a governmental or commercially available database or file. This description or image may appear on a flag or auxiliary label.

The substitute only applies to prescriptions made on or after the effective date of this bill.

EFFECTIVE DATE

January 1, 2006

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original version of the bill by making the listed expiration date on the label either one year from dispensing or actual expiration date if it is less than a year away. The substitute does not include the provision to list the medical condition for which the medicine is prescribed that is in the original. The substitute also gives the option of a written description of the medication appearing on the label instead of a color image of the pill. It also exempts the identification code from the physical description if the code is not available in governmental or commercial databases. This description or image may appear on a flag or auxiliary label. The substitute bill also changes the effective date from September 1, 2005 to January 1, 2006.