

By: Uresti

H.B. No. 3326

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of a prescription drug consumer  
3 information and technical assistance program by the Department of  
4 State Health Services.

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

6 SECTION 1. Subtitle E, Title 2, Health and Safety Code, is  
7 amended by adding Chapter 113 to read as follows:

8 CHAPTER 113. PRESCRIPTION DRUG INFORMATION PROGRAM

9 Sec. 113.001. DEFINITIONS. In this chapter:

10 (1) "Practitioner" has the meaning assigned by Section  
11 551.003, Occupations Code.

12 (2) "Senior citizen" means a person at least 65 years  
13 of age.

14 Sec. 113.002. PRESCRIPTION DRUG CONSUMER INFORMATION AND  
15 TECHNICAL ASSISTANCE PROGRAM. (a) The department shall establish  
16 a prescription drug consumer information and technical assistance  
17 program.

18 (b) The program shall provide senior citizens of this state  
19 with advice on:

20 (1) using prescription drugs prudently; and

21 (2) accessing government and private prescription  
22 drug programs and discounts.

23 (c) The program shall include providing senior citizens  
24 with an opportunity to consult a licensed pharmacist about how a

1 senior citizen may, with the approval of the senior citizen's  
2 prescribing practitioner:

3 (1) avoid dangerous drug interactions; and

4 (2) substitute a more cost-effective drug for the drug  
5 prescribed by the practitioner.

6 (d) The department shall provide for licensed pharmacists  
7 to perform the consultations provided under Subsection (c). The  
8 department may use a licensed pharmacist employed by a state  
9 governmental entity or recruit licensed pharmacist volunteers in  
10 cooperation with the Texas State Board of Pharmacy.

11 (e) The executive commissioner of the Health and Human  
12 Services Commission shall adopt rules necessary to implement this  
13 section, including rules that describe any fees that may be charged  
14 for services provided by a consulting pharmacist.

15 SECTION 2. (a) Not later than March 1, 2006, the executive  
16 commissioner of the Health and Human Services Commission shall  
17 adopt rules as required by Section 113.002, Health and Safety Code,  
18 as added by this Act.

19 (b) Not later than October 1, 2006, the Department of State  
20 Health Services shall report to the governor, the lieutenant  
21 governor, the speaker of the house of representatives, and the  
22 standing committees of the senate and house of representatives with  
23 primary jurisdiction over health care on the effectiveness of the  
24 prescription drug consumer information and technical assistance  
25 program established by this Act.

26 SECTION 3. This Act takes effect September 1, 2005.