

## **BILL ANALYSIS**

Senate Research Center  
80R7245 MCK-D

H.B. 1676  
By: Delisi et al. (Van de Putte)  
Health & Human Services  
4/10/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

While many reputable pharmacies provide medications through Internet websites, there are also unscrupulous Internet-based pharmacy operations. Typically advertising through unsolicited emails directly to consumers, these dishonest web-based pharmacies may offer to sell large quantities of prescription drugs, including medications with a potential for abuse, without the need for a doctor's prescription. Their customers are at considerable risk of receiving counterfeit medications or not receiving anything at all. Since these Internet pharmacies usually operate out of foreign countries, the consumer may discover that they have little or no recourse.

H.B. 1676 requires the consumer protection division within the Office of the Attorney General to develop a public awareness campaign concerning electronic solicitations for the sale of prescription drugs.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 402, Government Code, by adding Section 402.031, as follows

Sec. 402.031. PUBLIC AWARENESS CAMPAIGN CONCERNING CERTAIN PRESCRIPTION DRUG SOLICITATIONS. (a) Requires the consumer protection division (division) within the Office of the Attorney General to develop a public awareness campaign (campaign) to educate consumers concerning solicitations for the sale of prescription drugs that are made using electronic mail or the Internet.

(b) Requires the campaign to emphasize the existence of reputable pharmacies and pharmacists that provide services through the internet and to provide information to assist a consumer in distinguishing a reputable pharmacy or pharmacist from a seller that may be unlicensed or fraudulent.

(c) Requires the division, in developing the campaign, to consult with the Texas State Board of Pharmacy, trade associations representing the interests of pharmacies and pharmacists in this state, and advocates for consumer protection.

(d) Authorizes the division, in conducting the campaign, to distribute information using certain means.

(e) Authorizes the attorney general, in accordance with Section 402.005 (Acceptance of Gifts, Grants, and Forfeited Assets; Creation of Special Account) to accept gifts, grants, and donations to support the public awareness campaign.

SECTION 2. Effective date: upon passage or September 1, 2007.