

BILL ANALYSIS

H.B. 1676
By: Delisi
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

While many reputable pharmacies provide medications through Internet web sites, 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 high 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. This legislation seeks to provide information to Texans on how to make informed purchases of pharmaceuticals offered for sale on the Internet.

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

HB 1676 requires the consumer protection division (division) within the office of the attorney general to develop a public awareness campaign to educate consumers concerning solicitations for the sale of prescription drugs that are made using electronic mail or the Internet. The campaign must emphasize the existence of reputable Internet pharmacies and pharmacists, and provide information to assist a consumer in distinguishing between a reputable pharmacy or pharmacist from a seller that may be unlicensed or fraudulent. The bill 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, and allows the information to be distributed using various methods. The attorney general is authorized to accept certain gifts, grants, and donations to support the public awareness campaign.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.