

By: Goolsby

H.B. No. 1891

Substitute the following for H.B. No. 1891:

By: Rose

C.S.H.B. No. 1891

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of a patient assistance program.

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

SECTION 1. The heading to Subchapter J, Chapter 531, Government Code, is amended to read as follows:

SUBCHAPTER J. ~~[PROVISION OF INFORMATION ABOUT]~~ PATIENT ASSISTANCE
PROGRAMS

SECTION 2. Subchapter J, Chapter 531, Government Code, is amended by adding Section 531.354 to read as follows:

Sec. 531.354. ADMINISTRATION OF PROGRAM. The executive commissioner shall, to the extent permitted by federal law, adopt rules requiring a pharmaceutical company that does business in this state and that offers a patient assistance program to:

(1) include the patient's full name in clearly legible type on the invoice and prescription bottle;

(2) have the patient's prescription shipped to a pharmacist designated by the patient for medication counseling and oversight;

(3) direct pharmacist to contact the patient by telephone when the prescription arrives.

SECTION 3. Not later than January 1, 2008, the executive commissioner of the Health and Human Services Commission shall adopt rules as required by Section 531.354, Government Code, as added by this Act.

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2007.