

By: Escobar

H.B. No. 3730

A BILL TO BE ENTITLED

AN ACT

relating to conflicts of interest in developing protocols for using  
psychotropic medications in health and human services programs.

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

SECTION 1. Subchapter B, Chapter 531, Government Code, is  
amended by adding Section 531.0761 to read as follows:

Sec. 531.0761. CONFLICTS OF INTEREST RELATING TO  
PSYCHOTROPIC MEDICATIONS. (a) The executive commissioner shall  
adopt rules to ensure that, in developing protocols for the use of  
psychotropic medications in health and human services programs in  
this state, including the foster care program administered by the  
Department of Family and Protective Services, the commission or a  
health and human services agency does not collaborate with or  
otherwise accept assistance or advice from any person who:

(1) during the three-year period preceding the  
development of the protocols:

(A) was employed by a pharmaceutical company; or

(B) conducted or assisted in the conduct of a  
study, a clinical trial, or any other activity that was financed by  
a pharmaceutical company; or

(2) has a financial interest in a pharmaceutical  
company.

(b) The executive commissioner shall adopt rules to ensure  
that no person, including a state employee, who collaborates with

1 or otherwise assists or advises the commission or a health and human  
2 services agency in developing protocols for the use of psychotropic  
3 medications in health and human services programs in this state,  
4 including the foster care program, receives a donation, gift, or  
5 other money from a pharmaceutical company or another person that  
6 has a financial interest in a psychotropic medication.

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