

BILL ANALYSIS

Senate Research Center
81R11593 JAM-D

H.B. 2765
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Agriculture & Rural Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

During the 79th Legislature, Regular Session, 2005, a provision was added to the Occupations Code to allow a veterinarian to dispense a drug prescribed by another veterinarian in emergency situations. However, there have been and may continue to be incidents in which a pet owner from out of state, traveling with a pet, cannot get the pet's prescription refilled. The provision added by the 79th Legislature fails to contemplate the most obvious situation in which a pet owner would need a prescription filled by a different veterinarian than the one who originally issued it. Current law defines veterinarian as a person licensed by the State Board of Veterinary Medical Examiners.

H.B. 2765 allows for the dispensing of drugs prescribed by another veterinarian, including a veterinarian licensed in another state, in specified situations.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 801.362(a), Occupations Code, to authorize a veterinarian to dispense a drug, other than a controlled substance, prescribed by another veterinarian, including a veterinarian licensed in another state, if failure to dispense the drug could interrupt a therapeutic regimen or cause a patient to suffer; the prescribing veterinarian informs the dispensing veterinarian that the drug is appropriate and necessary for the animal; the quantity of the dispensed drug does not exceed a five-day supply for each animal annually; the annual total of dosage units of drugs dispensed under this subsection is not more than five percent of the total dosage units of drugs the veterinarian dispenses in a year; and the veterinarian maintains records of dispensing activities under this section consistent with the State Board of Veterinary Medical Examiners rules.

SECTION 2. Effective date: upon passage or September 1, 2009.