

BILL ANALYSIS

H.B. 2765
By: Anderson
Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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

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

H.B. 2765 amends the Occupations Code to authorize a veterinarian to dispense a drug other than a controlled substance, prescribed by a veterinarian 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 these provisions consistent with rules of the State Board of Veterinary Medical Examiners.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.