

## **BILL ANALYSIS**

S.B. 904  
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Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 2007, Section 1306.12, Title 21, Federal Code of Regulations, was amended to authorize a practitioner to issue multiple prescriptions for up to a 90-day supply.

S.B. 904 authorizes a prescribing practitioner to issue multiple prescriptions for up to a 90-day supply of a Schedule II controlled substance under certain conditions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the director of the Department of Public Safety in SECTION 3 of this bill.

### **ANALYSIS**

S.B. 904 amends the Health and Safety Code to authorize a prescribing practitioner to issue multiple prescriptions authorizing a patient to receive a total of up to a 90-day supply of a Schedule II controlled substance if each separate prescription is issued for a legitimate medical purpose by a prescribing practitioner acting in the usual course of professional practice, the prescribing practitioner provides written instructions on each prescription to be filled at a later date indicating the earliest date on which a pharmacy may fill each prescription, the prescribing practitioner concludes that providing the patient with multiple prescriptions in such a manner does not create an undue risk of diversion or abuse, and the issuance of multiple prescriptions complies with other applicable state and federal laws. The bill makes conforming changes relating to the requirements that a prescription or prescription form for a Schedule II controlled substance indicate the earliest date on which a pharmacy may fill the prescription under certain circumstances.

S.B. 904 adds the establishment of a procedure for the issuance of multiple prescriptions of a Schedule II controlled substance to the rulemaking authority of the director of the Department of Public Safety under the Texas Controlled Substances Act.

### **EFFECTIVE DATE**

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