

BILL ANALYSIS

C.S.S.B. 1757
By: Watson
Environmental Regulation
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Pharmaceuticals are increasingly finding their way into our drinking water supply. Because of improved technology, chemists are able to identify compounds and metabolites in water, often at levels of parts-per-trillion, and are recognizing emerging contaminants. Currently, guidelines of some health care agencies and hospitals call for disposing of drugs by using the waste water system when they are no longer needed; this is also a common practice for individuals. Typical wastewater treatment does not completely destroy or remove these products, so they pass through treatment plants and into lakes or rivers that may be sources of drinking water downstream.

C.S.S.B. 1757 mandates a study by the Texas Commission on Environmental Quality of methods for disposing of unused pharmaceuticals so that they do not enter a wastewater system. The bill also requires the information provided to a consumer when dispensing a prescription to include the statement, "Do not flush unused medications or pour down a sink or drain."

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Pharmacy in SECTION 1 of this bill.

ANALYSIS

SECTION 1. Amends Section 562.0061, Occupation Code, to require the Texas State Board of Pharmacy to adopt rules specifying the information a pharmacist must provide to a consumer when dispensing a prescription to the consumer for self-administration including the statement, "Do not flush unused medications or pour down a sink or drain."

SECTION 2. (a) Defines "commission."

(b) Requires the Texas Commission on Environmental Quality (TCEQ) to study and make recommendations regarding the methods to be used by consumers, health care providers, and others for disposing of unused pharmaceuticals so they do not enter a wastewater system. Requires TCEQ, in conducting the study, to consider certain methods and effects.

(c) Authorizes TCEQ, in conducting the study, to solicit input from certain entities.

(d) Requires TCEQ, not later than December 1, 2010, to submit a report of the results of the study to the legislature. Requires that the report include TCEQ's recommendations regarding the methods to be used by consumers, health care providers, and others for disposing of unused pharmaceuticals so that they do not enter a wastewater system and an analysis of the feasibility of implementing the recommended disposal methods on a statewide basis.

(e) Provides that this Act expires January 1, 2011.

SECTION 3. Effective date: upon passage or September 1, 2009.

EFFECTIVE DATE

Upon passage or September 1,2009

COMPARISON OF ORIGINAL TO SUBSTITUTE

SECTION 1. C.S.S.B 1757 differs from the original by adding a new SECTION 1 and renumbering the remaining sections accordingly. SECTION 1 of the substitute requires the Texas State Board of Pharmacy to adopt rules relating to labeling prescriptions with the statement, "Do not flush unused medication or pour down a sink or drain."

SECTION 2. The language in this section of the substitute was in SECTION1 of the original bill.

SECTION 3. The language in this section of the substitute was in SECTION 2 of the original bill.