

AN ACT

relating to requirements for drugs dispensed by pharmacists.

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

SECTION 1. Section 562.006, Occupations Code, is amended by adding Subsections (a-1), (a-2), and (a-3) to read as follows:

(a-1) In addition to the information required by Subsection (a), the label on the dispensing container of a drug dispensed by a Class A or Class E pharmacy must indicate:

(1) the name, address, and telephone number of the pharmacy;

(2) the date the prescription is dispensed;

(3) the name of the prescribing practitioner;

(4) the name of the patient or, if the drug was prescribed for an animal, the species of the animal and the name of the owner;

(5) instructions for use;

(6) the quantity dispensed;

(7) if the drug is dispensed in a container other than the manufacturer's original container, the date after which the prescription should not be used, determined according to criteria established by board rule based on standards in the United States Pharmacopeia-National Formulary; and

(8) any other information required by board rule.

(a-2) The information required by Subsection (a-1)(7) may

1 be recorded on any label affixed to the dispensing container.

2 (a-3) Subsection (a-1) does not apply to a prescription
3 dispensed to a person at the time of release from prison or jail if
4 the prescription is for not more than a 10-day supply of medication.

5 SECTION 2. Subchapter A, Chapter 562, Occupations Code, is
6 amended by adding Section 562.0062 to read as follows:

7 Sec. 562.0062. REQUIRED STATEMENT REGARDING MEDICATION
8 DISPOSAL. The board by rule shall require pharmacists, when
9 dispensing certain drugs, to include on the dispensing container
10 label or in the information required by Section 562.0061 the
11 statement "Do not flush unused medications or pour down a sink or
12 drain."

13 SECTION 3. Not later than January 1, 2010, the Texas State
14 Board of Pharmacy shall adopt any rules necessary to implement
15 Section 562.006(a-1), Occupations Code, as added by this Act.

16 SECTION 4. Not later than June 1, 2010, the Texas State
17 Board of Pharmacy shall adopt rules under Section 562.0062,
18 Occupations Code, as added by this Act.

19 SECTION 5. Sections 562.006(a-1) and 562.0062, Occupations
20 Code, as added by this Act, apply only to a drug dispensed on or
21 after July 1, 2010.

22 SECTION 6. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 19 was passed by the House on April 8, 2009, by the following vote: Yeas 146, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 19 on May 23, 2009, by the following vote: Yeas 143, Nays 1, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 19 was passed by the Senate, with amendments, on May 21, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor