

By: Brown of Brazos

H.B. No. 96

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to compounded prescription drugs dispensed by a  
3 pharmacist.

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

5 SECTION 1. Subchapter D, Chapter 562, Occupations Code, is  
6 amended by adding Section 562.156 to read as follows:

7 Sec. 562.156. COMPOUNDED PRESCRIPTION DRUGS. (a) By  
8 checking a box labeled "compounded prescription drug authorized," a  
9 practitioner on a written prescription drug order may authorize a  
10 pharmacist to dispense to an identified individual patient a  
11 compounded prescription drug that meets the requirements of 21  
12 U.S.C. Section 353a and other applicable federal law.

13 (b) Before receipt of a practitioner's valid prescription  
14 drug order and based on a history of a pharmacist receiving valid  
15 prescription drug orders for a compounded prescription drug in an  
16 established relationship between the pharmacist and an identified  
17 individual patient or a practitioner, the pharmacist may dispense  
18 to the patient in limited quantities a compounded prescription drug  
19 that meets the requirements of 21 U.S.C. Section 353a and other  
20 applicable federal law.

21 (c) The amount charged for a compounded prescription drug  
22 substituted for a prescribed brand drug may not exceed the amount  
23 charged for the prescribed brand drug.

24 SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2009.