

By: Hopson

H.B. No. 427

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the authority of physicians to delegate to certain  
3 pharmacists the implementation and modification of a patient's drug  
4 therapy.

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

6 SECTION 1. Section 157.101, Occupations Code, is amended by  
7 adding Subsection (b-1) to read as follows:

8 (b-1) A delegation under Subsection (b) may include the  
9 implementation or modification of a patient's drug therapy under a  
10 protocol, including the authority to sign a prescription drug order  
11 for dangerous drugs, if:

12 (1) the delegation follows a diagnosis, initial  
13 patient assessment, and drug therapy order by the physician;

14 (2) the pharmacist practices in a hospital,  
15 hospital-based clinic, or an academic health care institution;

16 (3) the pharmacist provides the name, address, and  
17 telephone number of the pharmacist and of the delegating physician  
18 on each prescription signed by the pharmacist; and

19 (4) the pharmacist provides a copy of the protocol to  
20 the Texas State Board of Pharmacy.

21 SECTION 2. Subchapter A, Chapter 554, Occupations Code, is  
22 amended by adding Section 554.017 to read as follows:

23 Sec. 554.017. LIST OF PHARMACISTS AUTHORIZED TO SIGN  
24 PRESCRIPTION DRUG ORDERS. The board shall provide on its Internet

1 website a list of pharmacists who are authorized to sign a  
2 prescription drug order under Section 157.101(b-1), including the  
3 name of the pharmacist's delegating physician under the protocol  
4 required under that subsection.

5 SECTION 3. Subchapter B, Chapter 554, Occupations Code, is  
6 amended by adding Section 554.057 to read as follows:

7 Sec. 554.057. RULEMAKING; IMPLEMENTATION OF DRUG THERAPY  
8 UNDER PROTOCOL. The board, with the advice of the Texas Medical  
9 Board, shall adopt rules that allow a pharmacist to implement or  
10 modify a patient's drug therapy pursuant to a physician's  
11 delegation under Section 157.101(b-1).

12 SECTION 4. Not later than December 1, 2009, the Texas State  
13 Board of Pharmacy shall adopt rules under Section 554.057,  
14 Occupations Code, as added by this Act.

15 SECTION 5. This Act takes effect September 1, 2009.