

1-1 By: Anderson (Senate Sponsor - Hegar) H.B. No. 2765
1-2 (In the Senate - Received from the House April 14, 2009;
1-3 April 27, 2009, read first time and referred to Committee on
1-4 Agriculture and Rural Affairs; May 7, 2009, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 7, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of a veterinarian to fill certain
1-9 prescriptions in an emergency.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 801.362(a), Occupations Code, is amended
1-12 to read as follows:

1-13 (a) A veterinarian may dispense a drug, other than a
1-14 controlled substance, prescribed by another veterinarian,
1-15 including a veterinarian licensed in another state, if:

1-16 (1) failure to dispense the drug could interrupt a
1-17 therapeutic regimen or cause a patient to suffer;

1-18 (2) the prescribing veterinarian informs the
1-19 dispensing veterinarian that the drug is appropriate and necessary
1-20 for the animal;

1-21 (3) the quantity of the dispensed drug does not exceed
1-22 a five-day supply for each animal annually;

1-23 (4) the annual total of dosage units of drugs
1-24 dispensed under this subsection is not more than five percent of the
1-25 total dosage units of drugs the veterinarian dispenses in a year;
1-26 and

1-27 (5) the veterinarian maintains records of dispensing
1-28 activities under this section consistent with board rules.

1-29 SECTION 2. This Act takes effect immediately if it receives
1-30 a vote of two-thirds of all the members elected to each house, as
1-31 provided by Section 39, Article III, Texas Constitution. If this
1-32 Act does not receive the vote necessary for immediate effect, this
1-33 Act takes effect September 1, 2009.

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