

AN ACT

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

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

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

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

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

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

(3) the hospital, hospital-based clinic, or academic health care institution in which the pharmacist practices has bylaws and a medical staff policy that permit a physician to delegate to a pharmacist the management of a patient's drug therapy;

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

(5) the pharmacist provides a copy of the protocol to

1 the Texas State Board of Pharmacy.

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

4 Sec. 554.017. LIST OF PHARMACISTS AUTHORIZED TO SIGN
5 PRESCRIPTION DRUG ORDERS. The board shall provide on its Internet
6 website a list of pharmacists who are authorized to sign a
7 prescription drug order under Section 157.101(b-1), including the
8 name of the pharmacist's delegating physician under the protocol
9 required under that subsection.

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

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

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

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

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 381 passed the Senate on March 25, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 381 passed the House on May 19, 2009, by the following vote: Yeas 143, Nays 2, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor