

SENATE AMENDMENTS

2nd Printing

By: Leibowitz, Naishtat, Shelton, Bolton

H.B. No. 19

A BILL TO BE ENTITLED

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. Section 562.0061, Occupations Code, is amended
6 to read as follows:

7 Sec. 562.0061. OTHER PRESCRIPTION INFORMATION. The board
8 shall adopt rules specifying the information a pharmacist must
9 provide to a consumer when dispensing a prescription to the
10 consumer for self-administration. The information must [~~be~~]:

- 11 (1) be written in plain language;
12 (2) be relevant to the prescription; [~~and~~]
13 (3) be printed in an easily readable font size; and
14 (4) include the statement "Do not flush unused
15 medications or pour down a sink or drain."

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

19 SECTION 4. Section 562.006(a-1), Occupations Code, as added
20 by this Act, applies only to a drug dispensed on or after June 1,
21 2010.

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

ADOPTED

MAY 21 2009

Atty Gen
Secretary of the Senate

By: Zaffirini

H.B. No. 19

Substitute the following for H.B. No. 19:

By: Zaffirini

C.S. H.B. No. 19

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requirements for drugs dispensed by pharmacists.

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

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

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

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

11 (2) the date the prescription is dispensed;

12 (3) the name of the prescribing practitioner;

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

16 (5) instructions for use;

17 (6) the quantity dispensed;

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

23 (8) any other information required by board rule.

24 (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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB19 by Leibowitz (Relating to requirements for drugs dispensed by pharmacists.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code and would require the Texas State Board of Pharmacy to adopt rules relating to labeling requirements for drugs dispensed by pharmacists. Based on the information provided by the Texas State Board of Pharmacy, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 515 Board of Pharmacy

LBB Staff: JOB, SD, ES, CL, MW, JRO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 6, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB19 by Leibowitz (Relating to requirements for drugs dispensed by pharmacists.),
Committee Report 2nd House, Substituted

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code and would require the Texas State Board of Pharmacy to adopt rules relating to labeling requirements for drugs dispensed by pharmacists. Based on the information provided by the Texas State Board of Pharmacy, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 515 Board of Pharmacy

LBB Staff: JOB, ES, CL, MW, JRO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 4, 2009

TO: Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB19 by Leibowitz (Relating to requirements for drugs dispensed by pharmacists.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code and would require the Texas State Board of Pharmacy to adopt rules relating to labeling requirements for drugs dispensed by pharmacists. Based on the information provided by the Texas State Board of Pharmacy, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 515 Board of Pharmacy

LBB Staff: JOB, CL, MW, ES, JRO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 24, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB19 by Leibowitz (Relating to the labeling requirements for drugs dispensed by pharmacists.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code and would require the Texas State Board of Pharmacy to adopt rules relating to labeling requirements for drugs dispensed by pharmacists. Based on the information provided by the Texas State Board of Pharmacy, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 515 Board of Pharmacy

LBB Staff: JOB, CL, MW, ES, JRO

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 5, 2009

TO: Honorable Lois W. Kolkhorst, Chair, House Committee on Public Health

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB19 by Leibowitz (Relating to the labeling requirements for drugs dispensed by pharmacists.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Occupations Code and would require the Texas State Board of Pharmacy to adopt rules relating to labeling requirements for drugs dispensed by pharmacists. Based on the information provided by the Texas State Board of Pharmacy, it is assumed that costs associated with implementing the provisions of the bill could be absorbed within existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 515 Board of Pharmacy

LBB Staff: JOB, CL, MW, ES, JRO