

Amend **CSSB 546** on third reading by:

(1) adding "Except as provided by Subsection (d)," to the beginning of Subsection (b), Section 158.001, Occupations Code

(2) adding a new Subsection (d), Section 158.001, Occupations Code to read as follows:

"(d) Subsection (b) does not apply to workers' compensation insurance coverage as defined by Section 401.011, Labor Code."

(3) adding a new SECTION 2 of the bill by adding a new Section 158.0011, Occupations Code to read as follows:

"SECTION 2. Title 3, Subchapter B, Chapter 158, Occupations Code is amended by adding a new Section 158.0011 to read as follows:

Sec. 158.0011. DISPENSING OF DANGEROUS DRUGS FOR WORKERS' COMPENSATION INSURANCE COVERAGE IN CERTAIN RURAL AREAS. (a) In this section, "reimbursement for cost" means an additional charge, separate from that imposed for the physician's professional services, that includes the cost of the drug product and all other actual costs to the physician incidental to providing the dispensing service. The term does not include a separate fee imposed for the act of dispensing the drug itself.

(b) This section applies to an area located in a county with a population of 5,000 or less, or in a municipality or an unincorporated town with a population of less than 2,500, that is within a 15-mile radius of the physician's office and in which a pharmacy is not located. This section does not apply to a municipality or an unincorporated town that is adjacent to a municipality with a population of 2,500 or more.

(c) A physician who practices medicine in an area described by Subsection (b) may:

(1) maintain a supply of dangerous drugs in the physician's office to be dispensed in the course of treating the physician's patients; and

(2) be reimbursed for the cost of supplying those drugs without obtaining a license under Chapter 558.

(d) A physician who dispenses dangerous drugs under Subsection (c) shall:

(1) comply with each labeling provision under Subtitle J applicable to that class of drugs; and

(2) oversee compliance with packaging and recordkeeping provisions applicable to that class of drugs.

(e) A physician who desires to dispense dangerous drugs

under this section shall notify both the Texas State Board of Pharmacy and the board that the physician practices in an area described by Subsection (b). The physician may continue to dispense dangerous drugs in the area until the Texas State Board of Pharmacy determines, after notice and hearing, that the physician no longer practices in an area described by Subsection (b)."