

Amend SB 594 (house committee printing) as follows:

(1) In the recital to SECTION 1 of the bill (page 1, line 6), strike "and (k)" and substitute "(k), and (q)".

(2) In SECTION 1 of the bill, strike Section 481.074(b)(2), Health and Safety Code (page 1, line 21, through page 2, line 5), and substitute the following:

(2) if the person is not a prescribing practitioner or a pharmacist, promptly write the oral or telephonically communicated prescription and include in the written record of the prescription the name, address, [~~department registration number,~~] and Federal Drug Enforcement Administration number issued for prescribing a controlled substance in this state of the prescribing practitioner, all information required to be provided by a practitioner under Section 481.075(e)(1), and all information required to be provided by a dispensing pharmacist under Section 481.075(e)(2).

(3) In SECTION 1 of the bill, strike Sections 481.074(k)(7), (8), and (9), Health and Safety Code (page 6, line 21, through page 7, line 2), and substitute the following:

(7) the [~~legibly printed or stamped~~] name, address, Federal Drug Enforcement Administration [~~registration~~] number, and telephone number of the practitioner at the practitioner's usual place of business, which must be legibly printed or stamped on a written prescription; and

(8) if the prescription is handwritten, the signature of the prescribing practitioner [~~, and~~

~~[(9) if the prescribing practitioner is licensed in this state, the practitioner's department registration number].~~

(4) In SECTION 1 of the bill, after amended Section 481.074(k), Health and Safety Code (page 7, between lines 2 and 3), insert the following:

(q) Each dispensing pharmacist shall send all information required by the director, including any information required to complete the Schedule III through V prescription forms, to the director by electronic transfer or another form approved by the director not later than the seventh [~~15th~~] day after the date [~~last day of the month in which~~] the prescription is completely filled.

(5) In SECTION 2 of the bill, strike Section 481.075(e)(1)(E), Health and Safety Code (page 8, lines 1-3), and substitute the following:

(E) the practitioner's name, address, [~~department registration number,~~] and Federal Drug Enforcement Administration number issued for prescribing a controlled substance in this state;

(6) In SECTION 2 of the bill, strike Section 481.075(i)(3), Health and Safety Code (page 10, lines 2-7), and substitute the following:

(3) send all information required by the director, including any information required to complete an official prescription form or electronic prescription record, to the director by electronic transfer or another form approved by the director not later than the seventh [~~15th~~] day after the date [~~last day of the month in which~~] the prescription is completely filled.

(7) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 481.061, Health and Safety Code, is amended by adding Subsection (d) to read as follows:

(d) A person shall provide the department with the person's Federal Drug Enforcement Administration number not later than the 45th day after the director issues a registration to the person under this subchapter.

SECTION \_\_\_\_\_. Subsections (a) and (i), Section 481.076, Health and Safety Code, are amended to read as follows:

(a) The director may not permit any person to have access to information submitted to the director under Section 481.074(q) or 481.075 except:

(1) an investigator for the Texas Medical Board, the Texas State Board of Podiatric Medical Examiners, the State Board of Dental Examiners, the State Board of Veterinary Medical Examiners, the Texas Board of Nursing, or the Texas State Board of Pharmacy;

(2) an authorized officer or member of the department engaged in the administration, investigation, or enforcement of this chapter or another law governing illicit drugs in this state or

another state; or

(3) if the director finds that proper need has been shown to the director:

(A) a law enforcement or prosecutorial official engaged in the administration, investigation, or enforcement of this chapter or another law governing illicit drugs in this state or another state;

(B) a pharmacist or practitioner who is a physician, dentist, veterinarian, podiatrist, or advanced practice nurse or physician assistant described by Section 481.002(39)(D) and is inquiring about a recent Schedule II, III, IV, or V prescription history of a particular patient of the practitioner; or

(C) a pharmacist or practitioner who is inquiring about the person's own dispensing or prescribing activity.

(i) Information submitted to the director under Section 481.074(q) or 481.075 is confidential and remains confidential regardless of whether the director permits access to the information under this section.

SECTION \_\_\_\_\_. Notwithstanding Section 481.061, Health and Safety Code, as amended by this Act, a person who holds a valid registration under Subchapter C, Chapter 481, Health and Safety Code, on the effective date of this Act is not required to submit the person's Federal Drug Enforcement Administration number to the Department of Public Safety of the State of Texas before October 15, 2011.