

BILL ANALYSIS

C.S.H.B. 2069
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Doctors often prescribe certain maintenance drugs, such as blood pressure, diabetes, or heart medication, for a 30-day supply with multiple refills with the intent that patients take the drug every day as prescribed. Research suggests that switching a 30-day prescription to a 90-day prescription for such medication can decrease a patient's expenses and increase the likelihood that a patient will adhere to the medication regimen. Although a 90-day supply of drugs often is available to consumers through mail-order pharmacies, the option is not available to an individual who prefers to use a local pharmacy unless the prescribing physician gives the pharmacist permission to do so.

C.S.H.B. 2069 seeks to increase efficiency in pharmacies, reduce the number of unnecessary calls to a prescribing doctor's office, and reduce out-of-pocket costs to consumers by authorizing a pharmacist to offer up to a 90-day supply of certain maintenance medications under certain circumstances.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2069 amends the Occupations Code to authorize a pharmacist to dispense up to a 90-day supply of a dangerous drug pursuant to a valid prescription that specifies the dispensing of a lesser amount followed by periodic refills of that amount if the total quantity of dosage units dispensed does not exceed the total quantity of dosage units authorized by the prescriber on the original prescription, including refills; the patient consents to the dispensing of up to a 90-day supply and the physician has been notified electronically or by telephone; the physician has not specified on the prescription that dispensing the prescription in an initial amount followed by periodic refills is medically necessary; the dangerous drug is not a psychotropic drug; and the patient is at least 18 years of age. The bill makes a conforming change.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2069 differs from the original, in a provision establishing the conditions under which a pharmacist is authorized to dispense up to a 90-day supply of a dangerous drug pursuant to a valid prescription that specifies the dispensing of a lesser amount followed by periodic refills of that amount, by including among those conditions that the patient consents to the dispensing of up to a 90-day supply and the physician has been notified electronically or by telephone, that the dangerous drug is not a psychotropic drug, and that the patient is at least 18 years of age,

whereas the original includes the condition that, in the pharmacist's professional judgment, dispensing the prescription in such a manner would not be harmful to the patient. The substitute differs from the original in nonsubstantive ways.