

AN ACT

relating to the authority of a pharmacist to dispense up to a 90-day supply of dangerous drugs and accelerate refills.

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

SECTION 1. Section 562.007, Occupations Code, is amended to read as follows:

Sec. 562.007. REFILLS. Except as provided by Section 562.0545, a [A] properly authorized prescription refill shall follow the original dispensing instruction unless otherwise indicated by the practitioner or the practitioner's agent.

SECTION 2. Subchapter B, Chapter 562, Occupations Code, is amended by adding Section 562.0545 to read as follows:

Sec. 562.0545. 90-DAY SUPPLY AND ACCELERATED REFILLS. A pharmacist may 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:

(1) 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;

(2) the patient consents to the dispensing of up to a 90-day supply and the physician has been notified electronically or by telephone;

(3) the physician has not specified on the prescription that dispensing the prescription in an initial amount

1 followed by periodic refills is medically necessary;

2 (4) the dangerous drug is not a psychotropic drug; and

3 (5) the patient is at least 18 years of age.

4 SECTION 3. This Act takes effect September 1, 2011.

H.B. No. 2069

President of the Senate

Speaker of the House

I certify that H.B. No. 2069 was passed by the House on May 3, 2011, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2069 was passed by the Senate on May 19, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor