

1-1 By: Naishtat (Senate Sponsor - Lucio) H.B. No. 2069
1-2 (In the Senate - Received from the House May 4, 2011;
1-3 May 5, 2011, read first time and referred to Committee on Health
1-4 and Human Services; May 13, 2011, reported favorably by the
1-5 following vote: Yeas 7, Nays 0; May 13, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of a pharmacist to dispense up to a 90-day
1-9 supply of dangerous drugs and accelerate refills.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 562.007, Occupations Code, is amended to
1-12 read as follows:

1-13 Sec. 562.007. REFILLS. Except as provided by Section
1-14 562.0545, a [A] properly authorized prescription refill shall
1-15 follow the original dispensing instruction unless otherwise
1-16 indicated by the practitioner or the practitioner's agent.

1-17 SECTION 2. Subchapter B, Chapter 562, Occupations Code, is
1-18 amended by adding Section 562.0545 to read as follows:

1-19 Sec. 562.0545. 90-DAY SUPPLY AND ACCELERATED REFILLS. A
1-20 pharmacist may dispense up to a 90-day supply of a dangerous drug
1-21 pursuant to a valid prescription that specifies the dispensing of a
1-22 lesser amount followed by periodic refills of that amount if:

1-23 (1) the total quantity of dosage units dispensed does
1-24 not exceed the total quantity of dosage units authorized by the
1-25 prescriber on the original prescription, including refills;

1-26 (2) the patient consents to the dispensing of up to a
1-27 90-day supply and the physician has been notified electronically or
1-28 by telephone;

1-29 (3) the physician has not specified on the
1-30 prescription that dispensing the prescription in an initial amount
1-31 followed by periodic refills is medically necessary;

1-32 (4) the dangerous drug is not a psychotropic drug; and

1-33 (5) the patient is at least 18 years of age.

1-34 SECTION 3. This Act takes effect September 1, 2011.

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