

By: Perry

H.B. No. 3687

A BILL TO BE ENTITLED

AN ACT

relating to the closed formulary for workers' compensation pharmaceutical benefits.

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

SECTION 1. Section 408.028, Labor Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) The commissioner shall adopt rules allowing the compounding of any drug formulation that incorporates any drug or combination of drugs contained in the closed formulary, regardless of the form in which the drug or drugs are approved in the formulary, to be eligible for reimbursement if:

(1) a health care practitioner directs that the compounded drug formulation be dispensed to the patient under a prescription as an oral, parenteral, rectal, vaginal, buccal, transdermal, topical, or inhalant medication; and

(2) a commercially available version of the compounded drug formulation is not available in the form and concentration prescribed by the health care practitioner.

SECTION 2. This Act takes effect September 1, 2011.