

By: Lucio

S.B. No. 1453

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a pharmacist to 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. ACCELERATED REFILLS. A pharmacist may dispense up to a 90-day supply of a dangerous drug pursuant to a valid prescription that specifies dispensation 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 physician has not specified on the prescription that dispensing the prescription in an initial amount followed by periodic refills is medically necessary; and

(3) in the pharmacist's professional judgment, dispensing the prescription in this manner would not be harmful to the patient.

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