

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**April 18, 2013**

**TO:** Honorable Jane Nelson, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB1643** by Williams (Relating to the monitoring of prescriptions for certain controlled substances; providing penalties.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Health and Safety Code to require pharmacists to include the method of payment used to pay for a prescription on the prescription form or note for Schedule II controlled substances. The bill would add pharmacy technicians acting at the direction of a pharmacist and nurses acting at the direction of a practitioner to those authorized to access prescription history.

The bill would define a health information exchange and authorize certain individuals to access prescription information through a health information exchange. The bill would allow an authorized individual to access prescription information in the health information exchange for the purpose of inclusion in a patient's medical records as part of the patient's medical history. The bill would change the requirement that DPS destroy the record of the identity of the patient in the system from 12 months to 36 months. The bill would create an offense for individuals who obtain unauthorized access to prescription information while it is being submitted to DPS.

The bill would create the Interagency Prescription Monitoring Work Group to evaluate the effectiveness of prescription monitoring and record-keeping relating to the regulation of dispensing controlled substances by prescription. The bill would require the Interagency Prescription Monitoring Work Group to meet at least quarterly for the purpose of providing the Legislature with recommendations by no later than December 1 of each even-numbered year on improving the regulation of dispensing controlled substances by prescription. The bill would require the Prescription Monitoring Work Group to engage proactively stakeholders, and solicit and take into account input from the public, while conducting its deliberations.

It is assumed the costs associated with implementing the provisions of the bill could be absorbed within existing resources. The bill would take effect September 1, 2013.

## **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 503 Texas Medical Board, 515 Board of Pharmacy, 529 Health and Human Services Commission

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