

Amend SB 202 (house committee report) as follows:

(1) On page 318, strike lines 6-7 and substitute the following:

SECTION 3.023. Section 351.005, Occupations Code, is amended by amending Subsections (a) and (d) and by adding Subsection (a-1) to read as follows:

(2) On page 319, between lines 13 and 14, insert the following:

(a-1) Notwithstanding any other law, a therapeutic optometrist licensed under this chapter may supply to a patient, for a fee, an aesthetic pharmaceutical and is not required to obtain a license under Subtitle J for that purpose. In this subsection, "aesthetic pharmaceutical" means a drug that is not a controlled substance, requires a prescription for dispensation, is legally marketed under 21 U.S.C. Section 355, if it is a new drug subject to that section, and is prescribed for the enhancement of an individual's appearance.

(3) Add a new section, appropriately numbered, to Article 3 to read as follows:

SECTION \_\_\_\_\_. Section 158.001, Occupations Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) Notwithstanding Subsection (c) or any other law, a physician licensed under this subtitle may supply to a patient, for a fee, an aesthetic pharmaceutical and is not required to obtain a license under Subtitle J for that purpose. In this subsection, "aesthetic pharmaceutical" means a drug that is not a controlled substance, requires a prescription for dispensation, is legally marketed under 21 U.S.C. Section 355, if it is a new drug subject to that section, and is prescribed for the enhancement of an individual's appearance.