

By: Zerwas, Guerra, Farney,
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H.B. No. 1550

A BILL TO BE ENTITLED

AN ACT

relating to the administration of epinephrine by pharmacists.

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

SECTION 1. Subchapter B, Chapter 562, Occupations Code, is amended by adding Section 562.057 to read as follows:

Sec. 562.057. ADMINISTRATION OF EPINEPHRINE. (a) A pharmacist may administer epinephrine through an auto-injector device in accordance with this section.

(b) The board shall adopt rules designed to protect the public health and safety to implement this section. The rules must provide that a pharmacist may administer epinephrine through an auto-injector device to a patient in an emergency situation.

(c) A pharmacist may maintain, administer, and dispose of epinephrine auto-injector devices only in accordance with rules adopted by the board under this section.

(d) A pharmacist who administers epinephrine through an auto-injector device to a patient shall report the use to the patient's primary care physician, as identified by the patient, if the patient has a primary care physician.

(e) A pharmacist who in good faith administers epinephrine through an auto-injector device in accordance with the requirements of this section is not liable for civil damages for an act performed in the administration unless the act is wilfully or wantonly negligent. A pharmacist may not receive remuneration for the

1 administration of epinephrine through an auto-injector device but
2 may seek reimbursement for the cost of the epinephrine
3 auto-injector device.

4 (f) The administration of epinephrine through an
5 auto-injector device to a patient in accordance with the
6 requirements of this section does not constitute the unlawful
7 practice of any health care profession.

8 SECTION 2. Before January 1, 2016, pharmacists may
9 administer epinephrine through an auto-injector device to the
10 extent allowed under the law that exists before September 1, 2015.

11 SECTION 3. (a) Except as provided by Subsection (b) of
12 this section, this Act takes effect September 1, 2015.

13 (b) Section 562.057, Occupations Code, as added by this Act,
14 takes effect January 1, 2016, except that Section 562.057 takes
15 effect September 1, 2015, for the limited purpose of allowing the
16 Texas State Board of Pharmacy to adopt rules under that law that may
17 take effect before January 1, 2016.