

Amend SB 1625 (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 157.0511, Occupations Code, is amended by amending Subsections (a), (b), (b-1), and (c) and adding Subsection (b-3) to read as follows:

(a) A physician's authority to delegate the prescribing or ordering of a drug or device under this subchapter is limited to:

- (1) nonprescription drugs;
- (2) dangerous drugs; and
- (3) controlled substances to the extent provided by Subsections (b), ~~[and]~~ (b-1), and (b-3).

(b) Except as provided by Subsections ~~[Subsection]~~ (b-1) and (b-3), a physician may delegate the prescribing or ordering of a controlled substance only if:

(1) the prescription is for a controlled substance listed in Schedule III, IV, or V as established by the commissioner of state health services ~~[the Department of State Health Services]~~ under Chapter 481, Health and Safety Code;

(2) the prescription, including any refill ~~[a refill]~~ of the prescription, is for a period not to exceed 90 days;

(3) with regard to the refill of a prescription, the refill is authorized after consultation with the delegating physician and the consultation is noted in the patient's chart; and

(4) with regard to a prescription for a child less than two years of age, the prescription is made after consultation with the delegating physician and the consultation is noted in the patient's chart.

(b-1) A physician may delegate the prescribing or ordering of a controlled substance listed in Schedule II as established by the commissioner of state health services ~~[the Department of State Health Services]~~ under Chapter 481, Health and Safety Code ~~[, only]~~:

(1) in a hospital facility-based practice under Section 157.054, in accordance with policies approved by the hospital's medical staff or a committee of the hospital's medical staff as provided by the hospital bylaws to ensure patient safety, and as part of the care provided to a patient who:

(A) has been admitted to the hospital for an intended length of stay of 24 hours or greater; or

(B) is receiving services in the emergency department of the hospital; or

(2) as part of the plan of care for the treatment of a person who has executed a written certification of a terminal illness, has elected to receive hospice care, and is receiving hospice treatment from a qualified hospice provider.

(b-3) A physician may delegate to a physician assistant the prescribing or ordering of a controlled substance listed in Schedule II as established by the commissioner of state health services under Chapter 481, Health and Safety Code, at the practice site.

(c) This subchapter does not modify the authority granted by law for a licensed registered nurse or physician assistant to administer or provide a medication, including a controlled substance listed in Schedule II as established by the commissioner of state health services [~~the Department of State Health Services~~] under Chapter 481, Health and Safety Code, that is authorized by a physician under a physician's order, standing medical order, standing delegation order, or protocol.