

By: Shaheen

H.B. No. 1482

A BILL TO BE ENTITLED

AN ACT

relating to the dispensing of certain drugs by physicians.

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

SECTION 1. Section 157.002(f), Occupations Code, is amended to read as follows:

(f) Subsections (b) and (c) do not authorize a physician or a person acting under the supervision of a physician to keep a pharmacy, advertised or otherwise, for the retail sale of dangerous drugs, other than as authorized under Section 158.001(b) [~~158.003~~], without complying with the applicable laws relating to the dangerous drugs.

SECTION 2. Section 158.001, Occupations Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-1) and (d) to read as follows:

(a) In this section, "dangerous drug" has the meaning assigned by Section 483.001, Health and Safety Code.

(a-1) A physician licensed under this subtitle may supply a patient with any drug, remedy, or clinical supply necessary to meet the patient's immediate needs.

(b) A physician may dispense dangerous drugs to the physician's patients and charge the patients for the drugs [~~This section does not permit a physician to operate a retail pharmacy~~] without complying with Chapter 558.

(d) Before dispensing a dangerous drug to a patient under

1 Subsection (b), a physician must disclose to the patient:

2 (1) the cost of the drug to the physician; and

3 (2) the price the patient will be charged for the drug
4 by the physician.

5 SECTION 3. Section 551.004(b), Occupations Code, is amended
6 to read as follows:

7 (b) This subtitle does not prevent a practitioner from:

8 (1) administering a drug to a patient of the
9 practitioner; or

10 (2) supplying dangerous drugs to a patient as provided
11 by Section 158.001(b).

12 SECTION 4. Section 563.051(d), Occupations Code, is amended
13 to read as follows:

14 (d) This section does not authorize a physician or a person
15 acting under the supervision of a physician to keep a pharmacy,
16 advertised or otherwise, for the retail sale of dangerous drugs,
17 other than as authorized under Section 158.001(b) [~~158.003~~],
18 without complying with the applicable laws relating to the
19 dangerous drugs.

20 SECTION 5. Section 158.003, Occupations Code, is repealed.

21 SECTION 6. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2017.