

By: Kacal, King of Hemphill,
Rodriguez of Travis, Ashby

H.B. No. 3236

A BILL TO BE ENTITLED

AN ACT

relating to the costs associated with the provision of certain
investigational drugs, biological products, and devices that are in
clinical trials.

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

SECTION 1. Section 489.053(c), Health and Safety Code, is
amended to read as follows:

(c) A [If a] manufacturer may:

(1) provide [makes available] an investigational
drug, biological product, or device to an eligible patient under
this subchapter~~[, the manufacturer must provide the~~
~~investigational drug, biological product, or device to the eligible~~
~~patient]~~ without receiving compensation; or

(2) require an eligible patient under this subchapter
to pay the costs of, or the costs associated with, the manufacture
of the investigational drug, biological product, or device.

SECTION 2. The change in law made by this Act applies only
to an investigational drug, biological product, or device provided
to an eligible patient on or after the effective date of this Act.
An investigational drug, biological product, or device provided to
an eligible patient before the effective date of this Act is
governed by the law in effect on the date the investigational drug,
biological product, or device was provided, and the former law is
continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2017.