

BILL ANALYSIS

Senate Research Center
86R1597 LHC-F

S.B. 420
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current Texas law, pharmacists are required to utilize the Prescription Monitoring Program (PMP) prior to dispensing certain drugs, including opioids, barbiturates, and benzodiazepines. The current law also requires a pharmacist to check the PMP prior to providing a refill. However, interested parties contend this requirement adds an administrative burden on pharmacists and can cause delays for consumers. Moreover, the refill requirement also provides a limited benefit to public safety because the most widely abused prescription drugs are classified as Schedule II drugs, which are not eligible for refills. In addition, if a person tries to obtain a new prescription duplicative of their refilled prescription, both the prescriber and the pharmacy will be able to see that the person already has an active prescription with refills.

To address this issue, S.B. 420 removes the requirement that pharmacists check the PMP when refilling a prescription.

As proposed, S.B. 420 amends current law relating to dispenser requirements for refilling prescriptions for certain controlled substances.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 481.0765, Health and Safety Code, by adding Subsection (d), to provide that a dispenser is not subject to the requirements of Section 481.0764(a) (relating to a requirement to access certain patient information before prescribing or dispensing certain drugs) if the dispenser is refilling a prescription.

SECTION 2. Effective date: September 1, 2019.