86R7570 SCL-D

By:  Dean H.B. No. 2086

A BILL TO BE ENTITLED

AN ACT

relating to a controlled substance disposal program for pharmacies and certain health care facilities.

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

SECTION 1.  The heading to Chapter 442, Health and Safety Code, is amended to read as follows:

CHAPTER 442. DONATION OF PRESCRIPTION DRUGS AND DISPOSAL OF CONTROLLED SUBSTANCES

SECTION 2.  Chapter 442, Health and Safety Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. DISPOSAL OF CERTAIN CONTROLLED SUBSTANCES

Sec. 442.101.  CONTROLLED SUBSTANCE DISPOSAL PROGRAM REQUIRED. A health care facility or pharmacy shall establish a controlled substance disposal program for a person to return to the facility or pharmacy for disposal any unused quantity of a controlled substance, as defined by Section 481.002, dispensed to the person by the facility or pharmacy. The program must:

(1)  allow the return of a controlled substance during the facility's or pharmacy's regular hours of operation;

(2)  provide a secure method for accepting and storing a controlled substance until disposal;

(3)  allow anonymous returns of a controlled substance; and

(4)  provide disposal of a controlled substance at no cost to the person returning the substance.

Sec. 442.102.  ENFORCEMENT. A person who violates Section 442.101 is subject to review and disciplinary action by the appropriate licensing authority of the health care facility or pharmacy under other law.

SECTION 3.  This Act takes effect September 1, 2019.