86R5935 GCB-D

By:  Sheffield H.B. No. 3285

A BILL TO BE ENTITLED

AN ACT

relating to programs and initiatives to prevent opioid addiction, misuse, and abuse in this state.

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

SECTION 1.  Subchapter B, Chapter 461A, Health and Safety Code, is amended by adding Sections 461A.058 and 461A.059 to read as follows:

Sec. 461A.058.  OPIOID MISUSE PUBLIC AWARENESS CAMPAIGN. The executive commissioner by rule shall develop and the department shall implement a statewide public awareness campaign to deliver public service announcements that explain and clarify certain risks related to opioid misuse, including:

(1)  the risk of over-sedation, respiratory depression, addiction, or overdose; and

(2)  risks involved in mixing opioids with alcohol or other medications.

Sec. 461A.059.  OPIOID ANTAGONIST PROGRAM. (a) In this section, "opioid antagonist" has the meaning assigned by Section 483.101.

(b)  From funds available for that purpose, the executive commissioner shall establish a program to provide opioid antagonists for the prevention of opioid overdoses in a manner determined by the executive commissioner to best accomplish that purpose.

(c)  The executive commissioner may provide opioid antagonists under the program to emergency medical services personnel, first responders, law enforcement agencies, public schools, community centers, and other persons likely to be in a position to respond to an opioid overdose.

(d)  The commission may accept gifts, grants, and donations to be used in administering this section.

(e)  The executive commissioner shall adopt rules as necessary to implement this section.

SECTION 2.  Section 481.074, Health and Safety Code, is amended by adding Subsections (r) and (s) to read as follows:

(r)  A person dispensing a controlled substance under a prescription shall provide to the person receiving the controlled substance written notice of:

(1)  the closest location at which controlled substance prescription drugs are accepted for safe disposal; and

(2)  any other drug disposal methods available at the location at which the controlled substance is dispensed.

(s)  The board shall maintain a list of locations at which controlled substance prescription drugs are accepted for safe disposal and make that list available on the board's Internet website. The board shall adopt rules for the form and manner of the written notice required under Subsection (r).

SECTION 3.  Section 481.0764, Health and Safety Code, is amended by adding Subsection (f) to read as follows:

(f)  A prescriber or dispenser whose practice includes the prescription or dispensation of opioids is encouraged to attend continuing education covering the responsible prescribing and dispensing of opioids and the prevention of opioid addiction, misuse, and abuse. The board shall adopt rules to establish the content of continuing education described by this subsection. The board may collaborate with private and public institutions of higher education and hospitals in establishing the content of the continuing education.

SECTION 4.  Chapter 481, Health and Safety Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. OPIOID PRESCRIPTION WORK GROUP

Sec. 481.401.  DEFINITION. In this subchapter, "work group" means the Opioid Prescription Work Group established under this subchapter.

Sec. 481.402.  WORK GROUP ESTABLISHMENT; DUTIES. The Opioid Prescription Work Group is established to assist the executive commissioner in developing and implementing:

(1)  a method of standardized reporting across state agencies to improve communication and analysis of information concerning opioid addiction, misuse, and abuse;

(2)  an opioid patient outreach program to promote communication between pharmacies and patients who are prescribed opioids concerning the responsible disposal of opioids that are not consumed by the patient;

(3)  an opioid safe disposal program; and

(4)  guidelines for the medically appropriate use of opioids in the treatment of chronic pain and in the provision of palliative care and end-of-life care.

Sec. 481.403.  WORK GROUP MEMBERSHIP. The work group is composed of:

(1)  the executive commissioner or the executive commissioner's designee;

(2)  the director or the director's designee;

(3)  a representative of the board; and

(4)  a representative of each state agency responsible for issuing a license, certification, or registration authorizing a person to prescribe or dispense an opioid, including the Texas Medical Board, the State Board of Dental Examiners, and the State Board of Veterinary Medical Examiners.

Sec. 481.404.  RULES. The executive commissioner shall adopt rules as necessary to implement this subchapter.

SECTION 5.  Not later than December 1, 2019, the executive commissioner of the Health and Human Services Commission shall:

(1)  develop the opioid misuse public awareness campaign required by Section 461A.058, Health and Safety Code, as added by this Act;

(2)  establish the opioid antagonist program required by Section 461A.059, Health and Safety Code, as added by this Act; and

(3)  adopt rules necessary to implement Subchapter J, Chapter 481, Health and Safety Code, as added by this Act.

SECTION 6.  Not later than December 1, 2019, the Texas State Board of Pharmacy shall develop and make available the list required under Section 481.074(s), Health and Safety Code, as added by this Act, and adopt the rules required under that subsection.

SECTION 7.  Section 481.074(r), Health and Safety Code, as added by this Act, applies only to a controlled substance dispensed on or after January 1, 2020.

SECTION 8.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.