2019S0212-1 02/13/19

By:  Raney H.B. No. 4297

A BILL TO BE ENTITLED

AN ACT

relating to the authority of physicians to delegate to certain pharmacists the implementation and modification of a patient's drug therapy.

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

SECTION 1.  Sections 157.101(b) and (b-1), Occupations Code, are amended to read as follows:

(b)  A physician may delegate to a properly qualified and trained pharmacist acting under adequate physician supervision the performance of specific acts of drug therapy management authorized by the physician through the physician's order, standing medical order, standing delegation order, or other order or protocol as defined by board rule, including the implementation or modification of a patient's drug therapy.

(b-1)  A delegation under Subsection (b) may include the implementation or modification of a patient's drug therapy under a protocol that calls for dangerous drugs, which delegation includes[~~, including~~] the authority to sign a prescription drug order [~~for dangerous drugs~~], only if:

(1)  the delegation follows a diagnosis, initial patient assessment, and drug therapy order by the physician;

(2)  the pharmacist practices in a hospital, hospital-based clinic, or an academic health care institution;

(3)  the hospital, hospital-based clinic, or academic health care institution in which the pharmacist practices has bylaws and a medical staff policy that permit a physician to delegate to a pharmacist the management of a patient's drug therapy;

(4)  the pharmacist provides the name, address, and telephone number of the pharmacist and of the delegating physician on each prescription signed by the pharmacist; and

(5)  the pharmacist provides a copy of the protocol to the Texas State Board of Pharmacy.

SECTION 2.  Section 554.057, Occupations Code, is amended to read as follows:

Sec. 554.057.  RULEMAKING; IMPLEMENTATION OF DRUG THERAPY UNDER PROTOCOL. The board, with the advice of the Texas Medical Board, shall adopt rules that allow a pharmacist to implement or modify a patient's drug therapy pursuant to a physician's delegation under Section 157.101(b) or (b-1) [~~157.101(b-1)~~].

SECTION 3.  Not later than January 1, 2020, the Texas State Board of Pharmacy shall adopt rules under Section 554.057, Occupations Code, as amended by this Act.

SECTION 4.  This Act takes effect September 1, 2019.