

By: Dean, Thompson of Harris, Zerwas, Moody,
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H.B. No. 2088

A BILL TO BE ENTITLED

1 AN ACT
2 relating to providing information and other resources regarding
3 safe disposal of Schedule II controlled substance prescription
4 drugs.

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

6 SECTION 1. Section 481.075, Health and Safety Code, is
7 amended by adding Subsections (n), (o), and (p) to read as follows:

8 (n) A person dispensing a Schedule II controlled substance
9 under a prescription shall provide written notice, as defined by
10 board rule adopted under Subsection (o), on the safe disposal of
11 controlled substance prescription drugs, unless:

12 (1) the Schedule II controlled substance prescription
13 drug is dispensed at a pharmacy or other location that:

14 (A) is authorized to take back those drugs for
15 safe disposal; and

16 (B) regularly accepts those drugs for safe
17 disposal; or

18 (2) the dispenser provides to the person to whom the
19 Schedule II controlled substance prescription drug is dispensed, at
20 the time of dispensation and at no cost to the person:

21 (A) a mail-in pouch for surrendering unused
22 controlled substance prescription drugs; or

23 (B) chemicals to render any unused drugs unusable
24 or non-retrievable.

1 (o) The board shall adopt rules to prescribe the form of the
2 written notice on the safe disposal of controlled substance
3 prescription drugs required under Subsection (n). The notice must
4 include information on locations at which Schedule II controlled
5 substance prescription drugs are accepted for safe disposal. The
6 notice, in lieu of listing those locations, may provide the address
7 of an Internet website specified by the board that provides a
8 searchable database of locations at which Schedule II controlled
9 substance prescription drugs are accepted for safe disposal.

10 (p) The board may take disciplinary action against a person
11 who fails to comply with Subsection (n).

12 SECTION 2. Section 481.075(n), Health and Safety Code, as
13 added by this Act, applies only to a controlled substance
14 prescription drug dispensed on or after January 1, 2020.

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