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

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

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

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

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

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

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

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

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

(B) chemicals to render any unused drugs unusable
or non-retrievable.
The board shall adopt rules to prescribe the form of the written notice on the safe disposal of controlled substance prescription drugs required under Subsection (n). The notice must include information on locations at which Schedule II controlled substance prescription drugs are accepted for safe disposal. The notice, in lieu of listing those locations, may provide the address of an Internet website specified by the board that provides a searchable database of locations at which Schedule II controlled substance prescription drugs are accepted for safe disposal.

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

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

SECTION 3. This Act takes effect September 1, 2019.
H.B. No. 2088

President of the Senate

Speaker of the House

I certify that H.B. No. 2088 was passed by the House on May 3, 2019, by the following vote: Yeas 138, Nays 4, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2088 was passed by the Senate on May 22, 2019, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: _______________________

Date

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Governor