

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.

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.

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President of the Senate

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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