

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.

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

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

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

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

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

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

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

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

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

26 (f) A prescriber or dispenser whose practice includes the
27 prescription or dispensation of opioids is encouraged to attend

1 continuing education covering the responsible prescribing and
2 dispensing of opioids and the prevention of opioid addiction,
3 misuse, and abuse. The board shall adopt rules to establish the
4 content of continuing education described by this subsection. The
5 board may collaborate with private and public institutions of
6 higher education and hospitals in establishing the content of the
7 continuing education.

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

10 SUBCHAPTER J. OPIOID PRESCRIPTION WORK GROUP

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

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

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

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

24 (3) an opioid safe disposal program; and

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

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

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

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

6 (3) a representative of the board; and

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

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

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

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

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

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

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

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

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