

By: Raney

H.B. No. 4297

Substitute the following for H.B. No. 4297:

By: Guerra

C.S.H.B. No. 4297

A BILL TO BE ENTITLED

1

AN ACT

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

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

6 SECTION 1. Section 157.101(b-1), Occupations Code, is
7 amended to read as follows:

8 (b-1) A delegation under Subsection (b) may include:

9 (1) the implementation or modification of a patient's
10 drug therapy under a protocol if:

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

13 (B) the pharmacist maintains a copy of the
14 protocol for inspection until at least the seventh anniversary of
15 the expiration date of the protocol; or

16 (2) [~~including~~] the authority to sign a prescription
17 drug order for dangerous drugs for a patient [~~]~~ if:

18 (A) [~~(1)~~] the delegation follows a diagnosis,
19 initial patient assessment, and drug therapy order by the
20 physician;

21 (B) [~~(2)~~] the pharmacist practices in a hospital,
22 hospital-based clinic, or an academic health care institution;

23 (C) [~~(3)~~] the hospital, hospital-based clinic,
24 or academic health care institution in which the pharmacist

1 practices has bylaws and a medical staff policy that permit a
2 physician to delegate to a pharmacist the management of a patient's
3 drug therapy;

4 (D) [~~(4)~~] the pharmacist provides the name,
5 address, and telephone number of the pharmacist and of the
6 delegating physician on each prescription signed by the pharmacist;
7 and

8 (E) [~~(5)~~] the pharmacist provides a copy of the
9 protocol to the Texas State Board of Pharmacy.

10 SECTION 2. Not later than December 1, 2019, the Texas State
11 Board of Pharmacy shall adopt rules necessary to implement Section
12 [554.057](#), Occupations Code.

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