

By: Raney

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. Sections 157.101(b) and (b-1), Occupations Code,
7 are amended to read as follows:

8 (b) A physician may delegate to a properly qualified and
9 trained pharmacist acting under adequate physician supervision the
10 performance of specific acts of drug therapy management authorized
11 by the physician through the physician's order, standing medical
12 order, standing delegation order, or other order or protocol as
13 defined by board rule, including the implementation or modification
14 of a patient's drug therapy.

15 (b-1) A delegation under Subsection (b) may include the
16 implementation or modification of a patient's drug therapy under a
17 protocol that calls for dangerous drugs, which delegation
18 includes [~~including~~] the authority to sign a prescription drug
19 order [~~for dangerous drugs~~], only if:

20 (1) the delegation follows a diagnosis, initial
21 patient assessment, and drug therapy order by the physician;

22 (2) the pharmacist practices in a hospital,
23 hospital-based clinic, or an academic health care institution;

24 (3) the hospital, hospital-based clinic, or academic

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

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

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

10 SECTION 2. Section 554.057, Occupations Code, is amended to
11 read as follows:

12 Sec. 554.057. RULEMAKING; IMPLEMENTATION OF DRUG THERAPY
13 UNDER PROTOCOL. The board, with the advice of the Texas Medical
14 Board, shall adopt rules that allow a pharmacist to implement or
15 modify a patient's drug therapy pursuant to a physician's
16 delegation under Section 157.101(b) or (b-1) [~~157.101(b-1)~~].

17 SECTION 3. Not later than January 1, 2020, the Texas State
18 Board of Pharmacy shall adopt rules under Section 554.057,
19 Occupations Code, as amended by this Act.

20 SECTION 4. This Act takes effect September 1, 2019.