

By: Hughes

S.B. No. 2367

A BILL TO BE ENTITLED

AN ACT

relating to a controlled substance disposal program for pharmacies and certain health care facilities.

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

SECTION 1. The heading to Chapter 442, Health and Safety Code, is amended to read as follows:

CHAPTER 442. DONATION OF PRESCRIPTION DRUGS AND DISPOSAL OF CONTROLLED SUBSTANCES

SECTION 2. Chapter 442, Health and Safety Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. DISPOSAL OF CERTAIN CONTROLLED SUBSTANCES

Sec. 442.101. CONTROLLED SUBSTANCE DISPOSAL PROGRAM REQUIRED. A health care facility or pharmacy shall establish a controlled substance disposal program for a person to return to the facility or pharmacy for disposal any unused quantity of a controlled substance, as defined by Section 481.002, dispensed to the person by the facility or pharmacy. The program must:

(1) allow the return of a controlled substance during the facility's or pharmacy's regular hours of operation;

(2) provide a secure method for accepting and storing a controlled substance until disposal;

(3) allow anonymous returns of a controlled substance;

and

(4) provide disposal of a controlled substance at no

1 cost to the person returning the substance.

2 Sec. 442.102. ENFORCEMENT. A person who violates Section
3 442.101 is subject to review and disciplinary action by the
4 appropriate licensing authority of the health care facility or
5 pharmacy under other law.

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