

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 15, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: SB683 by Buckingham (Relating to the licensing and regulation of pharmacists and pharmacies.), As Passed 2nd House

Estimated Two-year Net Impact to General Revenue Related Funds for SB683, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2021.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2020	\$0
2021	\$0
2022	\$0
2023	\$0
2024	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable (Cost) from General Revenue Fund 1	Probable Revenue Gain/(Loss) from General Revenue Fund 1
2020	(\$65,000)	\$65,000
2021	\$0	\$0
2022	\$0	\$0
2023	\$0	\$0
2024	\$0	\$0

Fiscal Analysis

The bill would amend the Health and Safety Code as it relates to the licensing and regulation of pharmacists and pharmacies. Under the provisions of the bill, a practitioner would be permitted access to the Texas Prescription Monitoring Program (PMP) electronic database to inquire about the prescribing activity of an individual to whom the practitioner has delegated prescriptive authority.

Methodology

Under the provisions of the bill, a pharmacy would be required to send a report to the Texas State Board of Pharmacy if it has not dispensed any controlled substances in seven days, pharmacy interns and pharmacy technician trainees would be authorized to access the PMP with the direction of a pharmacist, the frequency of required meetings for the Interagency Prescription Monitoring Work Group would be amended to when necessary, and a practitioner would be permitted to access the PMP to inquire about the prescribing activity of an individual to whom the practitioner has delegated prescriptive authority.

The PMP does not currently have the capacity to allow practitioners access to the prescribing activity of an individual to whom they have delegated prescriptive authority, and the vendor estimates that modifying the database to allow this access would have a one-time cost of approximately \$65,000 in fiscal year 2020 and no cost in subsequent fiscal years.

Costs for the PMP are shared between seven regulatory agencies whose licensees have prescriptive authority (Texas Medical Board, Optometry Board, Texas State Board of Dental Examiners, Texas Board of Nursing, Board of Veterinary Medical Examiners, Texas Department of Licensing and Regulation, and Texas State Board of Pharmacy), and participating agencies will increase fees or use available revenue to fund the cost of implementing the bill.

The estimated total to comply with the provisions of the bill would be \$65,000 in fiscal year 2020 and no cost in subsequent fiscal years.

Technology

Technology costs are estimated to be \$65,000 in the first year for modifying the PMP database and no cost in subsequent fiscal years.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation, 515 Board of Pharmacy

LBB Staff: WP, AKi, SGr, ESt