87R12346 JSC-F

By:  Price H.B. No. 4408

A BILL TO BE ENTITLED

AN ACT

relating to provision of an opioid antagonist to a person who is filling a prescription for an opioid medication.

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

SECTION 1.  Section 483.103, Health and Safety Code, is amended by adding Subsection (b-1) and amending Subsection (c) to read as follows:

(b-1)  A pharmacist may dispense an opioid antagonist without a prescription to a person to whom the pharmacist is dispensing an opioid medication under a prescription if:

(1)  the opioid is prescribed in conjunction with benzodiazepine medication;

(2)  the prescription of the dispensed medication directs the patient to take 90 morphine milligram equivalents or more daily;

(3)  in the pharmacist's professional opinion, the patient is at risk of accidental overdose or potential abuse or overuse; or

(4)  the physician who issued the prescription has communicated to the pharmacist that in the physician's professional opinion, the patient is at risk of accidental overdose or potential abuse or overuse.

(c)  A pharmacist who, acting in good faith and with reasonable care, dispenses or does not dispense an opioid antagonist under a valid prescription or on the pharmacist's own initiative under Subsection (b-1) is not subject to any criminal or civil liability or any professional disciplinary action for:

(1)  dispensing or failing to dispense the opioid antagonist; or

(2)  if the pharmacist chooses to dispense an opioid antagonist, any outcome resulting from the eventual administration of the opioid antagonist.

SECTION 2.  The change in law made by this Act applies only to a person to whom the pharmacist dispenses an opioid medication under a prescription on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2021.