88R12745 DIO-F

By:  Allison H.B. No. 3230

A BILL TO BE ENTITLED

AN ACT

relating to the prescribing or ordering of a controlled substance or dangerous drug or device by an advanced practice registered nurse or physician assistant under a prescriptive authority agreement.

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

SECTION 1.  Section 157.0512, Occupations Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  Except as provided by Subsection (a-1), a [~~A~~] physician may delegate to an advanced practice registered nurse or physician assistant, acting under adequate physician supervision, the act of prescribing or ordering a drug or device as authorized through a prescriptive authority agreement between the physician and the advanced practice registered nurse or physician assistant, as applicable.

(a-1)  A physician may not delegate to an advanced practice registered nurse or physician assistant, acting under adequate physician supervision, the act of prescribing or ordering a controlled substance or dangerous drug or device unless authorized under a prescriptive authority agreement between the physician and the advanced practice registered nurse or physician assistant, as applicable. An advanced practice registered nurse or physician assistant prescribing or ordering a controlled substance or dangerous drug or device under this subsection may do so only for a patient with whom the physician who makes the delegation has an established physician-patient relationship.

SECTION 2.  This Act takes effect September 1, 2023.