88R15230 MPF-D

By:  Talarico H.B. No. 4799

A BILL TO BE ENTITLED

AN ACT

relating to the provision of opioid antagonists to clients on discharge from a chemical dependency treatment facility.

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

SECTION 1.  Subchapter A, Chapter 464, Health and Safety Code, is amended by adding Sections 464.021 and 464.0211 to read as follows:

Sec. 464.021.  PROVISION OF OPIOID ANTAGONISTS. (a) In this section, "opioid antagonist" and "opioid-related drug overdose" have the meanings assigned by Section 483.101, Health and Safety Code.

(b)  In a state fiscal year during which a treatment facility licensed under this chapter receives state money by legislative appropriation made for chemical dependency treatment or a similar public purpose, or in which state money is otherwise made available for the facility's use in providing chemical dependency treatment, the facility must provide opioid antagonists to a client the facility reasonably believes to be at risk for an opioid-related drug overdose before discharging the client from the facility.

Sec. 464.0211.  PRESCRIPTION OF OPIOID ANTAGONISTS.  (a)  A physician or person who has been delegated prescriptive authority under Chapter 157, Occupations Code, may prescribe opioid antagonists in the name of a treatment facility licensed under this chapter.

(b)  A physician or other person who prescribes opioid antagonists under Subsection (a) shall provide the treatment facility with a standing order for the administration of an opioid antagonist to a person reasonably believed to be experiencing an opioid-related drug overdose.

(c)  The standing order under Subsection (b) is not required to be patient-specific, and the opioid antagonist may be administered to a person without a previously established physician-patient relationship.

(d)  Notwithstanding any other provisions of law, supervision or delegation by a physician is considered adequate if the physician:

(1)  periodically reviews the order; and

(2)  is available through direct telecommunication as needed for consultation, assistance, and direction.

(e)  An order issued under this section must contain:

(1)  the name and signature of the prescribing physician or other person;

(2)  the name of the treatment facility to which the order is issued;

(3)  the quantity of opioid antagonists to be obtained and maintained under the order; and

(4)  the date of issue.

(f)  A pharmacist may dispense an opioid antagonist to a treatment facility without requiring the name or any other identifying information relating to the user.

SECTION 2.  Section 464.021, Health and Safety Code, as added by this Act, applies only to a client who is discharged from a chemical dependency treatment facility on or after the effective date of this Act. A client who is discharged from a facility before that date is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2023.