88R2850 SCP-D

By:  Hall S.B. No. 300

A BILL TO BE ENTITLED

AN ACT

relating to a pharmacist's authority to refuse to dispense a drug.

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

SECTION 1.  Section 551.006, Occupations Code, is amended to read as follows:

Sec. 551.006.  [~~EXCLUSIVE~~] AUTHORITY TO REFUSE TO DISPENSE. (a) In this section, "emergency contraceptive" means a drug containing an elevated dose of hormones that:

(1)  is used postcoitally;

(2)  prevents pregnancy by preventing fertilization of an egg or preventing implantation of a fertilized egg in a uterus; and

(3)  is approved by the United States Food and Drug Administration.

(b)  Notwithstanding any other law, a pharmacist may refuse to dispense a drug only if the drug is:

(1)  an abortion-inducing drug or emergency contraceptive; or

(2)  a controlled substance listed in Schedules II through V as established under Chapter 481, Health and Safety Code, and the pharmacist reasonably suspects the drug will be misused [~~has the exclusive authority to determine whether or not to dispense a drug~~].

SECTION 2.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2023.