

By: Hall

S.B. No. 301

A BILL TO BE ENTITLED

AN ACT

relating to prescribing, administering, or dispensing ivermectin or hydroxychloroquine sulfate.

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

SECTION 1. Chapter 439, Health and Safety Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. IVERMECTIN AND HYDROXYCHLOROQUINE SULFATE

Sec. 439.051. DEFINITIONS. In this subchapter:

(1) "Health care provider" means a person licensed or otherwise authorized under state law to prescribe prescription drugs to a patient.

(2) "Pharmacist" means a person licensed by the Texas State Board of Pharmacy to practice pharmacy.

Sec. 439.052. PROHIBITED GROUNDS FOR DISCIPLINARY ACTION.

The state agency with licensing or regulatory authority over a health care provider or pharmacist may not revoke, fail to renew, suspend, or take any action against the health care provider's or pharmacist's license, permit, registration, certificate, or other authority based solely on the health care provider prescribing or administering or the pharmacist dispensing ivermectin or hydroxychloroquine sulfate to a patient.

Sec. 439.053. CIVIL LIABILITY. A health care provider or pharmacist who prescribes, administers, or dispenses, as applicable, ivermectin or hydroxychloroquine sulfate in accordance

1 with this subchapter is immune from civil liability based solely on  
2 that action unless the action constitutes gross negligence or  
3 wilful misconduct.

4 SECTION 2. The changes in law made by this Act apply to a  
5 prescription issued or a drug administered or dispensed on or after  
6 the effective date of this Act.

7 SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2023.