

1-1 By: Hall S.B. No. 301
 1-2 (In the Senate - Filed December 19, 2022; February 15, 2023,
 1-3 read first time and referred to Committee on Health & Human Services;
 1-4 April 11, 2023, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 11, 2023,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 301 By: Hughes

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to prescribing, administering, or dispensing ivermectin
 1-22 or hydroxychloroquine sulfate.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Chapter 439, Health and Safety Code, is amended
 1-25 by adding Subchapter D to read as follows:

1-26 SUBCHAPTER D. IVERMECTIN AND HYDROXYCHLOROQUINE SULFATE

1-27 Sec. 439.051. DEFINITIONS. In this subchapter:

1-28 (1) "Health care provider" means a person licensed or
 1-29 otherwise authorized under state law to prescribe prescription
 1-30 drugs to a patient.

1-31 (2) "Pharmacist" means a person licensed by the Texas
 1-32 State Board of Pharmacy to practice pharmacy.

1-33 Sec. 439.052. PROHIBITED GROUNDS FOR DISCIPLINARY ACTION.

1-34 The state agency with licensing or regulatory authority over a
 1-35 health care provider or pharmacist may not revoke, fail to renew,
 1-36 suspend, or take any action against the health care provider's or
 1-37 pharmacist's license, permit, registration, certificate, or other
 1-38 authority based solely on the health care provider prescribing or
 1-39 administering or the pharmacist dispensing ivermectin or
 1-40 hydroxychloroquine sulfate to a patient.

1-41 Sec. 439.053. CIVIL LIABILITY. A health care provider or
 1-42 pharmacist who prescribes, administers, or dispenses, as
 1-43 applicable, ivermectin or hydroxychloroquine sulfate in accordance
 1-44 with this subchapter is immune from civil liability based solely on
 1-45 that action unless the action constitutes gross negligence or
 1-46 wilful misconduct.

1-47 SECTION 2. The changes in law made by this Act apply to a
 1-48 prescription issued or a drug administered or dispensed on or after
 1-49 the effective date of this Act.

1-50 SECTION 3. This Act takes effect immediately if it receives
 1-51 a vote of two-thirds of all the members elected to each house, as
 1-52 provided by Section 39, Article III, Texas Constitution. If this
 1-53 Act does not receive the vote necessary for immediate effect, this
 1-54 Act takes effect September 1, 2023.

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