

By: Shofner

H.B. No. 84

A BILL TO BE ENTITLED

AN ACT

relating to a statewide order issued by the commissioner of state health services authorizing a pharmacist to dispense ivermectin.

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

SECTION 1. Subchapter D, Chapter 1001, Health and Safety Code, is amended by adding Section 1001.090 to read as follows:

Sec. 1001.090. STATEWIDE ORDER AUTHORIZING DISPENSING OF IVERMECTIN. (a) The commissioner shall issue a statewide order authorizing a licensed pharmacist to dispense ivermectin without a health care practitioner's prescription order notwithstanding any other law.

(b) The statewide order must include written, standardized procedures or protocols for a pharmacist to follow when dispensing ivermectin and require the pharmacist to provide each patient with instructions on the proper use of ivermectin.

(c) Notwithstanding any other law, a pharmacist may dispense ivermectin in accordance with the statewide order.

(d) Notwithstanding any other law, a pharmacist acting in a reasonably prudent manner is not criminally or civilly liable or subject to professional disciplinary action for dispensing ivermectin in accordance with the statewide order.

(e) A pharmacist dispensing ivermectin in accordance with the statewide order shall provide an annual written report in the form and manner the department prescribes on the number of doses of

1 ivermectin the pharmacist dispensed in accordance with the
2 statewide order in the preceding calendar year.

3 (f) The executive commissioner and the Texas State Board of
4 Pharmacy may adopt the rules necessary to implement this section.

5 (g) Notwithstanding any other law, the commissioner's
6 issuance of a statewide order under Subsection (a) may not be the
7 basis for criminal or civil liability against the commissioner or
8 disciplinary action by a licensing entity in this state that issues
9 a license to the commissioner.

10 SECTION 2. As soon as practicable after the effective date
11 of this Act, the commissioner of state health services shall issue a
12 statewide order in accordance with Section 1001.090, Health and
13 Safety Code, as added by this Act.

14 SECTION 3. This Act takes effect on the 91st day after the
15 last day of the legislative session.