

BILL ANALYSIS

Senate Research Center
89S20833 KRM-D

H.B. 25
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Use of certain off-label drugs has repeatedly been proven to be incredibly safe and effective. Specifically use of ivermectin to treat viral infections has an incredible amount of data to prove its efficacy, with a slim margin for risk.

Access to off-label medication is not always ensured. For example, the Texas Medical Board has recently adopted increasingly restrictive rules regarding the administration of off-label medications.

Expanding access to ivermectin would offer Texans greater medical freedom by increasing their treatment options—particularly at a time when public skepticism toward traditional pharmaceuticals is on the rise. Professional testimony has indicated that ivermectin may have both preventative and therapeutic benefits, even in mild cases of illness.

This Bill Would:

- Allow a pharmacist to dispense ivermectin without a prescription.
- Maintain that as long as prudent and reasonable action is taken by the pharmacist who dispenses ivermectin, they cannot be held criminally or civilly liable.
- Allow the Texas State Board of Pharmacy to adopt rules as necessary.

H.B. 25 amends current law relating to a pharmacist's authority to dispense ivermectin without a prescription.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas State Board of Pharmacy in SECTION 1 (Section 446.002, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subtitle A, Title 6, Health and Safety Code, by adding Chapter 446, as follows:

CHAPTER 446. IVERMECTIN

Sec. 446.001. SALE OF IVERMECTIN WITHOUT A PRESCRIPTION; ESTABLISHING PROTECTIONS. (a) Authorizes a pharmacist to dispense ivermectin to a person, without requiring a prescription order from a licensed health care practitioner, in accordance with any written standardized procedures or protocols issued by the Texas State Board of Pharmacy (TSBP), including, if required, providing the person with instructions on the proper use of ivermectin.

(b) Provides that, notwithstanding any other law, a pharmacist acting in a reasonably prudent manner is not criminally liable or subject to professional disciplinary action for dispensing ivermectin in accordance with this section.

Sec. 446.002. RULES. Authorizes TSBP to adopt the rules necessary to implement this chapter.

SECTION 2. Effective date: the 91st day after the last day of the legislative session.