

BILL ANALYSIS

H.B. 632
By: Bucy
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Kevin's Law, passed in 2021 by the 87th Legislature, authorizes a pharmacist to dispense a 30-day emergency refill of all insulin and insulin-related equipment and supplies if the pharmacist is unable to reach an individual's health care provider for authorization. This allows a person to access insulin during times when their primary care physician cannot be reached, such as the holidays. However, the bill author has informed the committee that unlike many other medications that treat chronic conditions, insulin does not come with a standard dose for everyone, and as a result, prepackaged dose packs may exceed a 30-day supply for some individuals. This also means that pharmacists giving out greater than 30-day supplies to patients whose lives may be at risk cannot be effectively reimbursed for what they need to dispense. H.B. 632 seeks to provide more flexibility to both patients and pharmacists by excepting pharmacists from the 30-day supply cap on an emergency refill of insulin if the size of the smallest commercially available package exceeds that cap.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 632 amends the Occupations Code to establish an exception to the 30-day supply cap on the quantity of an emergency refill of insulin if the smallest commercially available package of insulin exceeds a 30-day supply. The bill authorizes a pharmacist to dispense multiple packages of insulin for an emergency refill if the total quantity dispensed does not exceed a 30-day supply. The bill changes the cap on the quantity of an emergency refill of insulin-related equipment or supplies from the lesser of a 30-day supply or the smallest available package to only the smallest commercially available package necessary for a 30-day supply.

EFFECTIVE DATE

September 1, 2025.