

By: Shaheen

H.B. No. 1027

A BILL TO BE ENTITLED

AN ACT

relating to the provision of telepharmacy services.

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

SECTION 1. Section 562.110, Occupations Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e) The board shall adopt rules regarding the use of a telepharmacy system under this section, including:

(1) ~~[the types of health care facilities at which a telepharmacy system may be located under Subsection (d)(1), which must include the following facilities:~~

~~[(A) a clinic designated as a rural health clinic regulated under 42 U.S.C. Section 1395x(aa),~~

~~[(B) a health center as defined by 42 U.S.C. Section 254b, and~~

~~[(C) a federally qualified health center as defined by 42 U.S.C. Section 1396d(1)(2)(B),~~

~~[(2) the locations eligible to be licensed as remote dispensing sites, which must include locations in medically underserved areas, areas with a medically underserved population, and health professional shortage areas determined by the United States Department of Health and Human Services,~~

~~[(3)]~~ licensing and operating requirements for remote dispensing sites, including:

1 (A) a requirement that a remote dispensing site
2 license identify the provider pharmacy that will provide pharmacy
3 services at the remote dispensing site;

4 (B) a requirement that a provider pharmacy be
5 allowed to provide pharmacy services at not more than two remote
6 dispensing sites;

7 (C) ~~[a requirement that a pharmacist employed by~~
8 ~~a provider pharmacy make at least monthly on-site visits to a remote~~
9 ~~dispensing site or more frequent visits if specified by board rule;~~

10 ~~[(D)]~~ a requirement that each month the perpetual
11 inventory of controlled substances at the remote dispensing site be
12 reconciled to the on-hand count of those controlled substances at
13 the site by a pharmacist employed by the provider pharmacy;

14 (D) ~~[(E)]~~ a requirement that a pharmacist
15 employed by a provider pharmacy be physically present at a remote
16 dispensing site when the pharmacist is providing services requiring
17 the physical presence of the pharmacist, including immunizations;

18 (E) ~~[(F)]~~ a requirement that a remote dispensing
19 site be staffed by an on-site pharmacy technician who is under the
20 continuous supervision of a pharmacist employed by the provider
21 pharmacy;

22 (F) ~~[(G)]~~ a requirement that all pharmacy
23 technicians at a remote dispensing site be counted for the purpose
24 of establishing the pharmacist-pharmacy technician ratio of the
25 provider pharmacy, which, notwithstanding Section 568.006, may not
26 exceed three pharmacy technicians for each pharmacist providing
27 supervision;

1 (G) [~~(H)~~] a requirement that, before working at a
2 remote dispensing site, a pharmacy technician must:

3 (i) have worked at least one year at a
4 retail pharmacy during the three years preceding the date the
5 pharmacy technician begins working at the remote dispensing site;
6 and

7 (ii) have completed a board-approved
8 training program on the proper use of a telepharmacy system;

9 (H) [~~(I)~~] a requirement that pharmacy
10 technicians at a remote dispensing site may not perform
11 extemporaneous sterile or nonsterile compounding but may prepare
12 commercially available medications for dispensing, including the
13 reconstitution of orally administered powder antibiotics; and

14 (I) [~~(J)~~] any additional training or practice
15 experience requirements for pharmacy technicians at a remote
16 dispensing site;

17 (2) [~~(4)~~] ~~the areas that qualify under Subsection (f),~~

18 ~~[(5)]~~ recordkeeping requirements; and

19 (3) [~~(6)~~] security requirements.

20 (e-1) The board may not adopt any rule, policy, or other
21 directive imposing any mileage restriction related to the location
22 of a telepharmacy system or remote dispensing site.

23 SECTION 2. The following provisions of the Occupations Code
24 are repealed:

25 (1) Sections 562.110(f), (f-1), (i), and (j);

26 (2) Sections 562.110(g) and (h), as added by Chapter
27 485 (H.B. 2561), Acts of the 85th Legislature, Regular Session,

1 2017; and

2 (3) Sections [562.110](#)(g) and (h), as added by Chapter
3 929 (S.B. 1633), Acts of the 85th Legislature, Regular Session,
4 2017.

5 SECTION 3. This Act takes effect September 1, 2025.