

Board Meeting Date	Action	Rule Number	Summary	Task Force
2/7-8/2006	Proposed	291.33	The amendments would clarify the labeling requirements for drugs dispensed or administered to a patient who is in a nursing home, with the label being on the immediate container or package.	Staff Recommendation
5/9/10/2006	Adopted	291.33	See Proposed rules from 2/7-8/2006. One comment received from the Coalition for Nurses in Advanced Practice suggesting a clarification that the name of the APN or PA be required on the Rx label. The Board agreed with the comment and modified the rule language.	
8/1-2/2006	Proposed	291.34	The amendments make the time for pharmacies to supply records when requested by the Texas State Board of Pharmacy consistent throughout the rules.	Staff Recommendation
10/31-11/1/2006	Adopted	291.34	See Proposed rules from 8/1-2/2006. No comments received.	
	Proposed	291.34	The amendments would (1) allow a pharmacy to document information regarding the dispensing of a prescription either on the hard copy or electronically in the pharmacy's data processing system; (2) require a pharmacy's data processing system to document the initials of a pharmacy technician if the pharmacy technician is involved in the data entry of a prescription record; and (3) require a pharmacy's data processing system to record anytime a change is made to a	Staff Recommendation
2/13-14/2007	Adopted	291.34	See Proposed from 10/31-11/1/2006. Comments were received, one in favor of the amendments and one stating that modification of the information maintained in a computer system will be required. The Board adopted the rules and delayed implementation until 1/1/2009.	
5/8-9/2007	Proposed	291.31	Amendment to define hot water.	Staff Recommendation
		291.32	The amendments clarify that a pharmacist must check the data entry of a prescription, at the time of data entry when the prescription is placed "on hold" and update the rules to include pharmacy technician trainees.	
		291.33	The amendments correct references to other rules in the chapter, correct the alternative labeling requirements for customized patient medication packages to conform with changes made to the alternative labeling requirements for dispensing containers, allow for the reuse of certain types of prescription containers if the patient or patient's agent has difficulty reading or understanding the prescription label.	
		291.34	The amendments require pharmacies to provide the board or its representative with records in electronic format, if the records are maintained in an electronic format, and updates and corrects references.	
		291.33	Amendments to implement the recommendations of the Task Force on Class A Pharmacy Security.	Yes - Task Force on Class A Pharmacy Security
8/7-8/2007	Public Hearing	291.33	Pharmacy Security Rules. The board voted to withdraw the proposed rules and to reconvene the Task Force to develop language based on the comment received at the public hearing	Task Force on Class A Pharmacy Security
	Adopted	291.31	See Proposed Rules from 5/8-9/2007. Comments received from TSHP, NACDS, and Medco. The Board agreed with the comments of TSHP and Medco and modified the rules accordingly.	
		291.32		
		291.33		
291.34				

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10/30-31/2007	Proposed	291.33	The Amendments allow the reuse of Vials that provide audio-recorded information about the medication; and implement the requirements of H.B. 948, 2007 Texas Legislature to require prescription labels to be in plain language and in an easily readable font size, and to require written information provided to consumers to be in plain language and printed in an easily readable font size.	To Implement Legislation
		291.34	The amendments implement the requirements of S.B. 994 (2007 Session) to update the rules to allow practitioners in other states to issue telephonic or electronic prescriptions for controlled substances to be filled in Texas pharmacies.	
		291.34	Amendments would implement S.B. 1658 (2007 Session) to allow pharmacists to dispense up to a 30-day supply of prescription drugs in the event of a manmade or natural disaster.	
			291.31-291.35	Rule Review
	Discussion		Discussion suggested by TFDS. After discussion and hearing presentations from several individuals, the Board directed staff to develop suggested language for the Board's consideration at the February meeting so that if the pharmacy can track every person in the dispensing process electronically, only the person who made the error will be held responsible. During this discussion, the Board also discussed pharmacist responsible for patient counseling and directed staff to bring language to the February meeting.	Discussion suggested by TFDS.
2/5-6/2008	Adopted	291.33	See Proposed Rules from 10/30-31/2007. No comments were received.	To Implement Legislation
		291.34		
		291.34		
			291.31-391.35	Rule Review
2/5-6/2008	Proposed	291.32	See Discussion item at the October meeting. Amendments to specify that if the pharmacy can track every person in the dispensing process electronically, only the person who made the error will be held	From the 10/31-11/1/2009 Meeting
		291.33-291.34	See Discussion item at the October meeting. Amendments to require the pharmacy to document the identity of the pharmacist responsible for providing counseling on a new prescription.	
		291.34	Amendments would implement S.B. 1658 (2007 Session) to allow pharmacists to dispense up to a 30-day supply of prescription drugs in the event of a manmade or natural disaster.	To Implement Legislation
		291.31 & 291.33	Amendments to implement the revised recommendations of the Task Force on Class A Pharmacy Security.	Task Force on Class A Pharmacy Security
5/6-7/2008	Public Hearing	291.33	Pharmacy Security Rules.	Task Force on Class A Pharmacy Security
	Consideration for Adoption. The Board <u>Postponed</u> action until the <u>August meeting</u>	291.32	See Proposed from 2/5-6/2008. The Board postponed a decision until the August meeting so that the comments could be reviewed.	From the 10/31-11/1/2007 Meeting
		291.33-291.34		
		291.34		To Implement Legislation
	291.31 & 291.33		Yes - Task Force on Class A Pharmacy Security	

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8/5-6/2008	Adopted	291.32	See Proposed rules from 2/5-6/2008. Comments on the rules were received from TPA, NACDS, American Pharmacies, HEB, and TFDS. The Board agreed with all the comments and made changes to the rules to incorporate the suggestions.	From the 10/31-11/1/2007 Meeting.
		291.33-291.34		
		291.34		To Implement Legislation
	291.31 & 291.33	Task Force on Class A Pharmacy Security		
	Proposed	291.33	Amendments to move the storage of drugs temperature requirements from the Class A rules to new 291.15	Staff Recommendation
11/18/2009	Proposed	291.33	The amendments clarify that prescription labels and written information provided to consumers must be printed in a type-size no smaller than 10-point Times Roman; clarify that prescriptions issued for a specific manufacturer of a generic drug or the same manufacturer must be dispensed as such unless authorization is obtained from the prescriber; and clarify that the prescription label is not required to include the identification code or initials of the dispensing pharmacist if the information is stored in the pharmacy's data processing system.	Staff Recommendation
	Adopted	291.33	See Proposed rules from 8/5-6/2008. No comments were received.	
2/10/2009	Proposed	291.33	Amendments as a result of a pilot project that will allow the use of an automated storage and distribution device (kiosk) for pick-up of previously verified prescriptions by a patient, or the patient's agent, under certain conditions.	Pilot Project
		291.34	The amendments clarify that an original prescription may only be dispensed if the prescription is authorized by the prescriber.	Staff Recommendation
	Adopted	291.33	See Proposed rules from 11/18/2009. Comments were received from Davita Rx, Medco, & NACDS. The Board agreed with the comments from Davita Rx and Medco and partially agreed with the comments from NACDS. The rules were changed to reflect the suggestions.	
5/5/2009	Discussion		Discussion of a request from MiniMed Distribution Corp., a subsidiary of Medtronic, Inc., regarding the ratio of pharmacists to pharmacy technicians in a call center pharmacy.	Discussion suggested by Medtronics.
	Proposed	291.32	After the discussion above, the Board voted to propose an amendment to 291.32 to allow a Class A pharmacy to have a ratio of 1:5 pharmacists to pharmacy technicians/pharmacy technician trainees if the pharmacy dispenses no more than 20 different prescription drugs regardless of whether or not the pharmacy compounds non-sterile preparations.	From Discussion item Above
	Adopted	291.33	See Proposed rules from 2/10/2009. Comments were received from NACDS, HEB, and Asteres. The Board agreed with the majority of the comments and made changes to the rules to reflect the agreement.	
291.34				

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8/11-12/2009	Discussion		Discussion suggested by a Board member regarding requirements for electronic prescriptions. After the discussion, the Board directed staff to bring draft language to the November meeting.	Discussion suggested by Board member.	
		291.33	The amendments implement the provisions of HB 19 (2009 Session) to require a Beyond-Use Date on a Prescription Label.	To Implement Legislation	
		291.31, 291.34, & 291.34	Amendments to implement SB 381 (2009 Session) allowing pharmacists to signing prescriptions in certain facilities.		
	Adopted		291.32	See Proposed rule from 5/5/09. No comments were received.	From 5/5/09 Meeting
			291.33	See Proposed rules from 2/10/2009. Comments were received from NACDS. The Board agreed with these comments and modified the rules accordingly.	
			291.34	See Proposed rules from 2/10/2009.	
11/10-11/2009	Public Hearing	291.32	See Proposed Rules from 8/11-12/2009. No comments were received.		
		291.33			
		291.31, 291.34, & 291.34			
		291.34			
	Discussion			Discussion recommended by Prescription Solutions concerning licensing requirements for pharmacists located in another state verifying data entry of a pharmacy technician working in a Class A Pharmacy and performing cognitive duties such as MTM and DUR. Following discussion, the Board directed staff to provide the Board with suggested language to clarify TSBP rules regarding licensing requirements for pharmacists providing cognitive duties for Texas patients in another state and for remotely supervising pharmacy technicians.	Discussion suggested by Prescription Solutions.
				Discussion concerning the ratio of pharmacist to pharmacy technicians in a Class A Pharmacy as requested by TFDS. Following the discussion, the Board took no action on this item.	Discussion suggested by TFDS. No Further Action.
				Discussion concerning required font size on the information given to patients as requested by TFDS. Following discussion the Board advised TFDS that both designated items on the prescription label and all of the information on the patient leaflet are required to be in at least a 10 point font.	Discussion suggested by TFDS. No Further Action.
	Proposed		291.34	Amendments to clarify the information that must be on electronic prescriptions.	From the 8/10-11/2009 Meeting
			291.33	See Proposed Rules from 8/11-12/2009. No comments were received.	
			291.31, 291.34, & 291.34	See Proposed Rules from 8/11-12/2009. No comments were received.	

Board Meeting Date	Action	Rule Number	Summary	Task Force
2/9-10/2010	Public Hearing	291.34	See Proposed Rule from 11/9-10/2010 Meeting. No comments received on this rule.	
	Proposed	291.33	The amendments implement the requirements of HB 19 to require pharmacists to place the statement "Do not flush unused medications or pour down a sink or drain" on the prescription label.	To Implement Legislation
		291.32 & 291.33	Amendments to clarify TSBP rules regarding licensing requirements for pharmacists providing cognitive duties for Texas patients in another state and for remotely supervising pharmacy technicians.	From Discussion at the 11/9-10/2009 Meeting.
	Adopted	291.34	See Proposed rules from 11/9-10/2009.	
5/4-5/2010	Discussion	291.33	Discussion suggested by a Board member concerning the requirements for a physician to communicate generic substitution requirements on an electronic prescription. Following discussion the Board directed staff to develop suggested rule language concerning electronic prescription orders for consideration by the Board at the August 2010 meeting.	Discussion suggested by Board member.
	Proposed	291.33	Amendments regarding the requirements for a physician to communicate generic substitution requirements on an electronic prescription.	From the meeting. See Above.
	Adopted	291.33	See Proposed Rules from 2/9-10/2010.	
		291.32 & 291.33	See Proposed Rules from 2/9-10/2010.	