

RULE ANALYSIS

Introduction: THE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS PROPOSED RULES

Short Title: Contested Cases

Rule Numbers: §281.22

Statutory Authority: Texas Pharmacy Act, Chapter 551-566 and 568-569, Occupations Code:

- (1) Section 551.002 specifies that the purpose of the Act is to protect the public through the effective control and regulation of the practice of pharmacy; and
- (2) Section 554.051 gives the Board the authority to adopt rules for the proper administration and enforcement of the Act.

Purpose: The amendments, if adopted, corrects the citation reference.

Background: Board staff presents the proposed amendments to correctly reference the appropriate citation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

**TITLE 22 EXAMINING BOARDS
PART 15 TEXAS STATE BOARD OF PHARMACY
CHAPTER 281 ADMINISTRATIVE PRACTICE AND PROCEDURES
SUBCHAPTER B GENERAL PROCEDURES IN A CONTESTED CASE**

§281.22 Informal Disposition of a Contested Case

(a) – (d) (No change.)

(e) Any default judgment granted under this section will be entered on the basis of the factual allegations in the notice specified in subsection (b) of this section, and upon proof of proper notice to the licensee's or registrant's address of record. For purposes of this section, proper notice means notice sufficient to meet the provisions of ~~§2001.052~~ ~~[§2001.054]~~ of the Administrative Procedure Act and §281.30 of this title (relating to Pleadings and Notice in a Contested Case).

(f) – (j) (No change.)