

1 **22TAC, Part 15**
 2 **Chapter 291. Pharmacies**
 3 **Subchapter B. Community Pharmacy (Class A)**

4
 5 **§291.33 Operational Standards.**

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7 (c) Prescription dispensing and delivery.

8 (1) Patient counseling and provision of drug information.

9 (A) To optimize drug therapy, a pharmacist shall communicate to the patient or the patient's
 10 agent, information about the prescription drug or device which in the exercise of the pharmacist's
 11 professional judgment the pharmacist deems significant, such as the following:

12 (i) the name and description of the drug or device;

13 (ii) dosage form, dosage, route of administration, and duration of drug therapy;

14 (iii) special directions and precautions for preparation, administration, and use by the patient;

15 (iv) common severe side or adverse effects or interactions and therapeutic contraindications
 16 that may be encountered, including their avoidance, and the action required if they occur;

17 (v) techniques for self monitoring of drug therapy;

18 (vi) proper storage;

19 (vii) refill information; and

20 (viii) action to be taken in the event of a missed dose.

21 (B) Such communication:

22 (i) shall be provided with each new prescription drug order;

23 (ii) shall be provided for any prescription drug order dispensed by the pharmacy on the
 24 request of the patient or patient's agent;

25 (iii) shall be communicated orally in person unless the patient or patient's agent is not at the
 26 pharmacy or a specific communication barrier prohibits such oral communication;

27 **(iv) effective, June 1, 2010, shall be documented by recording the initials or**
 28 **identification code of the pharmacist providing the counseling in the prescription**
 29 **dispensing record on either the original hard-copy prescription, in the pharmacy's data**
 30 **processing system or in an electronic logbook;** and

31 (v) shall be reinforced with written information relevant to the prescription and provided to
 32 the patient or patient's agent. The following is applicable concerning this written information.

33 (I) Written information must be in plain language designed for the consumer and printed in
 34 an easily readable font size comparable to but no smaller than ten-point Times Roman.

35 (II) When a compounded product is dispensed, information shall be provided for the major
 36 active ingredient(s), if available.

37 (III) For new drug entities, if no written information is initially available, the pharmacist is
38 not required to provide information until such information is available, provided:

39 (-a-) the pharmacist informs the patient or the patient's agent that the product is a new drug
40 entity and written information is not available;

41 (-b-) the pharmacist documents the fact that no written information was provided; and

42 (-c-) if the prescription is refilled after written information is available, such information is
43 provided to the patient or patient's agent.

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45 **§291.34. Records**

46 xxx

47 (b) Prescriptions

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49 (6) Prescription drug order information.

50 (A) All original prescriptions shall bear:

51 (i) name of the patient, or if such drug is for an animal, the species of such animal and the
52 name of the owner;

53 (ii) address of the patient, provided, however, a prescription for a dangerous drug is not
54 required to bear the address of the patient if such address is readily retrievable on another
55 appropriate, uniformly maintained pharmacy record, such as medication records;

56 (iii) name, and if for a controlled substance, the address and DEA registration number of the
57 practitioner;

58 (iv) name and strength of the drug prescribed;

59 (v) quantity prescribed;

60 (vi) directions for use;

61 (vii) intended use for the drug unless the practitioner determines the furnishing of this
62 information is not in the best interest of the patient; and

63 (viii) date of issuance.

64 (B) All original electronic prescription drug orders shall bear:

65 (i) name of the patient, if such drug is for an animal, the species of such animal, and the name
66 of the owner;

67 (ii) address of the patient, provided, however, a prescription for a dangerous drug is not
68 required to bear the address of the patient if such address is readily retrievable on another
69 appropriate, uniformly maintained pharmacy record, such as medication records;

70 (iii) name, and if for a controlled substance, the address and DEA registration number of the
71 practitioner;

- 72 (iv) name and strength of the drug prescribed;
73 (v) quantity prescribed;
74 (vi) directions for use;
75 (vii) indications for use, unless the practitioner determines the furnishing of this information
76 is not in the best interest of the patient;
77 (viii) date of issuance;
78 (ix) if a faxed prescription, a statement which indicates that the prescription has been faxed
79 (e.g., Faxed to);
80 (x) telephone number of the prescribing practitioner;
81 (xi) date the prescription drug order was electronically transmitted to the pharmacy, if
82 different from the date of issuance of the prescription; and
83 (xii) if transmitted by a designated agent, the full name of the designated agent.

84 (C) All original written prescriptions carried out or signed by an advanced practice nurse or
85 physician assistant in accordance with Subtitle B, Chapter 157, Occupations Code, shall bear:

- 86 (i) name and address of the patient;
87 (ii) name, address, telephone number, and if the prescription is for a controlled substance, the
88 DEA number of the supervising practitioner;
89 (iii) name, identification number, original signature and if the prescription is for a controlled
90 substance, the DEA number of the advanced practice nurse or physician assistant;
91 (iv) address and telephone number of the clinic at which the prescription drug order was
92 carried out or signed;
93 (v) name, strength, and quantity of the drug;
94 (vi) directions for use;
95 (vii) indications for use, if appropriate;
96 (viii) date of issuance; and
97 (ix) number of refills authorized.

98 **(D) At the time of dispensing, a pharmacist is responsible for documenting the following**
99 **information on either the original hard-copy prescription or in the pharmacy's data**
100 **processing system:**

- 101 (i) unique identification number of the prescription drug order;
102 (ii) initials or identification code of the dispensing pharmacist;
103 (iii) effective January 1, 2009, initials or identification code of the pharmacy technician or
104 pharmacy technician trainee performing data entry of the prescription, if applicable;

105 (iv) quantity dispensed, if different from the quantity prescribed;
106 (v) date of dispensing, if different from the date of issuance;
107 (vi) brand name or manufacturer of the drug product actually dispensed, if the drug was
108 prescribed by generic name or if a drug product other than the one prescribed was dispensed
109 pursuant to the provisions of the Act, Chapters 562 and 563; and
110 **(vii) effective June 1, 2010, for each new prescription the initials or identification code**
111 **of the pharmacist responsible for providing counseling.**