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ACTION CHART FOR LEGISLATION PASSED BY THE 2007 LEGISLATIVE SESSION				
Bill #	Action	Effective Date	Internal Deadline	Status
H.B. 1 Approp. Act	(1) Establish a budget for FY2008-2009 which includes: (a) a salary increase for employees; (b) five additional FTEs; (c) funding for the testing of compounded products; (d) funding for the electronic meeting process; (e) increase in funding for the PRN program; and (f) an increase in the salary of the ED.	9/1/07	9/1/07	COMPLETED The proposed budget was approved by the Board at the August 7-8, 2007 meeting.
	(2) As required by Section 19.68, the agency is required to submit a report on our background check procedures to the State Auditor's Office, Texas Department of Licensing and Regulation, Department of Public Safety, and the Legislative Budget Board.	9/1/07	11/1/07	COMPLETED (1) The State Auditor's Office will determine the form in which agencies shall submit the reports. (2) The State Auditor published the report in March 2008.
H.B. 948 Rx Labeling	The bill requires the Board to adopt rules that: (1) "Require the label on a dispensing container to be in plain language and printed in an easily readable font size for the consumer;" and (2) "Specify the information a pharmacist must provide to a consumer when dispensing a prescription." The information must be: (a) written in plain language; (b) relevant to the prescription; and (c) printed in an easily readable font size.	9/1/08	2/28/08	COMPLETED (1) Draft rules were approved by the Board at the October 30-31, 2006 meeting. The rules were published in the November 23, 2007 issue of the <i>Texas Register</i> . (2) The Board will consider the rules for final adoption at the February 5-6, 2008 meeting. (3) The proposed rules were adopted by the Board at the February 2008 meeting and published in the February 29, 2008 issue of the <i>Texas Register</i> . The rules became effective on March 6, 2008.
H.B. 1676 Public Awareness Campaign on Buying Drugs on the Internet	The bill requires the office of the Attorney General (AG), in consultation with the Texas State Board of Pharmacy, pharmacy trade associations, and consumer advocates, to develop a public awareness campaign to "educate consumers concerning solicitations for the sale of prescription drugs that are made using e-mail or the Internet. The AG may accept gifts, grants, and donations to support the campaign.	5/14/07		ONGOING (1) The AG's office has contacted TSBP regarding contacts for the pharmacy trade associations and setting a meeting to discuss the bill. (2) The AG's office has issued the first press release regarding online pharmacies in September 2007. (3) TSBP will continue to work with the AG regarding this education campaign.
S.B. 625 Substitution of Drugs	This bill amends several sections of the Texas Pharmacy Act as follows: (1) Create a joint committee composed of an equal number of members from TSBP and TMB.	6/15/07 9/14/07	8/31/07	COMPLETED The joint committee was appointed prior to the deadline.

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	(2) Requires the committee to make a recommendation to TSBP on whether to include a drug on the list of NTI drugs as required by new Section 562.0142. The committee must make a recommendation to TSBP in sufficient time to allow the Board to adopt a rules and issue findings not later than 7/1/08.		12/31/07	(2) The joint committee held a public hearing on November 19, 2007, concerning the addition of transplant immunosuppressant to a list of NTI drugs. In addition, the joint committee met on January 14, 2008 to consider the addition of anti-seizure/anti-epileptic drugs to a list of NTI drugs.
			2/5-6/07	(3) The joint committee recommendations regarding the addition of transplant immunosuppressant and anti-seizure/anti-epileptic drugs to a list of NTI drugs were presented to the Board at the February 5-6, 2008 meeting and the Board voted to propose rules. The rules were published in the March 21, 2008 issue of the <i>Texas Register</i> .
			5/7-8/08	(4) The proposed rules were adopted by the Board at the May 2008 meeting and published in the May 30, 2008 issue of the <i>Texas Register</i> . The rules became effective on May 8, 2008.
	(3) New Section 562.0141 prohibits the interchange of an immunosuppressant drug without prior consent to the interchange from the prescribing practitioner. However, if the committee meets and makes a recommendation on the immunosuppressant drugs and the Board adopts rules or issues a ruling by July 1, 2008, the section expires on July 1, 2008, otherwise the section becomes effective on July 1, 2008.		7/8/08	This section of the law expired on July 1, 2008, since the Board met the deadlines set forth in SB 625.
	(4) New Section 562.0142: (a) Requires the committee to consider placing 5 transplant immunosuppressant drugs on the list (Prograft®, Cellcept®, Neoral®, Rapamune®, and Sandimmune®).			COMPLETED – see (2) above
(b) Specifies that if prior to October 1, 2007, a drug manufacturer requests the joint committee to conduct a hearing and make a recommendation to include the transplant immunosuppressant drugs on the list of NTI drugs.			10/1/07	COMPLETED – see (d) below.
(c) Specifies that if a manufacturer makes a request and litigation or a request for an attorney general's opinion regarding Section 562.0142 or 562.0141 if filed by a manufacturer, then the time limits are tolled until the litigation is resolved or the AG renders an opinion.				COMPLETED – see (d) below.

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	<p>(d) Specified that within 3 business days of the occurrence, TSBP must publish notice in the Texas Register of:</p> <ul style="list-style-type: none"> ▪ a request by a drug manufacturer for inclusion of a drug on the list of NTI drugs; ▪ withdrawal of a request from a manufacturer ▪ litigation is filed; ▪ resolution of litigation; or ▪ a request for an AG's opinion. 			<p>COMPLETED</p> <p>(1) On Friday, June 22, 2007, TSBP received a request from Astellas to consider all formulations of Prograf®. The notice was filed with the Texas Register on Wednesday, June 25, 2007.</p> <p>(2) On Wednesday, July 25, 2007, TSBP received a request from Novartis to consider all formulations of Neoral® and Sandimmune.® The notice was filed with the Texas Register on Friday, July 27, 2007.</p> <p>(3) On Wednesday, August 1, 2007, TSBP received a request from Weith to consider all formulations of Rapamune. The notice was filed with the Texas Register on Thursday, August 2, 2007.</p> <p>(4) On Friday, August 10, TSBP received a request from Roche to consider all formulations of CellCept. The notice was filed with the Texas Register on Tuesday, August 14, 2007.</p>
S.B. 997 Out-of-State CS Rxs	<p>This bill amends Section 481.074(h) of the Texas Controlled Substances Act to allow pharmacists to dispense prescriptions for controlled substances under a written, oral or telephonically communicated prescription from an out-of-state practitioner.</p>	9/1/07	2/28/08	<p>COMPLETED</p> <p>(1) Draft rules were approved by the Board at the October 30-31, 2006 meeting. The rules were published in the November 23, 2007 issue of the <i>Texas Register</i>.</p> <p>(2) The Board will consider the rules for final adoption at the February 5-6, 2008 meeting</p> <p>(3) The proposed rules were adopted by the Board at the February 2008 meeting and published in the February 29, 2008 issue of the Texas Register. The rules became effective on March 6, 2008.</p>
S.B. 1274 Flavoring of Rxs	<p>This bill gives the Board the authority to adopt rules governing the procedures for a pharmacist, as a part of compounding, to add flavoring to a commercial product at the request of the patient or patient's agent.</p>	9/1/07	2/28/08	<p>COMPLETED</p> <p>(1) Draft rules were approved by the Board at the October 30-31, 2006 meeting. The rules were published in the November 23, 2007 issue of the <i>Texas Register</i>.</p> <p>(2) The Board will consider the rules for final adoption at the February 5-6, 2008 meeting.</p> <p>(3) The proposed rules were adopted by the Board at the February 2008 meeting and published in the February 29, 2008 issue of the Texas Register. The rules became effective on March 6, 2008.</p>

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S.B. 1658 Emerg. Dispensing of 30 days Supply	(1) This bill amends Section 562.054 of the Texas Pharmacy Act and Section 481.074 of the Texas Controlled Substances Act to allow in the event of a natural or manmade disaster, pharmacists to dispense up to a 30-day supply of a prescription drug, other than Schedule II drugs, if: (a) failure to refill the prescription might result in an interruption of a therapeutic regimen or create patient suffering; (b) the natural or manmade disaster prohibits the pharmacist from contacting the practitioner; (c) the governor has declared a state of disaster; and (d) the Board , through the executive director, has notified pharmacies that pharmacists may dispense up to a 30-day supply of prescription drugs	9/1/07	5/31/08	(1) Draft rules will be considered by the Board for proposal at the February 5-6, 2008, meeting. (2) The Board will consider the rules for final adoption at the August 5-6, 2008, meeting.
S.B. 1879 Amendments to the Controlled Substances Act	This bill amends the Texas Controlled Substances Act to: (a) Allow the DPS to charge a late fee of not more than \$50 for late renewal of registrations.	9/1/07		(1) Information regarding this change in law was published in the Fall 2007 issue of the Newsletter. (2) Board staff continues to make presentations to licensees regarding the change in law. (3) DPS adopted rules to become effective on March 12, 2008.
	(b) Delete the requirement that a Schedule II prescription may not be filled after 7 days. The director of DPS in consultation with TSBP and TMB is required to adopt a rule establishing the period after the issue date that a prescription may be filled.	6/15/07		(1) Information regarding this change in law was published in the Fall 2007 issue of the Newsletter. (2) DPS contacted TSBP on July 16, 2007 regarding the time period. (3) DPS published proposed rules in the November 30, 2007 issue of the Texas Register. (4) On December 31, 2007, TSBP issued a letter supporting the DPS proposed rule regarding the dispensing of CII prescriptions for 21 days after issuance. (5) The rules were adopted by DPS and became effective on March 12, 2008.

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	(c) Require the following additional information on a controlled substance prescription: <ul style="list-style-type: none"> ▪ date of birth or age of the patient; ▪ the signature of the prescribing practitioner, if the prescription is handwritten; and ▪ the Prescribing practitioner's DPS number, if licensed in Texas. 	Effective after DPS establishes a means for RPhs & MDs to electronically access		(1) Information regarding this change in law was published in the Fall 2007 issue of the Newsletter and Board staff continues to make presentations to licensees regarding the changes. (2) DPS published proposed rules in the November 30, 2007 issue of the Texas Register. (3) On December 31, 2007, TSBP issued a letter suggesting that adoption of rules to implement these provisions should be delayed until the advisory committee established in SB 1879 has been appointed and makes recommendations. (4) DPS has established the advisory committee. Meetings were held on April 16, 2008 and May 22, 2008, with another meeting scheduled for August.
	(d) add prescription for Schedule III – V to standardized database used by a pharmacy to transmit information to DPS within 15 days.	9/1/08		
	(e) gives DPS the authority to access administrative penalties on registrants who violate the law. The amount of the penalty may not exceed \$1,000 for each violation/day nor exceed a total of \$20,000.	9/1/07		Information regarding this change in law was published in the Fall 2007 issue of the Newsletter and Board staff continues to make presentations to licensees regarding the changes.
	(2) The bill creates an advisory committee to advise DPS on implementation. The advisory committee includes one member of TSBP.	9/1/07		ONGOING (1) On January 9, 2008, TSBP received a letter from DPS regarding appointment of a TSBP member to the Advisory Committee. (2) President Fry appointed Kim Caldwell to serve on this committee. (3) Committee meeting have been held on April 16, 2008 and May 22, 2008 with another meeting scheduled during August.
(3) The bill establishes a Pain Treatment Review Committee including a pharmacist member of TSBP who serves as a non-voting resource member. The committee is to study the provisions of the state laws that relate to the administration of prescription medications, controlled substances, and the needs of patients for effective pain control and management. The committee also is to examine how the certain statutes affect public health needs, the professional medical community, and persons affected by acute, chronic, or end-of-life pain.	9/1/07		ONGOING (1) Appoint a TSBP member to serve as a resource on the committee. (2) Once the committee has been appointed, monitor the activity of the committee.	

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	(4) The bill requires DPS, TMB, TSBP, BDE, and BNE to submit a report to the Senate Committee on Health and Human Services and the House Public Health Committee that details the number and type of actions relating to the prosecution of violations of the Texas Controlled Substances Act. The initial report is due 11/1/07 and an update is due on May 1 and November 1 of each year.	9/1/07 reports due 11/1/07 then 5/1 and 11/1 of each year.	8/31/07 10/31/07	ONGOING (1) The first report was delivered to Senator Nelson and Representative Delisi on November 1, 2007. (2) File subsequent reports on May 1 and November 1 of each year.
	This bill amends the Texas Pharmacy Act to allow the return and re-dispensing of prescription drugs from penal institutions in the same manner nursing homes can return drugs.	6/15/07	8/31/07	COMPLETED (1) At the May 8-9, 2007, meeting, the Board voted to propose the rules. The rules were published in the June 15, 2007 issue of the Texas Register. (2) The Board adopted the rules at the August 7-8, 2007 meeting and the rules became effective on September 18, 2007.