

TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N. LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

www.txdps.state.tx.us



THOMAS A. DAVIS, JR.
DIRECTOR

DAVID McEATHRON
ASST. DIRECTOR



COMMISSION
ALLAN B. POLUNSKY, CHAIR
C. TOM CLOWE, JR.
ELIZABETH ANDERSON
CARIN MARCY BARTH

August 8, 2008

Attn: Training Program Coordinator:

In mid-July, all Texas registrants were mailed a letter outlining new statutes within the Texas Health and Safety Code (HSC) and reminders of current statutes that should be followed. The new requirements impact physicians in training (PITS) as well.

In order to help clarify procedures for PITs relating to controlled substance prescriptions, the below definitions and information are provided.

Permitted Person – a person permitted with the appropriate licensing board to participate in a bona fide training program at a teaching institution/hospital; i.e. PIT, intern. Permitted persons **do not have a valid license** with their respective licensing board.

Licensee – a person licensed with the appropriate licensing board and participating in a bona fide training program at a teaching institution/hospital.

Prescription – means an order by a practitioner to a pharmacist for a controlled substance for a particular patient; HSC Sec. 481.002(41).

Medication Order-means an order from a practitioner to dispense a drug to a patient in a hospital for immediate administration while the patient is in the hospital or for emergency use on the patient's release from the hospital; see HSC Sec. 481.002(28).

This Office is aware that there are different procedures in place at teaching institutions/hospitals concerning the prescribing of controlled substances. The majority of institutions/hospitals instruct their permitted persons and licensees to prescribe Schedule III-V controlled substances utilizing the institution's DEA registration number with a unique suffix identifying the permitted person or licensee (see Code of Federal Regulations (CFR) 21, Part 1300 to End, 1301.22(c)(5)).

(Continued on back)

Effective September 1, 2008, the HSC Sec. 481.074(k) requires a DPS registration number to be included on all controlled substances prescriptions. To comply with the legislative requirements, permitted persons will be allowed to prescribe controlled substances **utilizing the institution's DPS** and DEA registration numbers followed by the permitted person's unique suffix. If the permitted person changes institutions/hospital for any reason during their participation in the training program, then they should use the registration numbers and unique suffixes for the institution/hospital training program they are participating in when prescriptions are issued. According to the Texas Health and Safety Code, licensees are not authorized to utilize an institution's registration numbers for controlled substance prescriptions. Since licensees have a valid license with their respective licensing board, they are required to obtain their own DPS and DEA registration numbers.

If the institution opts to allow their permitted persons the authority to prescribe a Schedule II controlled substance, then Official Prescription forms must be ordered and obtained from this Office prior to the issuance of the prescription.

To facilitate the processing of prescription information, this Office requests that each training coordinator submit a list of permitted persons assigned to their institution. The list should include information identifying the institution (name, address, DPS registration number), the permitted person (name, date of birth, social security number, unique suffix), and the training coordinator (name, telephone number).

If you have any questions, please contact me at 512/424-2459.



Patrick Knue, Program Administrator
Texas Prescription Program