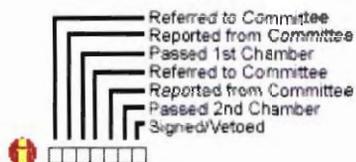




**Board of Pharmacy
Bill Status Report**

07-15-2013 - 19:58:02

A - Action in the date range **R** - Link to Related Information () - Priority



Board Member Track

HB 9
■ ■

Flynn, Dan(R)

Relating to posting certain information regarding compensation of state agency executive staff on the Internet.

Remarks: This bill will require the agency to post on the agency's website, in the manner provided by the state auditor, the agency's methodology, including any employment market analysis, for determining the compensation of executive staff employed by the agency. Agency executive staff includes the Executive Director and Senior level staff members. The term "compensation" includes an emolument provided in lieu of base salary or wages or a supplement to base salary or wages.

Bill History: 05-01-13 H Reported favorably from committee on Select on Transparency in Agency Operations

HB 12
■ ■ ■ ■ ■ ■ ■ ■

Flynn, Dan(R)
Zaffirini, Judith(D)

Relating to gifts made to a state agency for a state employee salary supplement.

Remarks: This bill:

- prohibits a state agency from accepting a gift, grant, donation, or other consideration from a person, including a foundation or other entity, to be used as a salary supplement for an employee of the agency unless:
 - the person provides the agency with the methodology, including any employment market analysis used to determine the amount provided for the salary supplement; and
 - the agency posts information about the supplement on the agency Website.
- requires agencies to post on the agency Website the following information:
 - Number of FTEs;

- amount of legislative appropriations to the agency for each year of the biennium;
- the agency's methodology for determining the compensation of executive staff;
- whether the executive staff is eligible for a salary supplement;
- the market average for compensation of similar executive staff in the private and public sectors;
- the average compensation paid to employees who are not executive staff; and
- for each fiscal year of the five preceding fiscal years, the percentage increase in:
 - compensation of executive staff for each fiscal year of the five preceding fiscal years; and
 - legislative appropriations to the agency.

Bill History: 06-14-13 G Earliest effective date

HB 559

Burkett, Cindy(R)

Relating to the suspension of certain licenses held by employers for the knowing employment of persons not lawfully present in the United States.

Remarks: This bill provides for suspension of an occupational licensee for hiring an illegal alien. The bill provides for a complaint and hearings process with Texas Workforce Commission, including a suspension notification to the licensing agencies involved (similar to that for nonpayment of child support or student loans). TSBP would be required to carryout the suspension if is ordered by TWC.

Bill History: 02-13-13 H Introduced and referred to committee on House State Affairs

HB 746

Ashby, Trenton(R)
Schwertner, Charles(R)

Relating to allowing health care providers to provide services across state lines in catastrophic circumstances.

Remarks: The bill allows volunteer healthcare providers during an emergency to register with the emergency management division and practice without a license from the state. It sets out numerous requirements for the registration system and other provisions.

The Committee Substitute specifies that the Department of State Health Services will administer the system and will:

- accept applications for the registration of volunteer health practitioners before or during an emergency;

- include information about the licensing and good standing of health practitioners that is accessible by authorized persons;
- be capable of confirming whether a health practitioner is licensed and in good standing before health or veterinary services are provided; and
- include information regarding the results of a criminal history record information check performed on the volunteer health practitioners listed in the system.

The Substitute also requires a state agency that grants a license to a health practitioner to coordinate with the department to provide licensing or criminal history record information for volunteer health practitioners seeking registration.

Bill History: 06-14-13 G Earliest effective date

HB 1659



Thompson, Senfronia(D)
Lucio, Eddie(D)

Relating to certain actions taken by certain licensing authorities regarding a license holder or applicant who received deferred adjudication for certain offenses.

Remarks: This bill adds sex offender registration as an automatic consideration for allowing a deferred adjudication to be considered as a conviction by a licensing authority when determining violations/sanctions.

Bill History: 09-01-13 G Earliest effective date

HB 2222



Wu, Gene(D)

Relating to the minimum patient age for administration of an immunization or vaccination by a pharmacist.

Remarks: This bill will allow pharmacists to administer immunizations and vaccinations to persons 7-years of age or older rather than the current 14-years or older.

Bill History: 03-11-13 H Introduced and referred to committee on House Public Health

HB 2254



Geren, Charlie(R)
Van de Putte, Leticia(D)

Relating to apprenticeship requirements for occupational licenses issued to applicants with military experience.

Remarks: 03-18-2013 - 14:52:06 (CS):

Apprenticeship requirements for applicants for licensure with military experience.

I do not believe that TSBP offers an "apprenticeship" unless that means an internship? 03-27-2013 - 13:06:48 (KA):
Requires that agencies issuing occupational licenses credit a military service member or spouse with "apprenticeship" hours for verified

military training, etc. 03-18-2013 - 14:52:06 (CS):

Apprenticeship requirements for applicants for licensure with military experience.

I do not believe that TSBP offers an "apprenticeship" unless that means an internship?

Bill History: 06-14-13 G Earliest effective date

HB 2414 Button, Angie(R) Relating to requirements for open meetings held
 Deuell, Bob(R) by videoconference call.

Remarks: This is another bill that will allow even broader use of the video conferencing technology for meetings.

Bill History: 06-14-13 G Earliest effective date

HB 2851 Callegari, Bill(R) Relating to the adoption of new rules by state
 agencies.

Remarks: This bill restricts agencies to adopting only rules that fulfill their purposes.

The Substitute gives more details and requires that agencies can adopt rules that fulfill a purpose established by the constitutional or statutory law governing the agency and that are within the agency's authority to adopt.

Bill History: 05-16-13 S Committee action pending Senate State Affairs

HB 2938 Laubenberg, Jodie(R) Relating to the administration of an immunization
 or vaccination by a pharmacist.

Companions: SB 1013 Taylor, Larry (Identical)
 4- 9-13 S Committee action pending Senate Health and Human Services

Remarks: The bill makes numerous clean-up changes to language in the Administration section of the Pharmacy Act and changes the minimum age for a patient obtaining an immunization or vaccination from a pharmacist from 14 to 7.

Bill History: 04-24-13 H Committee action pending House Public Health

HB 2948 Harper-Brown, Linda(R) Relating to the review of certain rules of state
 agencies.

Remarks: This bill requires rules to be filed with the LBB the same day as posting with the SOS. The LBB must perform a cost-benefit analysis. The bill also requires the LBB to conduct a review of

existing rules similar to the current "rule review." The bill authorizes the governor to rescind any "negative" rule.

Bill History: 04-15-13 H Meeting set for 2:00 P.M. OR ADJ., E1.026 House Government Efficiency and Reform

HB 2953
■ ■

Guillen, Ryan(D)

Relating to the ability of a state license holder to practice the person's profession.

Remarks: This bill prohibits municipalities from imposing additional rules on occupational license holders.

Bill History: 04-29-13 H Reported from committee as substituted Licensing and Administrative Procedures

HB 3301
■

McClendon, Ruth Jones(D)

Relating to the regulation of controlled substances and the establishment of an electronic system for monitoring controlled substances.

Remarks: This bill would move the PMP program and CS registration to the TSBP by 9/1/14.

Bill History: 03-19-13 H Introduced and referred to committee on House Public Health

HJR 105
■

Taylor, Van(R)

Proposing a constitutional amendment to provide for review or approval of state agency rules by the elected members of the legislature.

Remarks: This bill allows for a constitutional amendment that would allow the legislature to review and approve rules of agencies

Bill History: 03-07-13 H Introduced and referred to committee on House State Affairs

SB 1
■ ■ ■ ■ ■ ■ ■ ■

Williams, Tommy(R)
Pitts, Jim(R)

General Appropriations Bill.

Bill History: 09-01-13 G Earliest effective date

SB 162
■ ■ ■ ■ ■ ■ ■ ■

Van de Putte, Leticia(D)
Flynn, Dan(R)

Relating to the occupational licensing of members of the military and spouses of members of the military.

Companions: HB 45 Flynn, Dan (Identical)
5- 7-13 S Referred to Senate
Committee on Senate Veteran
Affairs/Military Installations

Remarks: This bill changes the requirements for issuing an expedited license for active military personnel. The bill also increases the persons who are eligible for the expedited process to include those currently serving in the armed forces of the United States, in a reserve component of

the armed forces of the United States including the National Guard, or in the state military service of any state and their spouses. The bill specifies that a state agency that issues a license shall, "as soon as practicable after a military member or spouse files an application for a license:"

- process the application; and
- issue a license to a qualified applicant who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the licensing requirements in this state.

The bill also specifies that a license issued under this section may not be a provisional license and must confer the same rights, privileges, and responsibilities as a license not issued under this provision.

The agency must adopt rules to implement the legislation by 1/1/15.

Bill History: 05-18-13 G Earliest effective date

SB 227



Williams, Tommy(R)
Zerwas, John(R)

Relating to the dispensation of aesthetic pharmaceuticals by physicians.

Remarks: This bill will allow physicians to dispense the following "aesthetic pharmaceuticals:"

- Bimatoprost (Latisse);
- Hydroquinone (Lustra, Claripel);
- Tretinoin (Retin A); Metronidazole (MetroCream); and
- Tazaroten (Avage, Tazorac).

When dispensing the aesthetic drugs the physician must inform the patient that the prescription may be filled at a pharmacy or the physician's office.

The final version that passed the Senate was amended to require the Medical, Optometry, and Pharmacy Boards to "jointly adopt rules to govern the packaging, labeling, and dispensing."

Bill History: 06-14-13 G Vetoed by the Governor

SB 316



Uresti, Carlos(D)
Davis, Sarah(R)

Relating to the substitution by a pharmacist of certain opioid analgesic drugs.

Remarks: This bill requires TSBP to adopt rules that:

- list substantially similar opioid anagesic drugs; and
- prohibts substitution unless:
 - the opioid is on the list and is rated equivalent in the orange book; and

- consent is obtained from the prescriber.

The substitute eliminates the substitution requirements in the original bill and substitutes language that will:

- require TSBP to develop a CE program on opioid drug abuse and the delivery, dispensing, and provision of tamper-resistant opioid drugs after considering input from interested persons; and
- require the Senate Health and Human Services Committee to conduct interim study regarding opioid abuse and the provision of tamper-resistant opioids

Bill History: 06-14-13 G Earliest effective date

SB 404



Schwertner, Charles(R)
Davis, Sarah(R)

Relating to complaints filed with the Texas State Board of Pharmacy.

Remarks: This bill will:

- Prohibit the Board from considering or acting on a complaint if the violation occurred more than 7-years before the date of the complaint.
- Allow the Board to:
 - Issue a *remedial plan* to resolve a complaint.
 - Assess a fee against a license holder participating in a remedial plan in an amount necessary to recover the costs of administering the plan.
- A remedial plan may not be imposed to resolve a complaint:
 - Concerning:
 - A death; or
 - A hospitalization;
 - Involving:
 - the commission of a felony; or
 - a matter designated by board rule in which the appropriate resolution may involve a restriction on the manner in which a license holder practices pharmacy.

Bill History: 09-01-13 G Earliest effective date

SB 406



Nelson, Jane(R)
Kolkhorst, Lois(R)

Relating to the delegation and supervision of prescriptive authority by physicians to certain advanced practice registered nurses and physician assistants.

Companions: HB 1055 Kolkhorst, Lois (Identical)
2-19-13 H Introduced and referred to committee on House Public Health

Remarks: This bill makes significant changes to the physician's delegation of prescriptive authority to APRNs and PAs including

- allowing a MD to supervise 7 rather than 4;
- changing "carrying out and signing" to "prescribing or ordering";
- providing more detailed requirements on the protocol/agreement; and
- allowing APRNs and PAs to prescribe Schedule II controlled substances in a hospital facility-based practice and for hospice patients.

Bill History: 11-01-13 G Earliest effective date

SB 500 Van de Putte, Leticia(D) Relating to the Texas State Board of Pharmacy.
 Sheffield, J.D.(R)

Companions:

HB 2087 Sheffield, J.D. (Identical)
 4-24-13 H Laid on the table - subject to call - see SB 500

Remarks: This bill increases the size of the Board of Pharmacy from 9 to 11 by adding a pharmacy technician an a pharmacist to the the Board. The resulting composition of the Board will be:

- 7 Phrmacists;
- 3 Public Members; and
- 1 Pharmacy Technician.

As soon as possible after 9/1/2013, the Governor must appoint a pharmacy technician to serve a 6-year term and a pharmacists to serve a 4-year term. By staggering the appointment terms of these new members the Board will not have 5-members' terms expire at one time.

Bill History: 09-01-13 G Earliest effective date

SB 566 Eltife, Kevin(R) Relating to the establishment of a pharmacy school at The University of Texas at Tyler.
 Clardy, Travis(R)

Companions: HB 1610 Schaefer, Matt (Identical)
 3-27-13 H Committee action pending House Higher Education

Remarks: This bill allows the University of Texas at Tyler to establish a School of Pharmacy.

Bill History: 06-14-13 G Earliest effective date

SB 869 Van de Putte, Leticia(D) Relating to the regulation of the practice of pharmacy.
 Zedler, Bill(R)

Companions: HB 3282 Zedler, Bill (Identical)
 4-10-13 H Committee action pending House Public Health

Remarks: This bill makes numerous "clean up" amendments to the Pharmacy Act including:

- clarifying the portions of the act that apply to pharmacy technician trainees;
- allowing the Board to receive gifts and grants;
- allowing the Board to prohibit renewal of a pharmacist or pharmacy license if the pharmacist or pharmacy has had a license in another state suspended or revoked;
- modifies the requirements for displaying pharmacist's licenses in a pharmacy;
- adding TSBP to the list of agencies that can get nondisclosure records;
- deleting the requirement that a pharmacist must notify the Dr. when substituting a dosage form;
- allowing the Board to impose any of the sanctions listed in the act on a pharmacist intern; and
- disclose information about an investigation to an "entity that administers a board-approved pharmacy technician certification examination."

Bill History: 06-14-13 G Earliest effective date

SB 984



Ellis, Rodney(D)
Perry, Charles(R)

Relating to the meeting of a governmental body held by videoconference call.

Companions:

HB 1749 Perry, Charles (Identical)
5- 8-13 H Laid on the table - subject to call - see SB 984

Remarks: This bill changes the requirements of a meeting that is held by videoconference to:

- only require the presiding officer and not a majority of the board at the location open to the public; and
- require that each member and the public see all participants in the meeting.

Bill History: 09-01-13 G Earliest effective date

SB 1013



Taylor, Larry(R)

Relating to the administration of an immunization or vaccination by a pharmacist.

Companions: HB 2938 Laubenberg, Jodie (Identical)
4-24-13 H Committee action pending House Public Health

Remarks: The bill makes numerous clean-up changes to language in the Administration section of the Pharmacy Act and changes the minimum age for a patient obtaining an immunization or vaccination from a pharmacist from 14 to 7.

Bill History:

04-09-13 S Committee action pending Senate
Health and Human Services

SB 1100  Van de Putte, Leticia(D)
King, Susan(R) Relating to the licensing and inspection of certain out-of-state pharmacies by the Texas State Board of Pharmacy.

Remarks: This bill amends the Pharmacy Act to:

- Give the Board of Pharmacy the authority to inspect out-of-state sterile compounding pharmacy and require them to pay for travel of Board personnel;
- Require an inspection prior to opening a sterile compounding pharmacy; and
- Specify the pharmacy may not renew unless it has been inspected as required by the board and the pharmacy has reimbursed the Board for the costs of the inspection.

The Substitute adds a provision that allows TSBP to accept an inspection report issued by the pharmacy licensing board in the state in which the pharmacy is located if:

- the board determines that the other state has comparable standards and regulations applicable to pharmacies, including standards and regulations related to health and safety; and
- the pharmacy provides to the board any requested documentation related to the inspection.

Bill History: 09-01-13 G Earliest effective date

SB 1297  Watson, Kirk(D)
Branch, Dan(R) Relating to written electronic communications between members of a governmental body.

Remarks: This bill would allow Board members to communicate electronically if the chats are posted in real-time on a message board that is prominently displayed on the agency's Website.

Bill History: 09-01-13 G Earliest effective date

SB 1375  Hinojosa, Chuy(D) Relating to self-directed and semi-independent status of certain health care regulatory agencies.

Companions: HB 2361 Darby, Drew (Identical)
4-23-13 H Committee action pending House Appropriations

Remarks: This bill will give Semi-Independent/Self-Directed status to the Texas Medical Board, the Texas Board of Nursing and the Texas State Board of Pharmacy.

The Senate Committee Substitute directs that a study be conducted concerning self-directed

semi-independent status of state agencies by Sunset Commission, in consultation with LBB. The Study must be completed by August 31, 2014.

Note: The Senate will place a contingency rider in the appropriations act that will require TMB, BON, and TSBP to contract with the Sunset Commission pay the \$76,000 needed to conduct this study.

Bill History: 05-10-13 H Referred to House Committee on House Appropriations

SB 1396

Estes, Craig(R)

Relating to state agency investigations.



Remarks: This bill provides for significant protection of a party requested to respond to an agency investigation

Bill History: 03-18-13 S Introduced and referred to committee on Senate Government Organization

SB 1643

Williams, Tommy(R)
Alvarado, Carol(D)

Relating to the monitoring of prescriptions for certain controlled substances.



Remarks: This bill makes numerous changes to the Controlled Substances Act to:

- Amend the definition of a patient to include a person who is seeing a physician for the first time so that the physician can look up the potential patient's history in the PMP database.
- Add method of payment to the PMP data for CII RXs;
- Add a pharmacy technician under the supervision of a pharmacist and a nurse to the list of individuals that can look up data on the PMP; and
- Create an interagency prescription monitoring work group composed of DPS, DSHS, TMB and TSBP to improved effectiveness and efficiency of the program.

The Senate Substitute adds the following additional provisions to the bill that:

- Allow an individual authorized to access the data to do so through a health information exchange; and
- Specify that DPS must keep the data for 36-months rather than the current 12-months

Bill History: 09-01-13 G Earliest effective date

- End of Report -

| Action Chart for Implementation of Legislation Passed by the 2013 Texas Legislature Session | | | | |
|---|---|----------------|-------------------|--|
| Bill Number | Summary of the Provisions of the Bill | Effective Date | Internal Deadline | Action/Status |
| SB 1 | <p>Appropriations Act</p> <p>The base appropriation for TSBP for FY2014-2015 is approximately the same as the base appropriation the previous biennium. In addition to the base, the agency received a Contingent Revenue rider that appropriated an additional \$2,651,410 and 12 additional FTEs provided the agency increase fees sufficient to generate an additional \$2,651,410 in revenue. In addition due to the passage of SB 500, the agency is also appropriated an additional \$27,440 and required to increase revenue for this amount. The total required increase in revenue is \$2,651,410 + \$27,44 = \$2,678,850. To access this additional revenue, the agency must:</p> <ol style="list-style-type: none"> 1. adopt rules to increase fees in an amount sufficient to generate an the additional revenue; and 2. submit documentation to the Comptroller's office showing that the increase in fees will generate the required additional revenue and receive a release of the funds from the Comptroller's office. | 9/1/2013 | | 1. Draft language to increase fees will be presented to the Board at the August 6, 2013, meeting. |
| HB 12 | <p>Relating to gifts made to a state agency for a state employee salary supplement</p> <p>This bill requires agencies to post on the agency Website the following information:</p> <ol style="list-style-type: none"> 1. Number of FTEs; 2. Amount of appropriations for each year of the biennium; 3. the agency's methodology for determining the compensation of executive staff; 4. whether executive staff is eligible for a salary supplement; 5. the market average for compensation of similar executive staff in the private and public sectors; 6. the average compensation paid to non-executive staff; and 7. for each FY of the 5 preceding FY, the % increase in: <ol style="list-style-type: none"> a. compensation of executive staff for each fiscal year of the 5preceding fiscal years; and b. legislative appropriations to the agency. | 6/14/2013 | 12/31/2013 | Post the information listed in the bill on the agency website by 12/31/2013. |
| HB 746 | <p>Relating to allowing health care providers to provide services across state lines in catastrophic circumstances.</p> <p>This bill allows volunteer healthcare providers during an emergency to register with the emergency management division and practice without a license from the state. It sets out numerous requirements for the registration system and other provisions.</p> <p>The Department of State Health Services' Texas Division of</p> | 9/1/2013 | 8.31/2014 | Cooperate with and provide information as requested to the Department of State Health Services as requested. |

| Action Chart for Implementation of Legislation Passed by the 2013 Texas Legislature Session | | | | |
|---|---|----------------|-------------------|---|
| Bill Number | Summary of the Provisions of the Bill | Effective Date | Internal Deadline | Action/Status |
| | <p>Emergency Management will administer the system and will:</p> <ol style="list-style-type: none"> 1. accept applications for the registration of volunteer health practitioners before or during an emergency; 2. include information about the licensing and good standing of health practitioners that is accessible by authorized persons; 3. be capable of confirming whether a health practitioner is licensed and in good standing before health or veterinary services are provided; and 4. include information regarding the results of a criminal history record information check performed on the volunteer health practitioners listed in the system. <p>A state Agency that grants a license to a health practitioner must coordinate with the department to provide licensing or criminal history record information for volunteer health practitioners seeking registration.</p> | | | |
| HB 1649 | Relating to actions taken by licensing authorities regarding a license holder or applicant who received deferred adjudication for certain sex offender violations. | 9/1/2013 | 3/31/2014 | |
| SB 162 | <p>Relating to the occupational licensing of members of the military and spouses of members of the military.</p> <p>The bill specifies that a state agency that issues a license shall, "as soon as practicable after a military member or spouse files an application for a license:"</p> <ol style="list-style-type: none"> 1. process the application; and 2. issue a license to a qualified applicant who holds a current license issued by another state that has licensing requirements equivalent to the requirements in this state. <p>The bill also specifies that a license issued under this section may not be a provisional license and must confer the same rights, privileges, and responsibilities as a license not issued under this provision.</p> <p>Rules to implement the legislation must be adopted by 1/1/14.</p> | 5/18/2013 | 1/1/2014 | 1. Draft language to implement the provisions of this bill will be presented to the Board at the August 6, 2013, meeting. |
| SB 316 | <p>Relating to the certain opioid analgesic drugs.</p> <p>The bill requires:</p> <ol style="list-style-type: none"> 1. TSBP to develop a CE program on opioid drug abuse and the delivery, dispensing, and provision of tamper-resistant opioid drugs after considering input from interested persons; and 2. the Senate Health and Human Services Committee to conduct interim study regarding opioid abuse and the provision of tamper-resistant opioids. | 6/14/2013 | 2/28/2014 | |

| Action Chart for Implementation of Legislation Passed by the 2013 Texas Legislature Session | | | | |
|---|---|----------------|-------------------|---|
| Bill Number | Summary of the Provisions of the Bill | Effective Date | Internal Deadline | Action/Status |
| SB 404 | <p>Relating to complaints filed with the Texas State Board of Pharmacy.</p> <p>This bill will:</p> <ol style="list-style-type: none"> 1. Prohibit the Board from considering or acting on a complaint if the violation occurred more than 7-years before the date of the complaint. 2. Allow the Board to: <ol style="list-style-type: none"> a. Issue a remedial <i>plan</i> to resolve a complaint. b. Assess a fee against a license holder participating in a remedial plan in an amount necessary to recover the costs of administering the plan. <p>The bill specifies that a remedial plan may not be imposed to resolve a complaint:</p> <ol style="list-style-type: none"> a. Concerning: <ul style="list-style-type: none"> • A death; or • A hospitalization; b. Involving: <ul style="list-style-type: none"> • the commission of a felony; or • a matter designated by board rule in which the appropriate resolution may involve a restriction on the manner in which a license holder practices pharmacy. <p>The bill also amends the language regarding informal conferences to require:</p> <ol style="list-style-type: none"> a. the Board to notify a licensee of an informal conference 45-days prior to the informal conference; and b. require the licensee to submit a written rebuttal no later than 15-days before the informal conference. | 9/1/2013 | 1/1/2014 | 1. Draft language to implement the provisions of this bill will be presented to the Board at the August 6, 2013, meeting. |
| SB 406 | Relating to the delegation and supervision of prescriptive authority by physicians to certain advanced practice registered nurses and physician assistants. | 11/1/2013 | Throughout FY2014 | Educate pharmacists regarding the provisions of this Act. |
| SB 500 | <p>Relating to the composition of the Texas State Board of Pharmacy.</p> <p>This bill increases the size of the Board of Pharmacy from 9 to 11 by adding a pharmacy technician and a pharmacist to the the Board. The resulting composition of the Board will be:</p> <ul style="list-style-type: none"> • 7 Phrmacists; • 3 Public Members; and • 1 Pharmacy Technician. | 9/1/2013 | | <ol style="list-style-type: none"> 1. Cooperate with the Governor's office regarding the appointment of the two new members to the Board. 2. Conduct an orientation of the new Board members as soon as possible after their appointment. |

| Action Chart for Implementation of Legislation Passed by the 2013 Texas Legislature Session | | | | |
|---|--|----------------|-----------------------------------|---|
| Bill Number | Summary of the Provisions of the Bill | Effective Date | Internal Deadline | Action/Status |
| | As soon as possible after 9/1/2013, the Governor must appoint a pharmacy technician to serve a 6-year term and a pharmacist to serve a 4-year term. By staggering the appointment terms of these new members the Board will not have 5-members' terms expire at one time. | | | |
| SB 869 | <p>Relating to the regulation of the practice of pharmacy. This bill makes numerous "clean up" amendments to the Pharmacy Act including:</p> <ol style="list-style-type: none"> 1. clarifying the portions of the act that apply to pharmacy technician trainees; 2. allowing the Board to receive gifts and grants; 3. allowing the Board to prohibit renewal of a pharmacist or pharmacy license if the pharmacist or pharmacy has had a license in another state suspended or revoked; 4. modifies the requirements for displaying pharmacist's licenses in a pharmacy; 5. adding TSBP to the list of agencies that can get nondisclosure records; 6. deleting the requirement that a pharmacist must notify the Dr. when substituting a dosage form; 7. allowing the Board to impose any of the sanctions listed in the act on a pharmacist intern; and 8. disclose information about an investigation to an "entity that administers a board-approved pharmacy technician certification examination." | 6/14/2013 | Throughout FY2014 5/31/2014 | <ol style="list-style-type: none"> 1. Educate pharmacists regarding the provisions of this Act. 2. Amend rules as necessary to reflect the provisions of SB 869 |
| SB 1100 | <p>Relating to the licensing and inspection of certain out-of-state pharmacies by the Texas State Board of Pharmacy. This bill amends the Pharmacy Act to:</p> <ol style="list-style-type: none"> 1. give the Board of Pharmacy the authority to inspect an out-of-state sterile compounding pharmacy and require them to pay for the inspection; 2. Require an inspection prior to opening a sterile compounding pharmacy; 3. Specify a sterile compounding pharmacy may not renew unless it has been inspected as required by the board and the pharmacy has reimbursed the Board for the costs of the inspection; and 4. Allow TSBP to accept an inspection report issued by the licensing board in the home state of the pharmacy if: <ol style="list-style-type: none"> a. the board determines that the other state has comparable standards and regulations applicable to | 9/1/2013 | 3/31/2014 | <ol style="list-style-type: none"> 1. Draft language to implement some of the provisions of this bill will be presented to the Board at the August 6, 2013, meeting. |

| Action Chart for Implementation of Legislation Passed by the 2013 Texas Legislature Session | | | | |
|--|---|-----------------------|--------------------------|---|
| Bill Number | Summary of the Provisions of the Bill | Effective Date | Internal Deadline | Action/Status |
| | sterile compounding pharmacies, including standards and regulations related to health and safety; and b. the sterile compounding pharmacy provides to the board any requested documentation related to the inspection. | | | |
| SB 1597 | Relating to the development of state agency information security plans. This bill requires all agencies to develop and periodically update an information security plan by 10/15/2014. | 9/1/2013 | 10/15/2014 | |
| SB 1643 | Relating to the monitoring of prescriptions for certain controlled substances. This bill makes changes to Controlled Substances Act to: 1. amend the definition of a "hospital" in the to include a freestanding emergency medical facility 2. Amend the definition of a patient to include a person who is seeing a physician for the first time so that the physician can look up the potential patient's history in the PMP database; 3. Allow a pharmacy technician under the supervision of a pharmacist and a nurse to the list of individuals that can look up data on the PMP; 4. Allow an individual authorized to access the data to do so through a health information exchange; and 5. Specify that DPS must keep the data for 36-months rather than the current 12-months; and 7. create an interagency prescription monitoring work group composed of the director of DPS, commissioner of DSHS, and the executive directors of TMB and TSBP to improved effectiveness and efficiency of the program. The bill also amends the pain management clinic provisions in the Texas Medical Practices act to specify that: 1. if an applicant for a pain management clinic certificate is under investigation for a violation, TMB may not issue a certificate until a final decision on the investigation is completed; and 2. TMB may temporarily suspend a pain management clinic certificate. | 9/1/2013 | | 1. Educate pharmacists regarding the provisions of this Act. 2. The executive director will participate in the Interagency Prescription Monitoring Work Group. |