



TEXAS STATE BOARD OF PHARMACY

GUIDANCE STATEMENTS RE: COVID-19

ISSUED MAY 15, 2020

In response to several news stories with regard to prescriptions issued for Hydroxychloroquine, the Texas State Board of Pharmacy issues the following statement:

Physicians are responsible for making a diagnosis and prescribing medications to treat their patients. Pharmacists have a corresponding responsibility and use professional judgement when dispensing a prescription. Obtaining the diagnosis from the prescriber when dispensing a prescription by the pharmacist is not a violation of HIPAA.

In addition, the Texas State Board of Pharmacy has issued the following guidance with regard to dispensing drugs in compliance with Emergency Board Rule 291.30:

The rule does not prevent a physician from prescribing one of these drugs for an off-label use. The intended use for the drug is not required if the practitioner determines the furnishing of this information is not in the best interest of the patient in accordance with Board rule 291.34 (b)(7).

The intent of board rule 291.30 is to prevent the stockpiling of the drugs and to ensure that reasonable quantities are available for ALL patients that require therapy with the drugs, including patients with a COVID-19 diagnosis.

It was not the board's intent to hinder the use of the drugs by patients who are in need of drug therapy, but rather to prevent unreasonable quantities that would otherwise be representative of hoarding or stockpiling tactics.

In addition, the rule does not apply to a prescription issued for a patient already established on the medication (e.g., prescription to treat rheumatoid arthritis or lupus for already established patients).

The board's overall intent is to protect and serve the citizens of Texas, to give guidance to pharmacists so that they are able to use their professional judgement and work collaboratively within the healthcare team to ensure Texans are able to receive appropriate care while we are all navigating through the COVID crisis.