



## **Texas State Board of Pharmacy**

### **M E M O R A N D U M**

**DATE:** November 2, 2022

**TO:** Board Members  
Staff  
Interested Parties

**FROM:** John Griffith  
Litigation Counsel

**SUBJECT:** Rules adopted and proposed at the November 1, 2022, Board Meeting

#### **ADOPTED RULES**

#### **CHAPTER 291. PHARMACIES**

##### **SUBCHAPTER B. COMMUNITY PHARMACY (CLASS A)**

###### **§291.8**

The Texas State Board of Pharmacy adopts amendments to §291.8 concerning Return of Prescription Drugs. The amendments clarify that a pharmacist may re-dispense a prescription drug as authorized by exceptions in Chapters 431 and 442 of the Health and Safety Code and correct a grammatical error.

###### **§291.33**

The Texas State Board of Pharmacy adopts amendments to §291.33 concerning Operational Standards. The amendments clarify that a pharmacist may re-dispense a prescription drug as authorized by exceptions in Chapters 431 and 442 of the Health and Safety Code and correct grammatical errors.

##### **SUBCHAPTER D. INSTITUTIONAL PHARMACY (CLASS C)**

###### **§291.73**

The Texas State Board of Pharmacy adopts amendments to §291.73 concerning Personnel. The amendments correct a citation reference and a grammatical error.

## **CHAPTER 295. PHARMACISTS**

### **§295.8**

The Texas State Board of Pharmacy adopts amendments to §295.8 concerning Continuing Education Requirements. The amendments clarify that the requirement to complete a human trafficking prevention course for renewal of a pharmacist license does not expire on September 1, 2022.

## **CHAPTER 297. PHARMACY TECHNICIANS AND PHARMACY TECHNICIAN TRAINEES**

### **§297.8**

The Texas State Board of Pharmacy adopts amendments to §297.8 concerning Continuing Education Requirements. The amendments clarify that the requirement to complete a human trafficking prevention course for renewal of a registration as a pharmacy technician does not expire on September 1, 2022.

## **PROPOSED RULES**

## **CHAPTER 291. PHARMACIES**

### **SUBCHAPTER D. INSTITUTIONAL PHARMACY (CLASS C)**

#### **§291.76**

The Texas State Board of Pharmacy proposes amendments to §291.76 concerning Class C Pharmacies Located in a Freestanding Ambulatory Surgical Center. The amendments, if adopted, clarify that a pharmacist must verify the completeness and reconciliation of the perpetual inventory of controlled substances for an ASC pharmacy.

### **SUBCHAPTER F. NON-RESIDENT PHARMACY (CLASS E)**

#### **§291.104**

The Texas State Board of Pharmacy proposes amendments to §291.104 concerning Operational Standards. The amendments, if adopted, correct a drafting error by adding an omitted word.

## **CHAPTER 303. DESTRUCTION OF DRUGS**

### **§303.1**

The Texas State Board of Pharmacy proposes amendments to §303.1 concerning Destruction of Dispensed Drugs. The amendments, if adopted, remove the inventory requirements for destruction using a waste disposal service of dangerous drugs dispensed in health care facilities or institutions and clarify dangerous drugs may be comingled with controlled substances in a shared container prior to destruction as allowed by federal laws and regulations.

## **CHAPTER 315. CONTROLLED SUBSTANCES**

### **§315.6**

The Texas State Board of Pharmacy proposes amendments to §315.6 concerning Pharmacy Responsibility – Electronic Reporting. The amendments, if adopted, specify that a pharmacy must report the data elements indicated as required by the board's Data Submission Guide for Dispensers.

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**RULE REVIEW**

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The Texas State Board of Pharmacy proposed the review of Chapter 291 Concerning Pharmacies (All Classes of Pharmacies) (§§291.1 – 291.11, 291.14 – 291.19, 291.22 – 291.24, 291.27 – 291.29).

The Texas State Board of Pharmacy proposed the review of Chapter 291 Concerning Pharmacies (Clinic Pharmacy (Class D)) (§§291.91 – 291.94).