



Texas State Board of Pharmacy

M E M O R A N D U M

DATE: May 9, 2023

TO: Board Members
Staff
Interested Parties

FROM: John Griffith
Litigation Counsel

SUBJECT: Rules adopted and proposed at the May 2, 2023 Board Meeting

ADOPTED RULES

CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS

§283.2

The Texas State Board of Pharmacy adopts amendments to §283.2 concerning Definitions. The amendments remove the requirement that a residency program be accredited by the American Society of Health System Pharmacists for a resident to be eligible for designation as an extended-intern.

§283.4

The Texas State Board of Pharmacy adopts amendments to §283.4 concerning Internship Requirements. The amendments remove the requirement that a residency program be accredited by the American Society of Health System Pharmacists for a resident to be eligible for designation as an extended-intern and specify that a pharmacist intern registration expires due to failing the NAPLEX or Texas Pharmacy Jurisprudence Examination only if the intern fails either exam more than once.

CHAPTER 291. PHARMACIES

SUBCHAPTER G. SERVICES PROVIDED BY PHARMACIES

§291.121

The Texas State Board of Pharmacy adopts amendments to §291.121 concerning Remote Pharmacy Services. The amendments allow remote pharmacies services to be provided using an automated pharmacy system to be provided at healthcare facilities regulated under Chapters 464 and 577, Health and Safety Code.

CHAPTER 295. PHARMACISTS

§295.8

The Texas State Board of Pharmacy adopts amendments to §295.8 concerning Continuing Education Requirements. The amendments clarify the requirements for obtaining continuing education in approved procedures of prescribing and monitoring controlled substances and correct grammatical errors.

PROPOSED RULES

CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS

§283.4

The Texas State Board of Pharmacy proposes amendments to §283.4 concerning Internship Requirements. The amendments, if adopted, extend the period that internship hours may be used for licensure from two years to three years from the date the internship is completed.

§283.6

The Texas State Board of Pharmacy proposes amendments to §283.6 concerning Preceptor Requirements and Ratio of Preceptors to Pharmacist-Interns. The amendments, if adopted, remove the condition that a pharmacist preceptor must have six months of residency training if the pharmacist-intern's residency program is accredited by the American Society of Health System Pharmacists.

CHAPTER 291. PHARMACIES

SUBCHAPTER A. ALL CLASSES OF PHARMACIES

§291.12

The Texas State Board of Pharmacy proposes new rule §291.12 concerning Delivery of Prescription Drugs. The proposed rule, if adopted, specifies requirements for the delivery of prescription drugs to a patient or patient's agent.

§291.24

The Texas State Board of Pharmacy proposes the repeal of §291.24 concerning Pharmacy Residency Programs. The proposed repeal, if adopted, removes standards for a statutory program that no longer exists.

§291.27

The Texas State Board of Pharmacy proposes amendments to §291.27 concerning Confidentiality. The amendments, if adopted, correct a misspelled word.

SUBCHAPTER G. SERVICES PROVIDED BY PHARMACIES

§291.121

The Texas State Board of Pharmacy proposes amendments to §291.121 concerning Remote Pharmacy Services. The amendments, if adopted, allow remote pharmacy services to be provided using an automated pharmacy system to be provided at healthcare facilities regulated under Chapter 534, Health and Safety Code.

SUBCHAPTER H. OTHER CLASSES OF PHARMACY

§291.151

The Texas State Board of Pharmacy proposes amendments to §291.151 concerning Pharmacies Located in a Freestanding Emergency Medical Care Facility (Class F). The amendments, if adopted, clarify that a pharmacist must verify the completeness and reconciliation of the perpetual inventory of controlled substances for an FEMCF pharmacy.

RULE REVIEW

The Texas State Board of Pharmacy proposes the review of Chapter 291 concerning Pharmacies (Non-Resident Pharmacy (Class E)) (§§291.101 - 291.106).

The Texas State Board of Pharmacy proposes the review of Chapter 295 concerning Pharmacists (§§295.1 - 295.9, §§295.11 - 295.16).