



Texas State Board of Pharmacy M E M O R A N D U M

DATE: February 14, 2024

TO: Board Members
Staff
Interested Parties

FROM: Eamon D. Briggs
Deputy General Counsel

SUBJECT: Rules adopted and proposed at the February 6, 2024, Board Meeting

ADOPTED RULES

CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS

§283.9

The Texas State Board of Pharmacy adopts amendments to §283.9 concerning Fee Requirements for Licensure by Examination, Score Transfer and Reciprocity. The amendments clarify how the board calculates the fee for failing to timely submit the initial renewal application and license fee for a license to practice pharmacy and correct grammatical errors.

§283.12

The Texas State Board of Pharmacy adopts amendments to §283.12 concerning Licenses for Military Service Members, Military Veterans, and Military Spouses. The amendments clarify that the requirements for obtaining an interim license for a military service member or military spouse do not affect rights that may be provided under federal law.

CHAPTER 291. PHARMACIES

SUBCHAPTER D. INSTITUTIONAL PHARMACY (CLASS C)

§291.74

The Texas State Board of Pharmacy adopts amendments to §291.74 concerning Operational Standards. The amendments specify prepackaging and labeling requirements for a participating provider to dispense donated prescription drugs under Chapter 442, Health and Safety Code, in accordance with House Bill 4332.

CHAPTER 297. PHARMACY TECHNICIANS AND PHARMACY TECHNICIAN TRAINEES

§297.10

The Texas State Board of Pharmacy adopts amendments to §297.10 concerning Registration for Military Service Members, Military Veterans, and Military Spouses. The amendments clarify that the requirements for obtaining an interim registration for a military service member or military spouse do not affect rights that may be provided under federal law.

CHAPTER 315. CONTROLLED SUBSTANCES

§315.9

The Texas State Board of Pharmacy adopts amendments to §315.9 concerning Pharmacy Responsibility - Out-of-State Practitioner - Effective September 1, 2016. The amendments clarify that the requirements for dispensing a Schedule II controlled substance prescription issued by a practitioner in another state apply to an electronic prescription and remove the effective date from the short title.

PROPOSED RULES

CHAPTER 291. PHARMACIES

SUBCHAPTER A. ALL CLASSES OF PHARMACIES

§291.12

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

SUBCHAPTER G. SERVICES PROVIDED BY PHARMACIES

§291.131

The Texas State Board of Pharmacy proposes amendments to §291.131 concerning Pharmacies Compounding Non-Sterile Preparations. The amendments, if adopted, update the personnel, environment, labeling, compounding process, quality assurance, and recordkeeping requirements for pharmacies compounding nonsterile preparations.

RULE REVIEW

The Texas State Board of Pharmacy adopts the review of Chapter 291 concerning Pharmacies (Community Pharmacy (Class A)) (§§291.31 – 291.36).

The Texas State Board of Pharmacy adopts the review of Chapter 283 concerning Licensing Requirements for Pharmacists (§§283.1 – 283.12).

The Texas State Board of Pharmacy adopts the review of Chapter 315 concerning Controlled Substances (§§315.1 – 315.16).

The Texas State Board of Pharmacy proposes the review of Chapter 281 concerning

Administrative Practices and Procedures (§§281.1 – 281.23, 281.30 – 281.35, 281.60 – 281.70).

The Texas State Board of Pharmacy proposes the review of Chapter 311 concerning Code of Conduct (§§311.1 – 311.2).

The Texas State Board of Pharmacy proposes the review of Chapter 291 concerning Pharmacies (All Classes of Pharmacies) (§§291.1 – 291.11, 291.14 – 291.19, 291.22 – 291.23, 291.27 – 291.29).

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

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).