



Texas State Board of Pharmacy

M E M O R A N D U M

DATE: August 3, 2022

TO: Board Members
Staff
Interested Parties

FROM: John Griffith
Litigation Counsel

SUBJECT: Rules adopted and proposed at the August 2, 2022, Board Meeting

ADOPTED RULES

CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS

§283.4

The Texas State Board of Pharmacy adopts amendments to §283.4 concerning Internship Requirements. The amendments remove language to establish that a person graduating from a college/school of pharmacy shall only be credited the number of hours obtained and reported by the program.

CHAPTER 291. PHARMACIES

SUBCHAPTER B. COMMUNITY PHARMACY (CLASS A)

291.33

The Texas State Board of Pharmacy adopts amendments to §291.33 concerning Operational Standards. The amendments update a term, correct a citation reference, and remove the requirement for oral patient counseling on a new prescription to be provided in person, a requirement which has been temporarily suspended by the Office of the Governor until September 30, 2022, or until the March 13, 2020, disaster declaration is lifted or expires.

SUBCHAPTER F. NON-RESIDENT PHARMACY (CLASS E)

291.104

The Texas State Board of Pharmacy adopts amendments to §291.104 concerning Operational Standards. The amendments clarify that a Class E Pharmacy engaged in outsourcing of prescription drug order dispensing to a central fill pharmacy shall comply with §291.125 regarding Centralized Prescription Dispensing.

SUBCHAPTER G. SERVICES PROVIDED BY PHARMACIES

291.125

The Texas State Board of Pharmacy adopts amendments to §291.125 concerning Centralized Prescription Dispensing. The amendments clarify that a Class E pharmacy may outsource prescription drug order dispensing to a central fill pharmacy and shall comply with specified requirements unless compliance with the requirements would violate the laws or rules in the state in which the pharmacy is located.

291.131

The Texas State Board of Pharmacy adopts amendments to §291.131 concerning Pharmacies Compounding Non-Sterile Preparations. The amendments add definitions of “cleaning” and “sanitizing”, clarify the training requirements for all personnel involved in non-sterile compounding, and update environmental, equipment, and compounding process requirements for non-sterile compounding.

CHAPTER 305. EDUCATIONAL REQUIREMENTS

305.1

The Texas State Board of Pharmacy adopts the repeal of §305.1 concerning Pharmacy Educational Requirements. The adopted repeal removes professional practice degree program standards that are redundant with standards specified elsewhere in Board rules.

305.2

The Texas State Board of Pharmacy adopts the repeal of §305.2 concerning Pharmacy Educational Requirements. The adopted repeal removes standards for pharmacy technician training programs that are not required to be specified in Board rule and other requirements that are outside the resources of the Board to perform.

PROPOSED RULES

CHAPTER 291. PHARMACIES

SUBCHAPTER B. COMMUNITY PHARMACY (CLASS A)

291.8

The Texas State Board of Pharmacy proposes amendments to §291.8 concerning Return of Prescription Drugs. The amendments, if adopted, 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, if adopted, 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 proposes amendments to §291.73 concerning Personnel. The amendments, if adopted, correct a citation reference and a grammatical error.

CHAPTER 295. PHARMACISTS

295.8

The Texas State Board of Pharmacy proposes amendments to §295.8 concerning Continuing Education Requirements. The amendments, if adopted, 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 proposes amendments to §297.8 concerning Continuing Education Requirements. The amendments, if adopted, 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.

RULE REVIEW

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