



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

**DATE:** November 3, 2021

**TO:** Board Members  
Staff  
Interested Parties

**FROM:** John Griffith  
Litigation Counsel

**SUBJECT:** Rules adopted and proposed at the November 2, 2021, Board Meeting

### **ADOPTED RULES**

#### **CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS**

##### **§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 specify that a copy of a permanent change of station order may be used as proof of a military spouse's residency and add a new service branch to the definition of armed forces of the United States, in accordance with House Bill 139.

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

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

##### **§291.34**

The Texas State Board of Pharmacy adopts amendments to §291.34 concerning Records. The amendments clarify that a pharmacist may provide an emergency refill of insulin or insulin-related equipment or supplies under certain conditions, in accordance with House Bill 1935.

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

##### **§297.10**

The Texas State Board of Pharmacy proposes amendments to §297.10 concerning Registration for Military Service Members, Military Veterans, and Military Spouses. The amendments, if adopted, specify that a copy of a permanent change of station order may be used as proof of a military spouse's residency and add a new service branch to the definition of armed forces of the United States, in accordance with House Bill 139.

## 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, specify that a person may not have previously failed the NAPLEX or Texas Pharmacy Jurisprudence Examination to be designated an extended-intern as a resident in a residency program accredited by the American Society of Health-System Pharmacists and correct grammatical errors.

### CHAPTER 291. PHARMACIES

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

#### **§291.29**

The Texas State Board of Pharmacy proposes amendments to §291.29 concerning Professional Responsibility of Pharmacists. The amendments, if adopted, establish the determination of a valid prescription issued as a result of teledentistry dental services, in accordance with House Bill 2056, or telemedicine medical services.

#### **§291.34**

The Texas State Board of Pharmacy proposes amendments to §291.34 concerning Records. The amendments, if adopted, extend the time period for a pharmacist to dispense prescription drug orders for Schedule II controlled substances issued by a practitioner in another state to the end of the thirtieth day after the date the prescription is issued to be consistent with federal law and correct a citation reference.

## RULE REVIEW

The Texas State Board of Pharmacy proposed the review of Chapter 291 Concerning Pharmacies (Nuclear Pharmacy (Class B)) (§§291.51 – 291.55) pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules.

The Texas State Board of Pharmacy proposed the review and repeal of Chapter 305 Concerning Educational Requirements (§§305.1 – 305.2) pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules.

The Texas State Board of Pharmacy proposed the review of Chapter 309 Concerning Generic Substitution (§§309.1 – 309.8) pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules.