

BILL ANALYSIS

C.S.H.B. 562
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Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are concerns about the number of deaths in Texas related to the abuse of opioids, including prescription drugs, as opioid overdoses reportedly claim the lives of nearly four Texans every day. Additionally, four Texas cities rank among the top cities in the nation for opioid abuse. It has been suggested that more should be done to raise awareness of the risks associated with opioid use and abuse, including improving warning labels for prescription opioids. C.S.H.B. 562 seeks to address these concerns by requiring all prescription opioids to be dispensed in a bottle or container with a specified warning label that addresses the addictive nature of opioids and the risk of overdose.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas State Board of Pharmacy in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 562 amends the Health and Safety Code to require the Texas State Board of Pharmacy, not later than January 1, 2020, to adopt rules requiring all prescription opioids to be dispensed in a bottle or container affixed with a specified label warning users of the addictive nature of opioids and the risk of overdose. The bill prohibits a pharmacist from dispensing a prescription opioid unless the bottle or container in which the opioid is dispensed is affixed with such a warning label. The bill applies only to a prescription for an opioid dispensed on or after March 1, 2020.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 562 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute clarifies that the warning label requirement for opioid prescriptions applies to all prescription opioids dispensed in a bottle or in a container and revises the language of the warning label.

The substitute does not include delivery of an opioid without the required warning label in the prohibited activities of a pharmacist.