

## **BILL ANALYSIS**

H.B. 1524  
By: Lucio III  
Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, physicians may delegate the prescribing and ordering of Schedule II controlled substances to advanced practice registered nurses and physician assistants only with respect to certain hospital and hospice patients. This means that physician assistants and advanced practice registered nurses who treat patients with mental illness, cancer, and other painful chronic conditions in long-term care and outpatient settings cannot prescribe or order Schedule II controlled substances for their patients. It has been suggested that giving physicians broader authority to delegate the prescribing or ordering of Schedule II controlled substances would help improve the continuum of care for patients. H.B. 1524 seeks to address this issue by removing the limitation on the authority of a physician to delegate the prescribing and ordering of these substances.

### **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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1524 repeals Section 157.0511(b-1), Occupations Code, which limits a physician's authority to delegate the prescribing and ordering of a controlled substance listed in Schedule II under the Texas Controlled Substances Act to doing so in a hospital facility-based practice as part of the care provided to certain hospital patients or doing so as part of the plan of care for the treatment of a person with a terminal illness who is receiving hospice treatment.

H.B. 1524 amends the Occupations Code to make conforming changes.

### **EFFECTIVE DATE**

September 1, 2021.