

- SUBJECT:** Adding a pharmacy technician to the Texas State Board of Pharmacy
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 10 ayes — Kolkhorst, Naishtat, Collier, Cortez, S. Davis, Guerra, S. King, Laubenberg, J.D. Sheffield, Zedler
- 0 nays
- 1 absent — Coleman
- WITNESSES:** For — Lisa McCartney, Pharmacy Technician Educators Council; Bradley Miller, Texas Pharmacy Association; (*Registered, but did not testify*: Joel Ballew, Texas Health Resources; Joe DaSilva, Texas Pharmacy Association; Paul Davis, Texas Society of Health System Pharmacists; Cynthia Glover, Texas Pharmacy Association)
- Against — None
- On — Gay Dodson, Texas State Board of Pharmacy
- BACKGROUND:** Occupations Code, ch. 552 outlines the composition, qualifications, and governing rules of the Texas State Board of Pharmacy (TSBP), the state agency responsible for the licensure and discipline of pharmacists, pharmacy technicians, and pharmacies.
- Sec. 552.001 requires that the board include six pharmacists and three members representing the public. Sec. 552.010(a) requires the board meet every four months to transact board business and twice a year to examine applicants.
- DIGEST:** HB 2087 would expand the Texas State Board of Pharmacy to 11 members by adding one pharmacy technician and a pharmacist.
- The bill would make eligible for the board acting Texas pharmacy technicians who were in good standing, had been registered as a pharmacy technician for five years preceding appointment, and were Texas residents. No changes would be made to pharmacist board qualifications.

The bill would remove the requirement that the board meet twice a year to consider applicants.

As soon as practicable after the bill's effective date, the governor would appoint to the board a pharmacy technician to a term ending August 31, 2019 and a pharmacist to a term ending August 31, 2017.

The bill would take effect September 1, 2013.

**SUPPORTERS
SAY:**

HB 2087 would give a voice to pharmacy technicians and improve pharmacies' delivery of health care.

Pharmacy technicians would gain needed representation on the Texas State Board of Pharmacists. As the role of pharmacy technicians has become more complex and professionalized, the need has increased for their inclusion in the regulatory process. A technician on the board would increase the TSBP's responsiveness to pharmacy technicians' concerns. With Texas' 53,000 pharmacy technicians more than double the number of pharmacists, reserving one of the 11 board positions for a technician would be both fair and pragmatic. Adding a seventh pharmacist to the board would prevent pharmacists' representation from being noticeably diluted.

Pharmacy technician representation would improve pharmacies' quality of care by improving coordination between pharmacists and pharmacy technicians and maximizing the services each could provide in the pharmacy setting. The technician board member also could advise the TSBP on pharmacy technician best practices that could be disseminated by the board.

The bill would not increase governmental spending or size. The cost of adding two members to the TSBP is about \$15,000 per year. Board members receive only per diem for each day they engage in board business and a reimbursement for expenses. This small cost could be offset by a minor increase in registration and certification fees that could be spread over the board's 80,000 members. While HB 2087 would increase the board's size, it would reduce its yearly meetings by one-third, would not grant any more regulatory power, and in the long-term could prevent governmental expansion by making it unnecessary to create a separate board for technicians in the future.

OPPONENTS
SAY:

HB 2087 would be an unnecessary expansion of government. There is no evidence that the Texas State Board of Pharmacists does not adequately represent the interests of pharmacy technicians. TSBP's mission, to promote public health through quality pharmaceutical care, already incentivizes the board to include all stakeholders' interests in its deliberations. Pharmacy technicians are able to provide input to the board. Adding one technician to the TSBP would not have a notable impact on its decision-making and would not warrant any increased spending or change in statute.

NOTES:

The companion bill, SB 500 by Van de Putte, was reported favorably from the House Public Health Committee on April 19.