

- SUBJECT:** Allowing physicians to delegate patients' drug therapy to pharmacists
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 10 ayes — S. Thompson, Wray, Allison, Frank, Guerra, Lucio, Ortega, Price, Sheffield, Zedler
- 0 nays
- 1 absent — Coleman
- SENATE VOTE:** On final passage, April 26 — 30-0, on Local and Uncontested Calendar
- WITNESSES:** *On House companion, HB 4297:*
For — Debbie Garza, Texas Pharmacy Association; Keri Krupp; (*Registered, but did not testify:* Audra Conwell, Alliance of Independent Pharmacists; Robert Howden, Baylor Scott and White Health; Tom Banning, Texas Academy of Family Physicians; Mimi Garcia, Texas Association of Community Health Centers; Bradford Shields, Texas Federation of Drug Stores, Texas Society of Health-System Pharmacists; Duane Galligher, Texas Independent Pharmacies Association; Dan Finch, Texas Medical Association; Stephanie Chiarello, Texas Pharmacy Association; Mark Comfort, Texas Pharmacy Association; Michael Wright, Texas Pharmacy Business Council; and 8 individuals)
- Against — None
- BACKGROUND:** Occupations Code sec. 157.101(b-1) authorizes a physician to delegate to qualified pharmacists the implementation and modification of a patient's drug therapy under a protocol, including the authority to sign a prescription drug order for dangerous drugs under certain circumstances.
- Sec. 554.057 requires the Texas State Board of Pharmacy, with the Texas Medical Board's advice, to adopt rules that allow a pharmacist to implement or modify a patient's drug therapy pursuant to a physician's delegation under sec. 157.101(b-1).

Observers have noted the benefits of a team-based care model between a pharmacist and physician. Recent legislative changes have caused some confusion regarding when the signing of a prescription drug order may be delegated to a pharmacist. Some suggest the need to address this concern by specifying the circumstances under which a qualified pharmacist acting under adequate physician supervision could implement or modify a patient's drug therapy.

DIGEST: SB 1056 would allow a physician to delegate to qualified pharmacists the implementation and modification of a patient's drug therapy if:

- the delegation followed a diagnosis, initial patient assessment, and drug therapy order by the physician; and
- the pharmacist maintained a copy of the protocol for inspection until at least the seventh anniversary of the protocol's expiration date.

By December 1, 2019, the Texas State Board of Pharmacy would have to adopt rules to implement Occupations Code sec. 554.057.

The bill would take effect September 1, 2019.