

BILL ANALYSIS

Senate Research Center

H.B. 1724
By: Delisi (Madla)
Health & Human Services
4-28-97
Engrossed

DIGEST

Under Chapter 467 of the Health and Safety Code, certain professional licensing boards may establish or approve peer assistance programs designed to help professionals impaired by substance abuse or mental illness. Licensing boards that offer these programs include the Board of Nurse Examiners, the Board of Vocational Nurse Examiners, the Board of Dental Examiners, and the Board of Veterinary Examiners.

Currently, the oversight of peer assistance programs is reportedly inadequate. Different requirements apply to these various peer assistance programs, depending on their statutory authorization. This sometimes results in inconsistencies among programs or programs that are in violation with the Texas Commission on Alcohol and Drug Abuse (TCADA) rules.

It is unclear how or if each licensing board monitors its peer assistance programs for compliance with these rules. For example, the Texas State Board of Pharmacy offers a program authorized by the Texas Pharmacy Act, and it is not subject to Chapter 467 of the Health and Safety Code.

H.B. 1724 would authorize the Texas State Board of Pharmacy to adopt rules or criteria for the administration of its peer assistance programs so that these programs are in compliance with TCADA rules and guidelines under Chapter 467 of the Health and Safety Code.

PURPOSE

As proposed, H.B. 1724 authorizes the Texas State Board of Pharmacy to adopt rules or criteria for the administration of its peer assistance programs so that these programs are in compliance with the Texas Commission on Alcohol and Drug Abuse rules and guidelines under Chapter 467 of the Health and Safety Code.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas State Board of Pharmacy under SECTION 1 (Section 27A(k), Article 4542a-1, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 27A, Article 4542a-1, V.T.C.S. (Texas Pharmacy Act), by adding Subsection (k), to require the State Board of Pharmacy (board), in administering and enforcing this section, to adopt rules or minimum criteria that are at least as strict as the rules or minimum criteria for the administration or enforcement of a peer assistance program adopted by the Texas Commission on Alcohol and Drug Abuse under Chapter 467, Health and Safety Code.

SECTION 2. Emergency clause.
Effective date: upon passage.