

BILL ANALYSIS

Senate Research Center
77R2825 JMM-D

S.B. 332
By: Moncrief
Health & Human Services
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DIGEST AND PURPOSE

Currently the Texas Medical Practice act prohibits physicians from giving patients free medications under the Indigent Patient Program because of a definitional limitation. This bill corrects the definitional limitation, allowing physicians to give their indigent patients a full course of medication supplied by the pharmaceutical company without risk of infringing on pharmacists' dispensing authority.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 158.002 (a), Occupations Code, to provide that this chapter does not prohibit a physician from supplying a pharmaceutical sample to a patient free of charge, including pharmaceutical samples provided by drug manufacturers for indigent pharmaceutical programs, if, in the physician's opinion, it is advantageous to the patient, in adhering to a course of treatment prescribed by the physician, to receive the sample.

SECTION 2. Effective date: upon passage or September 1, 2001.