

BILL ANALYSIS

Senate Research Center
79R1996 MSE-D

S.B. 655
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Health & Human Services
3/31/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Most senior citizens are on a fixed income and many are unable to pay for their prescription medications. Seniors experience having to decide whether to pay for groceries to eat or medications to treat chronic ailments. As the cost of prescription medications continues to rise and surpass the available income that seniors have, the State of Texas must look to alternative, reliable ways to help seniors cut prescription costs while maintaining a doctor-prescribed health regimen. Currently, there is no Texas law which would establish a program to help Texas seniors afford their necessary prescription medications.

S.B. 655 helps senior citizens take control of their pharmacy costs by requiring the Department of State Health Services (DSHS) to establish a prescription drug consumer information and technical assistance program (program). The program would provide senior citizens of Texas with advice on using prescription drugs prudently and accessing government and private prescription programs and discounts. Through this program, senior citizens would have an opportunity to consult with a licensed pharmacist on how that person, with the approval of the prescribing physician, can avoid dangerous drug interactions and substitute a more cost-effective drug for the drug originally prescribed. S.B. 655 also allows DSHS to utilize the services of a state-employed pharmacist or to recruit licensed pharmacist volunteers in coordination with the Texas State Board of Pharmacy.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 2 (Section 113.002, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Health (TDH), the following amendments affect the Department of State Health Services, as the successor agency to TDH.]

SECTION 1. Amends Subtitle E, Title 2, Health and Safety Code, by adding Chapter 113, as follows:

CHAPTER 113. PRESCRIPTION DRUG INFORMATION PROGRAM

Sec. 113.001. DEFINITIONS. Defines "practitioner" and "senior citizen."

Sec. 113.002. PRESCRIPTION DRUG CONSUMER INFORMATION AND TECHNICAL ASSISTANCE PROGRAM. Requires the Texas Department of Health (TDH) to establish a prescription drug consumer information and technical assistance program (program) and sets forth specific information to be included in the program. Requires TDH to provide for licensed pharmacists to perform the consultations required under this section and authorizes TDH to use a licensed pharmacist employed by a state governmental entity or recruit licensed pharmacist volunteers in cooperation with the Texas State Board of Pharmacy. Requires the executive commissioner of the Health and Human Services Commission (commissioner) to adopt rules as necessary to implement this section, including rules that describe any fees that may be charged for services provided by a consulting pharmacist.

SECTION 2. (a) Requires the commissioner, not later than March 1, 2006, to adopt rules as required by Section 113.002, Health and Safety Code, as added by this Act.

(b) Requires the Department of State Health Services, not later than October 1, 2006, to report to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing committees of the senate and house of representatives with primary jurisdiction over health care on the effectiveness of the prescription drug consumer information and technical assistance program established by this Act.

SECTION 3. Effective date: September 1, 2005.