

## **BILL ANALYSIS**

Senate Research Center  
82R20950 EES-D

H.B. 2069  
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Health & Human Services  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Pharmacists at retail locations are only permitted to dispense a 90-day supply of drugs by calling the doctor for permission when the prescription is written for 30 days. Often doctors will prescribe certain maintenance drugs to patients for blood pressure, diabetes, or heart medication expecting that the patient takes the drug once a day every day. Allowing the pharmacist to dispense a 90-day supply saves money for State Medicaid programs, increases efficiency within the pharmacy, and creates a more convenient situation for customers.

H.B. 2069 amends current law relating to the authority of a pharmacist to dispense up to a 90-day supply of dangerous drugs and accelerate refills.

### **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 562.007, Occupations Code, as follows:

Sec. 562.007. REFILLS. Requires that a properly authorized prescription refill, except as provided by Section 562.0545, follow the original dispensing instruction unless otherwise indicated by the practitioner or the practitioner's agent. Makes a nonsubstantive change.

SECTION 2. Amends Subchapter B, Chapter 562, Occupations Code, by adding Section 562.0545, as follows:

Sec. 562.0545. 90-DAY SUPPLY AND ACCELERATED REFILLS. Authorizes a pharmacist to dispense up to a 90-day supply of a dangerous drug pursuant to a valid prescription that specifies the dispensing of a lesser amount followed by periodic refills of that amount if:

- (1) the total quantity of dosage units dispensed does not exceed the total quantity of dosage units authorized by the prescriber on the original prescription, including refills;
- (2) the patient consents to the dispensing of up to a 90-day supply and the physician has been notified electronically or by telephone;
- (3) the physician has not specified on the prescription that dispensing the prescription in an initial amount followed by periodic refills is medically necessary;
- (4) the dangerous drug is not a psychotropic drug; and
- (5) the patient is at least 18 years of age.

SECTION 3. Effective date: September 1, 2011.