

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 546  
By: Deuell  
Health & Human Services  
4/20/2011  
Committee Report (Substituted)

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

C.S.S.B. 546 amends current law relating to the dispensing of certain drugs by physicians.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 (Section 158.001, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 158.001(b), Occupations Code, as follows:

(b) Authorizes a physician to dispense dangerous drugs to the physician's patients and charge the patients a reasonable fee for dispensing the drugs without complying with Chapter 558 (License to Practice Pharmacy). Requires the physician, before dispensing a dangerous drug, to notify the patient that the prescription for the dangerous drug may be filled at a pharmacy. Requires the Texas Medical Board to adopt rules to establish a procedure for the dispensing of dangerous drugs by a physician. Deletes existing text providing that this section does not permit a physician to operate a retail pharmacy without complying with Chapter 558.

SECTION 2. Amends Section 551.004(b), Occupations Code, to provide that this subtitle does not prevent a practitioner from supplying dangerous drugs to a patient as provided by Section 158.001(b).

SECTION 3. Repealer: Section 158.003 (Dispensing of Dangerous Drugs in Certain Rural Areas), Occupations Code.

SECTION 4. (a) Requires the Texas Medical Board to adopt rules to implement Section 158.001(b), Occupations Code, as amended by this Act, not later than December 1, 2011.

(b) Makes application of the changes in law made by this Act to the dispensing of a dangerous drug by a physician, prospective, to December 1, 2011.

SECTION 5. Effective date: upon passage or September 1, 2011.