

BILL ANALYSIS

Senate Research Center
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S.B. 1644
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Prescription drug abuse is a problem in Texas and in the nation. Since 2006, more than 1,400 accidental prescription drug overdoses have been recorded in Harris County alone. At least 188 people died from prescription overdoses in Harris County in 2011.

Nationwide, the number of overdose deaths from prescription drugs has more than tripled over the past decade. Illegal use of prescription drugs has impacted families and health care systems all over the nation. In 2009, nearly 500,000 emergency room visits resulted from people misusing or abusing prescription drugs and taxpayers bore the costs of many of these emergency visits under the Medicaid or Medicare programs.

S.B. 1644 requires three hours of continuing medical education for physicians who prescribe controlled substances. The hours must relate to pain management using controlled substances and other methods, and the use of the Prescription Access in Texas database administered by the Department of Public Safety of the State of Texas to monitor the dispensing history of patients.

It is important for doctors to be fully educated on diversion issues, including doctor shopping, and the new Prescription Access in Texas electronic database.

As proposed, S.B. 1644 amends current law relating to continuing medical education for physicians prescribing controlled substances.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Medical Board in SECTION 1 (Section 156.058, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 156, Occupations Code, by adding Section 156.058, as follows:

Sec. 156.058. CONTINUING EDUCATION IN PAIN MANAGEMENT AND CONTROLLED SUBSTANCE PRESCRIBING. (a) Requires a physician licensed under this subtitle (Physicians) who submits an application for renewal of a license to practice medicine and who is also registered with the Department of Public Safety of the State of Texas (DPS) under Subchapter C (Regulation of Manufacture, Distribution, and Dispensation of Controlled Substances, Chemical Precursors, and Chemical Laboratory Apparatus), Chapter 481, Health and Safety Code, to complete three hours of continuing medical education relating to:

- (1) pain management using controlled substances and other methods; and
- (2) the use of the Prescription Access in Texas database administered by DPS to monitor the dispensing history of patients.

(b) Provides that the hours of continuing education under this section are required in addition to the number of hours required to comply with Section 156.051

(Reporting Program; Rules; Exemption) and apply to persons described by Section 156.052 (Presumption of Compliance for Certain License).

(c) Requires the Texas Medical Board to adopt rules to implement this section.

SECTION 2. Provides that the change in law made by this Act applies only to a physician whose registration under Chapter 156, Occupations Code, is renewed on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2013.