

BILL ANALYSIS

Senate Research Center
83R6460 SLB-F

S.B. 500
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas State Board of Pharmacy (TSBP) registers over 53,000 pharmacy technicians and 27,714 pharmacists who practice in 7,184 pharmacies. Technicians practice in nearly all hospitals and community pharmacies as well as other locations throughout the state. TSBP currently consists of six pharmacists and three consumers. There is no slot for appointment of a technician. The use of pharmacy technicians and their role in health care is growing, and they provide significant services in assisting pharmacists and provision of care to patients.

The profession of pharmacy is attempting to be pro-active in incorporating technicians on the licensing body to assure their voice in the regulatory process and to avoid problems that have arisen in licensing and registration of other professional groups.

As proposed, S.B. 500 amends current law relating to the Texas State Board of Pharmacy.

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 552.001(a), Occupations Code, as follows:

(a) Provides that the Texas State Board of Pharmacy (TSBP) consists of 11, rather than nine, members appointed by the governor with the advice and consent of the senate, as follows:

- (1) seven, rather than six, members who are pharmacists;
- (2) one member who is a pharmacy technician; and
- (3) three members who represent the public.

Makes nonsubstantive changes.

SECTION 2. Amends Section 552.002, Occupations Code, by adding Subsection (b-1), to require a pharmacy technician board member to, at the time of appointment, be a resident of this state, have been registered as a pharmacy technician for the five years preceding appointment, be in good standing to act as a pharmacy technician in this state, and be acting as a pharmacy technician in this state.

SECTION 3. Amends Section 552.005(a), Occupations Code, as follows:

(a) Provides that members of TSBP are appointed for staggered six-year terms with either three or four members' terms, as applicable, expiring every other year at midnight on the last day of the state fiscal year in the last year of the member's term. Deletes existing text providing that the terms of three members expire every other year at midnight on the last day of the state fiscal year in the last year of the member's term.

SECTION 4. Amends Section 552.010(a), Occupations Code, to require TSBP to meet at least once every four months to transact TSBP business, rather than at least once every four months to transact TSBP business and twice each year for the examination of applicants, and to make nonsubstantive changes.

SECTION 5. Requires the governor, as soon as practicable after the effective date of this Act, to appoint a pharmacy technician and a pharmacist to TSBP as required by this Act. Requires the governor, in appointing the members, to appoint a pharmacy technician to a term expiring August 31, 2019, and a pharmacist to a term expiring August 31, 2017.

SECTION 6. Effective date: September 1, 2013.