

Amend **CSHB 2730** (Senate committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES accordingly:

ARTICLE \_\_\_\_ . TRANSFER OF REGULATORY PROGRAMS RELATING TO  
DISPENSING CONTROLLED SUBSTANCES BY PRESCRIPTION

SECTION \_\_\_\_ .01. (a) The director of the Department of Public Safety or the director's designee, the executive director of the Texas State Board of Pharmacy or the executive director's designee, and the executive director of the Texas Medical Board or the executive director's designee shall meet as an interagency council to develop a transition plan for the orderly transfer from the Department of Public Safety to the Texas State Board of Pharmacy of certain records and regulatory functions relating to dispensing controlled substances by prescription under Chapter 481, Health and Safety Code.

(b) In developing the transition plan, the council shall:

(1) consult with the Health and Human Services Commission, the Department of State Health Services, and other health and human services agencies that contract with a third party for data collection;

(2) specify the records and regulatory functions to be transferred;

(3) create a time frame within which the specified records and functions will be transferred;

(4) ensure the Department of Public Safety's continued access for law enforcement purposes to prescription drug information obtained under Chapter 481, Health and Safety Code;

(5) develop a plan for the transfer of relevant database information;

(6) make recommendations for improvements to data transmission, including examining the feasibility of implementing an electronic data transmission system for use by registrants and the Department of Public Safety or the Texas State Board of Pharmacy;

(7) estimate the fiscal impact of the transfer, including an estimate of the costs associated with any necessary staff increase;

(8) minimize disruptions to the professions affected  
by the transfer;

(9) identify any obstacles to the transfer and make recommendations to address those obstacles; and

(10) address any other consideration the council determines is appropriate.

(c) Not later than January 1, 2011, the council shall submit its recommendations to the legislature on the transition plan developed by the council.

(d) The Department of Public Safety may not enter into any contract or otherwise take any action that would prevent, delay, or hinder a potential transfer to the Texas State Board of Pharmacy occurring on or after September 1, 2011, of certain records and regulatory functions relating to dispensing controlled substances by prescription.

(e) This section expires September 1, 2011.