

By: Hopson

H.B. No. 1409

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the minimum patient age for administration of an  
3 immunization or vaccination by a pharmacist.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 554.052(c) and (d), Occupations Code,  
6 are amended to read as follows:

7 (c) Supervision by a physician is adequate if the delegating  
8 physician:

9 (1) is responsible for formulating or approving an  
10 order or protocol, including the physician's order, standing  
11 medical order, or standing delegation order, and periodically  
12 reviews the order or protocol and the services provided to a patient  
13 under the order or protocol;

14 (2) has established a physician-patient relationship  
15 with each patient under seven [~~14~~] years of age and referred the  
16 patient to the pharmacist;

17 (3) is geographically located to be easily accessible  
18 to the pharmacy where an immunization or vaccination is  
19 administered;

20 (4) receives, as appropriate, a periodic status report  
21 on the patient, including any problem or complication encountered;  
22 and

23 (5) is available through direct telecommunication for  
24 consultation, assistance, and direction.

1           (d) The Texas [~~State Board of~~] Medical Board [~~Examiners~~] by  
2 rule shall establish the minimum content of a written order or  
3 protocol. The order or protocol may not permit delegation of  
4 medical diagnosis.

5           SECTION 2. This Act takes effect September 1, 2009.