

1-1 By: Zerwas, et al. (Senate Sponsor - Kolkhorst) H.B. No. 1550  
 1-2 (In the Senate - Received from the House April 29, 2015;  
 1-3 April 30, 2015, read first time and referred to Committee on Health  
 1-4 and Human Services; May 15, 2015, reported favorably by the  
 1-5 following vote: Yeas 9, Nays 0; May 15, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the administration of epinephrine by pharmacists.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Subchapter B, Chapter 562, Occupations Code, is  
 1-22 amended by adding Section 562.057 to read as follows:

1-23 Sec. 562.057. ADMINISTRATION OF EPINEPHRINE. (a) A  
 1-24 pharmacist may administer epinephrine through an auto-injector  
 1-25 device in accordance with this section.

1-26 (b) The board shall adopt rules designed to protect the  
 1-27 public health and safety to implement this section. The rules must  
 1-28 provide that a pharmacist may administer epinephrine through an  
 1-29 auto-injector device to a patient in an emergency situation.

1-30 (c) A pharmacist may maintain, administer, and dispose of  
 1-31 epinephrine auto-injector devices only in accordance with rules  
 1-32 adopted by the board under this section.

1-33 (d) A pharmacist who administers epinephrine through an  
 1-34 auto-injector device to a patient shall report the use to the  
 1-35 patient's primary care physician, as identified by the patient, if  
 1-36 the patient has a primary care physician.

1-37 (e) A pharmacist who in good faith administers epinephrine  
 1-38 through an auto-injector device in accordance with the requirements  
 1-39 of this section is not liable for civil damages for an act performed  
 1-40 in the administration unless the act is wilfully or wantonly  
 1-41 negligent. A pharmacist may not receive remuneration for the  
 1-42 administration of epinephrine through an auto-injector device but  
 1-43 may seek reimbursement for the cost of the epinephrine  
 1-44 auto-injector device.

1-45 (f) The administration of epinephrine through an  
 1-46 auto-injector device to a patient in accordance with the  
 1-47 requirements of this section does not constitute the unlawful  
 1-48 practice of any health care profession.

1-49 SECTION 2. Before January 1, 2016, pharmacists may  
 1-50 administer epinephrine through an auto-injector device to the  
 1-51 extent allowed under the law that exists before September 1, 2015.

1-52 SECTION 3. (a) Except as provided by Subsection (b) of  
 1-53 this section, this Act takes effect September 1, 2015.

1-54 (b) Section 562.057, Occupations Code, as added by this Act,  
 1-55 takes effect January 1, 2016, except that Section 562.057 takes  
 1-56 effect September 1, 2015, for the limited purpose of allowing the  
 1-57 Texas State Board of Pharmacy to adopt rules under that law that may  
 1-58 take effect before January 1, 2016.

1-59 \* \* \* \* \*