

1-1 By: Dean, et al. (Senate Sponsor - Hughes) H.B. No. 2088
1-2 (In the Senate - Received from the House May 6, 2019;
1-3 May 7, 2019, read first time and referred to Committee on Health &
1-4 Human Services; May 20, 2019, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 20, 2019, 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 providing information and other resources regarding
1-20 safe disposal of Schedule II controlled substance prescription
1-21 drugs.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 481.075, Health and Safety Code, is
1-24 amended by adding Subsections (n), (o), and (p) to read as follows:

1-25 (n) A person dispensing a Schedule II controlled substance
1-26 under a prescription shall provide written notice, as defined by
1-27 board rule adopted under Subsection (o), on the safe disposal of
1-28 controlled substance prescription drugs, unless:

1-29 (1) the Schedule II controlled substance prescription
1-30 drug is dispensed at a pharmacy or other location that:

1-31 (A) is authorized to take back those drugs for
1-32 safe disposal; and

1-33 (B) regularly accepts those drugs for safe
1-34 disposal; or

1-35 (2) the dispenser provides to the person to whom the
1-36 Schedule II controlled substance prescription drug is dispensed, at
1-37 the time of dispensation and at no cost to the person:

1-38 (A) a mail-in pouch for surrendering unused
1-39 controlled substance prescription drugs; or

1-40 (B) chemicals to render any unused drugs unusable
1-41 or non-retrievable.

1-42 (o) The board shall adopt rules to prescribe the form of the
1-43 written notice on the safe disposal of controlled substance
1-44 prescription drugs required under Subsection (n). The notice must
1-45 include information on locations at which Schedule II controlled
1-46 substance prescription drugs are accepted for safe disposal. The
1-47 notice, in lieu of listing those locations, may provide the address
1-48 of an Internet website specified by the board that provides a
1-49 searchable database of locations at which Schedule II controlled
1-50 substance prescription drugs are accepted for safe disposal.

1-51 (p) The board may take disciplinary action against a person
1-52 who fails to comply with Subsection (n).

1-53 SECTION 2. Section 481.075(n), Health and Safety Code, as
1-54 added by this Act, applies only to a controlled substance
1-55 prescription drug dispensed on or after January 1, 2020.

1-56 SECTION 3. This Act takes effect September 1, 2019.

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