

## **BILL ANALYSIS**

C.S.H.B. 2594  
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Public Health  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There are concerns about the improper disposal of controlled substance prescription medication on a patient's death in hospice care. C.S.H.B. 2594 seeks to address these concerns by authorizing a home and community support services agency that provides hospice services to adopt written policies and procedures related to the disposal of a patient's unused controlled substance prescription drugs under appropriate circumstances.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2594 amends the Health and Safety Code to authorize a home and community support services agency licensed to provide hospice services to adopt written policies and procedures related to the disposal of a patient's unused controlled substance prescription drugs on the patient's death or in other appropriate circumstances. The bill requires such a license holder to provide a copy of the policies and procedures to the patient and the patient's family, discuss the policies and procedures with the patient and the patient's family in a language and manner the patient and patient's family understand, and document in the patient's clinical record that the policies and procedures were provided and discussed. The bill authorizes the license holder to provide training to an employee who is a licensed health care professional regarding the secure and responsible disposal of controlled substance prescription drugs in a manner that discourages abuse, misuse, or diversion.

C.S.H.B. 2594 sets out provisions relating to the authorized disposal of a patient's controlled substance prescription drug by a trained employee in a manner consistent with recommendations of the U.S. Food and Drug Administration and state law and sets out requirements relating to the disposal, including documenting the disposal and if a family member of the patient prevented the confiscation and disposal.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2594 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute limits applicability of the bill's provisions to controlled substance prescription drugs. The substitute changes the person required to witness an agency employee's disposal of such a drug from another employee of the agency to another person 18 years of age or older.