

**SUBJECT:** Allowing pharmacists in penal institutions to return unused drugs

**COMMITTEE:** Public Health — committee substitute recommended

**VOTE:** 8 ayes — Delisi, Laubenberg, Jackson, Cohen, Coleman, Gonzales, S. King, Olivo

0 nays

1 absent — Truitt

**WITNESSES:** For — Andrea Guajardo, Robert McStay, CHRISTUS Health; Henry Hermann, Society of St. Vincent De Paul, Council of Dallas; Donald Lee, Texas Conference of Urban Counties; (*Registered, but did not testify:* Jennifer Banda, Texas Hospital Association; Ed Berger, SETON Family of Hospitals; Leticia Caballero, Texas Health Care Association; Cindy Gunn, Memorial Hermann Healthcare System; Gerald Hill, SETON Family of Hospitals; Mazie M. Jamison, Children's Medical Center Dallas; Lydia R. McStay, Texas Children's Hospital; Gabriela Moreno, J.R. Ruiz, CHRISTUS Health; Chris Yanas, University Health System)

Against — None

On — (*Registered, but did not testify:* Gay Dodson, Texas State Board of Pharmacy; Karen Tannert, Department of State Health Services)

**BACKGROUND:** In 2001, the 77<sup>th</sup> Legislature amended the Health and Safety Code to create the Texas Drug Donation Program. The program creates a mechanism to allow unused prescription drugs to be donated to charitable medical clinics and redistributed, under the supervision of a licensed pharmacist, to financially disadvantaged patients.

**DIGEST:** CSHB 3078 would expand the Texas Drug Donation Program to allow pharmacists in penal institutions to return to a pharmacy unused drugs still in their original packaging. The bill also would provide that a community pharmaceutical access program provider, defined as a licensed pharmacy program that assists financially disadvantaged persons to access prescription drugs at no charge or a reduced price, would be authorized to receive donated drugs.

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The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS  
SAY:**

CASHB 3078 would allow more useful drugs to be used for medical care and decrease some of the cost for providing healthcare and drugs for the financially indigent by allowing pharmacists in penal institutions to participate in the program. At a time when care for the indigent is stretched, the bill would provide a new channel for providing lower cost healthcare and access to prescription drugs.

**OPPONENTS  
SAY:**

No apparent opposition.

**NOTES:**

The companion bill, SB 1896 by Lucio, passed the Senate on the Local and Uncontested Calendar on May 1.