

BILL ANALYSIS

Senate Research Center
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S.B. 931
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Health Services
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As Filed

DIGEST

Currently, there is an extreme shortage of pharmacists in Texas, and across the nation. There are limited federal dollars available to fund hospital pharmacy residency programs. However, the pharmacy residency program alone will not solve the pharmacist shortage, because the program only funds programs in hospitals. S.B. 931 establishes the Roberta High Memorial Pharmacy Residency Program, with partial funding to be used from the Texas State Board of Pharmacy's account within the General Revenue Fund of the State of Texas.

PURPOSE

As proposed, S.B. 931 establishes the Roberta High Memorial Pharmacy Residency Program to alleviate the shortage of pharmacists.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 61, Education Code, by adding Subchapter T, as follows:

SUBCHAPTER T. ROBERTA HIGH MEMORIAL PHARMACY RESIDENCY PROGRAM

Sec. 61.851. DEFINITIONS. Defines "community pharmacy," "compensation," "faculty preceptor," "institutional pharmacy," "nuclear pharmacy," "pharmacy residency program," "primary teaching pharmacy," "resident pharmacist," and "school of pharmacy."

Sec. 61.852. COMPENSATION OF RESIDENT PHARMACIST. Requires a school of pharmacy to compensate each resident pharmacist being educated, trained, developed, and prepared for a career in pharmacy while the person is undergoing education, training, development, and preparation at or under the direction and supervision of the school.

Sec. 61.853. NUMBER OF AVAILABLE RESIDENT PHARMACIST POSITIONS. Prohibits the total number of compensated first-year resident pharmacists from exceeding 50 percent of the total number of persons in the preceding year's combined graduating classes of all schools of pharmacy, in each year. Requires at least 50 percent of the combined total number of resident pharmacist positions to be in community pharmacy practice.

Sec. 61.854. PREFERENCE TO APPLICANT FOR PRACTICE IN MEDICALLY UNDERSERVED AREAS. Requires each school to give priority consideration to an applicant for a resident pharmacist position who demonstrates a willingness to practice pharmacy in medically underserved areas of this state, as defined by the Texas Department of Health.

Sec. 61.855. DURATION OF PHARMACIST RESIDENCY. Prohibits a person from holding a resident pharmacist position for more than two years, or for a period longer than the period usually required for a resident pharmacist to complete a graduate pharmacy education program approved by the Texas State Board of Pharmacy for the specialty in which the resident pharmacist seeks certification.

Sec. 61.856. PROGRAM FUNDING. Authorizes the legislature to appropriate revenue to the Texas Higher Education Coordinating Board (board) to fund the pharmacy residency program. Prohibits funds appropriated and distributed under this subchapter from being transferred or diverted from the pharmacy residency program. Requires the comptroller to issue a warrant to a pharmacy school or other entity designated by the board to receive funds under this subchapter from program funds.

Sec. 61.857. STATE SUPPORT OF RESIDENT PHARMACIST COMPENSATION. Authorizes the board to provide grants to schools of pharmacy in amounts not to exceed \$10,000 in a fiscal year for each resident pharmacist position approved by the board and filled by the applicable school for that year to supplement the compensation of resident pharmacists. Authorizes a school of pharmacy to receive funds under this section for a resident pharmacist position in any year, only if the school and the primary teaching pharmacy each contribute at least \$10,000 toward the compensation of the resident pharmacist for that year. Requires the school of pharmacy to reduce proportionately the compensation paid to the person to cover only the part of the fiscal year during which the person performed duties as a resident pharmacist, if a resident pharmacist does not perform in that capacity during an entire fiscal year. Requires the school of pharmacy to reduce the compensation that would otherwise be paid to the person by an amount equal to the amount of the compensation received from the agency or institution, if a person is compensated by an agency or institution of the federal government or by any other agency or institution, other than a primary teaching pharmacy, for the person's performance as a resident pharmacist. Provides that the compensation that may be paid to the resident pharmacist from funds awarded for that position under this section is reduced by the amount received from the other agency or institution, if the school receives from an agency or institution of the federal government or from any other agency or institution, other than a primary teaching pharmacy, compensation for a person's performance of duties as a resident pharmacist to or for the benefit of the agency or institution. Requires a resident pharmacist to enroll for at least nine semester credit hours each fall and spring semester and for at least six semester credit hours each summer term in graduate pharmacy education experiential courses to qualify for supplemental compensation provided under this section. Provides that the resident pharmacist is exempt from fees required for enrollment, other than tuition.

Sec. 61.858. PLACEMENT OF RESIDENT PHARMACISTS IF FULL FUNDING NOT AVAILABLE. Authorizes the school to assign and place for education and training a resident pharmacist who cannot be supported adequately with available funds in primary teaching pharmacy with which the school has a resident pharmacist affiliation agreement, if a school of pharmacy determines that it does not have sufficient available funds from legislative appropriations and other sources to support adequately the full number of resident pharmacists that the school considers necessary to carry out the purposes of the school. Requires the resident pharmacist to receive compensation primarily from the pharmacy, during the period for which a resident pharmacist is assigned and placed in a primary teaching pharmacy under this section. Requires a resident pharmacist affiliation agreement between the school and the primary teaching pharmacy to describe the exact method and manner of compensating the resident pharmacist.

Sec. 61.859. ADDITIONAL FUNDING TO SUPPORT GRADUATE PHARMACY EDUCATION PROGRAMS. Requires the board to administer a program to support graduate pharmacy education programs in this state consistent with the needs of this state for graduate pharmacy education and the training of resident pharmacists in appropriate fields and specialties. Authorizes the board to make grants or formula distributions to certain schools of pharmacy or other entities from funds available to the program. Requires a school or other entity to incur the costs of faculty education or supervision in a graduate pharmacy education program to be eligible for a grant or distribution under this section. Requires the board to take those incurred costs into account in making grants or formula distributions under this section. Provides that the program is funded by appropriations, by gifts, grants, and donations made to support the program, and by any other funds the board obtains for the program, including federal funds. Authorizes an amount granted or distributed to a school or other entity under the program to be used only to cover expenses of training resident pharmacists participating in the particular program or activity for which the grant or distribution is made in accordance with any conditions imposed by the board. Prohibits the amount from being spent for the general support of the school or other entity.

Sec. 61.860. ADVISORY COMMITTEE. Requires the board to appoint an advisory committee

to advise the board regarding the development and administration of the pharmacy residency program, including evaluating requests for grants and establishing formulas for distribution of funds under the program. Sets forth members of the advisory committee. Requires two members to be active in community pharmacy practice, and two to be active in hospital pharmacy practice, of the pharmacist members in private practice. Provides that members of the advisory committee serve staggered three-year terms. Requires the board to appoint the initial members to terms of one, two, three years as necessary so that one-third of the members' terms expire each year, as nearly as practicable. Requires the advisory committee to elect one of its members as presiding officer for a one-year term. Requires the advisory committee to meet at least once each year and as often as requested by the board or called into meeting by the committee's presiding officer. Prohibits a member of the advisory committee from receiving compensation for committee service, but may receive reimbursement for travel to official meetings according to policies established by the board.

Sec. 61.861. DUTIES OF ADVISORY COMMITTEE. Sets forth duties of the advisory committee's review of recommendations for applications for funding.

Sec. 61.862. APPLICATION BY SCHOOL OF PHARMACY FOR FUNDING. Requires a school of pharmacy to include certain information in an application for funds under this subchapter.

Sec. 61.863. FUNDING OF FACULTY PRECEPTOR POSITIONS. Authorizes a school of pharmacy to apply and receive a grant under this section to support full-time, affiliated faculty preceptors who supervise accredited pharmacy residencies. Requires the advisory committee to recommend to the board an allocation of faculty preceptor positions that are to receive funds under this section. Requires allocation of funds under this section to take into account certain factors. Requires the board to continue to grant funds to support that position for a period not to exceed one additional calendar year, once funds are granted to support a faculty preceptor position affiliated with a school. Requires the school to provide an amount equal to the annualized amount of the grant in its operating budget to maintain the level of compensation for the position for two years after the grant period has ended, after that time. Authorizes the board to use no more than 10 percent of the total amount appropriated for the pharmacy residency program under this subchapter to fund faculty preceptor positions under this section. Authorizes the board to solicit, receive, and spend grants, gifts, and donations from public and private sources for purposes of this section.

SECTION 2. (a) Requires the comptroller to transfer \$850,000 from the State Board of Pharmacy fund account to the undedicated portion of the general revenue fund on the effective date of this Act.

(b) Authorizes the legislature to appropriate funds transferred under Subsection (a) of this section only for the pharmacy residency program established under Chapter 61T, Education Code, as added by this Act.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.