

BILL ANALYSIS

Senate Research Center

C.S.S.B. 65
By: Moncrief
Health & Human Services
3/16/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Access to pharmacist care is essential to healthcare delivery in Texas. Advances in technology and automation in the dispensing of pharmaceuticals allow for an increase in such access. C.S.S.B. 65 allows Class A or Class C pharmacies to provide regulated telepharmacy services in remote communities not currently served by those classes of pharmacies.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas State Board of Pharmacy in SECTION 1 (Section 562.109, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 562C, Occupations Code, by adding Section 562.109, as follows:

Sec. 562.109. TELEPHARMACY SYSTEMS. (a) Defines “telepharmacy system.”

(b) Requires a telepharmacy system to provide for related drug use review and patient counseling services.

(c) Authorizes a Class A or Class C pharmacy located in this state to provide pharmacy services through a telepharmacy system in a facility that is not at the same location as the Class A or Class C pharmacy.

(d) Provides that a telepharmacy system is required to be under the continuous supervision of a pharmacist as determined by rule of the Texas State Board of Pharmacy (board). Provides that the pharmacist is not required to be physically present at the site of the telepharmacy system to qualify as continuous supervision. Requires the pharmacist to supervise the system electronically by audio and video communication.

(e) Authorizes a telepharmacy system to be located only at a health care facility in this state that is regulated by this state or the United States.

(f) Requires the board to adopt rules regarding the use of a telepharmacy system under this section, including certain rules.

(g) Prohibits a telepharmacy system from being located in a community in which a Class A or Class C pharmacy is located, as determined by board rule. Authorizes the telepharmacy system to continue to operate in the community if a Class A or Class C pharmacy is established in a community in which a telepharmacy system has been located under this section.

SECTION 2. (a) Effective date: September 1,2001.

(b) Requires the board to adopt rules consistent with this Act by February 28, 2002. Prohibits pharmacy services from being provided through a telepharmacy system under Section 562.109, Occupations Code, as added by this Act, until the board adopts those rules.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed S.B. 65 by adding Section 562.109, relating to telepharmacy systems, to Chapter 562C, Occupations Code, rather than adding Section 562.109 to that code relating, to automated pharmacy systems. Authorizes a telepharmacy system to be operated and electronically supervised at a remote location by a Class A or C pharmacy in a community where there currently is not a Class A or C pharmacy. Requires the telepharmacy system to provide for drug use review and patient counseling services. Authorizes a telepharmacy system to be located only at a health care facility in this state that is regulated by this state or the United States.

SECTION 2. Amends As Filed S.B. 65 by incorporating SECTION 3 in SECTION 2 and prohibiting pharmacy services from being provided through a telepharmacy system under Section 562.109, Occupations Code, as added by this Act, until the State Board of Pharmacy adopts rules required under that section. Changes the effective date from upon passage to September 1, 2001.