

## **BILL ANALYSIS**

Senate Research Center

S.B. 1524  
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As Filed

### **DIGEST**

Currently, pharmacists may refill narrow therapeutic index (NTI) drugs only by using the same drug product by the same manufacturer for which the medication was last dispensed; if the same drug is not in stock, the pharmacist may dispense a generic version, if the pharmacist notifies the patient and the prescribing physician by phone, fax, or mail. The Food and Drug Administration specifies NTI drugs as a small group of drugs in which the difference between a beneficial therapeutic amount and potentially dangerous amount of medication is very small. S.B. 1524 would set forth provisions for the refilling of a prescription for a narrow therapeutic index drug.

### **PURPOSE**

As proposed, S.B. 1524 sets forth provisions for the refilling of a prescription for a narrow therapeutic index drug.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Board of Pharmacy in SECTION 1 (Section 40(m) (2)(c), Article 4542a-1, V.T.C.S. (Texas Pharmacy Act)) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 40(m), Article 4542a-1, V.T.C.S. (Texas Pharmacy Act), to define "narrow therapeutic index drug." Requires the Texas State Board of Pharmacy (board), in consultation with the Texas State Board of Medical Examiners, to determine, under the administrative procedure law, Chapter 2001, Government Code, if there are any prescription drugs which meet the definition of a narrow therapeutic drug in Subdivision (1). Requires the board to make its determinations relevant to this subdivision and Subdivision (1) (B) based on specific evidence presented by certain scientific evidence. Authorizes the board to assist the board in making its determination, to appoint an advisory committee comprised of a cross-section of individuals possessing professional credentials in pharmacology, the practice of medicine, drug manufacture, or any other profession deemed appropriate to evaluate prescription drugs for the purposes of this subsection. Requires the board, upon making its determination, to adopt, by rule, a list of the drugs determined to be narrow therapeutic index drugs, or publish, in the Texas Register a certain statement. Requires all meetings and deliberations by the board or an advisory committee created under Paragraph (B) concerning this subsection to be recorded subject to the open meetings law, Chapter 551, Government Code, and the open records law, Chapter 552, Government Code. Authorizes a prescription drug to be refilled with a generically equivalent drug from another manufacturer under certain conditions. Deletes text requiring the board, in consultation with the Texas State Board of Medical Examiners, to establish, by rule, a list of narrow therapeutic index drugs; authorize a prescription for a narrow therapeutic index drug to be refilled; and authorize a pharmacist to dispense a drug product under certain circumstances.

SECTION 2. Emergency clause.  
Effective date: upon passage.