

BILL ANALYSIS

Senate Research Center
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S.B. 1339
By: Wentworth, et al.
Health & Human Services
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DIGEST AND PURPOSE

Emergency contraception has the potential to reduce the number of unintended pregnancies and abortions. As proposed, S.B. 1339 requires the Texas State Board of Pharmacy to develop a training program on emergency contraception drug therapy in cooperation with the Texas State Board of Medical Examiners and to develop a standardized fact sheet to be distributed to patients.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas State Board of Pharmacy in SECTION 3 (Section 562.055, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 157.101(a), Occupations Code, to provide that in this subchapter, rather than section, "pharmacist" has the meaning assigned by Section 551.003.

SECTION 2. Amends Chapter 157C, Occupations Code, by adding Section 157.102, as follows:

Sec. 157.102. EMERGENCY CONTRACEPTION DRUG THERAPY. Authorizes a pharmacist to initiate emergency contraception drug therapy in accordance with Sections 157.101 and 562.055.

SECTION 3. Chapter 562B, Occupations Code, by adding Section 562.055, as follows:

Sec. 562.055. EMERGENCY CONTRACEPTION DRUG THERAPY. (a) Defines "initiate," "patient," and "physician."

(b) Requires the Texas State Board of Pharmacy (TSBP) to adopt rules necessary to administer this section.

(c) Authorizes a pharmacist to exercise the pharmacist's professional judgment to initiate and distribute emergency contraception drug therapy to a patient in accordance with certain rules and procedures.

(d) Prohibits a pharmacist from initiating or distributing emergency contraception drug therapy unless the pharmacist has successfully completed a training program on emergency contraception drug therapy. Requires the training program on emergency contraception drug therapy to be approved by TSBP and the Texas State Board of Medical Examiners and to address certain factors.

(e) Requires the program provider, on completion of the training program, to issue a certificate of completion to the pharmacist. Authorizes a pharmacist who initiates and distributes emergency contraception drug therapy to display the certificate as provided by TSBP rules.

(f) Requires a pharmacist who initiates and distributes emergency contraception drug therapy to a patient in accordance with standing drug therapy protocol to enter into an agreement with at least one physician for purposes of this section.

(g) Requires the pharmacist, for each emergency contraception drug therapy initiated and distributed, to take certain actions.

(h) Requires TSBP to develop the standardized fact sheet in consultation with the Texas State Board of Medical Examiners, the Texas Department of Health, and the American College of Obstetricians and Gynecologists. Provides that this subsection does not preclude the use of existing publications developed by nationally recognized medical organizations.

SECTION 4. Amends Section 483.042, Health and Safety Code, by adding Subsection (g), to provide that it is an exception to the application of Subsection (a) that a dangerous drug was a contraceptive and was delivered by a pharmacist in accordance with Section 562.055, Occupations Code.

SECTION 5. Requires TSBP, not later than January 1, 2004, to perform certain actions.

SECTION 6. (a) and (b). Make application of this Act prospective.

SECTION 7. Effective date: September 1, 2003.