



# Texas State Board of Pharmacy

## MEMORANDUM

**DATE:** May 20, 2022

**TO:** Board Members  
Staff  
Interested Parties

**FROM:** John Griffith  
Litigation Counsel

**SUBJECT:** Rules adopted and proposed at the May 3, 2022, Board Meeting

### ADOPTED RULES

#### CHAPTER 281. ADMINISTRATIVE PRACTICE AND PROCEDURES

##### SUBCHAPTER C. DISCIPLINARY GUIDELINES

###### **§281.66**

The Texas State Board of Pharmacy adopts amendments to §281.66 concerning Application for Reissuance or Removal of Restrictions of a License or Registration. The amendments specify the number of continuing education and internship hours required for reinstatement of a license to practice pharmacy.

#### CHAPTER 291. PHARMACIES

##### SUBCHAPTER G. SERVICES PROVIDED BY PHARMACIES

###### **291.121**

The Texas State Board of Pharmacy adopts amendments to §291.121 concerning Remote Pharmacy Services. The amendments remove the limitation on duplicating drugs stored in emergency medication kits.

**PROPOSED RULES**

**CHAPTER 283. LICENSING REQUIREMENTS FOR PHARMACISTS**

**§283.4**

The Texas State Board of Pharmacy proposes amendments to §283.4 concerning Internship Requirements. The amendments, if adopted, remove language to establish that a person graduating from a college/school of pharmacy shall only be credited the number of hours obtained and reported by the program.

**CHAPTER 291. PHARMACIES**

**SUBCHAPTER B. COMMUNITY PHARMACY (CLASS A)**

**291.33**

The Texas State Board of Pharmacy proposes amendments to §291.33 concerning Operational Standards. The amendments, if adopted, update a term, correct a citation reference, and remove the requirement for oral patient counseling on a new prescription to be provided in person, a requirement which has been temporarily suspended by the Office of the Governor until June 30, 2022, or until the March 13, 2020, disaster declaration is lifted or expires.

**SUBCHAPTER F. NON-RESIDENT PHARMACY (CLASS E)**

**291.104**

The Texas State Board of Pharmacy proposes amendments to §291.104 concerning Operational Standards. The amendments, if adopted, clarify that a Class E Pharmacy engaged in outsourcing of prescription drug order dispensing to a central fill pharmacy shall comply with §291.125 regarding Centralized Prescription Dispensing.

**SUBCHAPTER G. SERVICES PROVIDED BY PHARMACIES**

**291.125**

The Texas State Board of Pharmacy proposes amendments to §291.125 concerning Centralized Prescription Dispensing. The amendments, if adopted, clarify that a Class E pharmacy may outsource prescription drug order dispensing to a central fill pharmacy and shall comply with specified requirements unless compliance with the requirements would violate the laws or rules in the state in which the pharmacy is located.

**291.131**

The Texas State Board of Pharmacy proposes amendments to §291.131 concerning Pharmacies Compounding Non-Sterile Preparations. The amendments, if adopted, add definitions of “cleaning” and “sanitizing”, clarify the training requirements for all personnel involved in non-sterile compounding, and update environmental, equipment, and compounding process requirements for non-sterile compounding.

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## CHAPTER 305. EDUCATIONAL REQUIREMENTS

### 305.1

The Texas State Board of Pharmacy proposes repeal of §305.1 concerning Pharmacy Educational Requirements. The proposed repeal, if adopted, removes professional practice degree program standards that are redundant with standards specified elsewhere in Board rules.

### 305.2

The Texas State Board of Pharmacy proposes repeal of §305.2 concerning Pharmacy Educational Requirements. The proposed repeal, if adopted, removes standards for pharmacy technician training programs that are not required to be specified in Board rule and other requirements that are outside the resources of the Board to perform.

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## RULE REVIEW

The Texas State Board of Pharmacy proposed the review of Chapter 281 concerning Administrative Practices and Procedures (§§281.1–281.23, 281.30–281.35, 281.60–281.70).

The Texas State Board of Pharmacy proposed the review of Chapter 311 concerning Code of Conduct (§§311.1– 311.2).