

Amend 22 TAC §315.3 (Prescriptions)

(a) Schedule II Prescriptions.

(1) Except as provided by subsection (e) of this section, a practitioner, as defined in the TCSA, §481.002(39)(A), must issue a written prescription for a Schedule II controlled substance only on an official Texas prescription form or through an electronic prescription that meets all requirements of the TCSA. This subsection also applies to a prescription issued in an emergency situation.

(2) A practitioner who issues a written prescription for any quantity of a Schedule II controlled substance must complete an official prescription form.

(3) A practitioner may issue multiple written prescriptions authorizing a patient to receive up to a 90-day supply of a Schedule II controlled substance provided:

(A) each prescription is issued for a legitimate medical purpose by a practitioner acting in the usual course of professional practice;

(B) the practitioner provides written instructions on each prescription, other than the first prescription if the practitioner intends for that prescription to be filled immediately, indicating the earliest date on which a pharmacy may dispense each prescription; and

(C) the practitioner concludes that providing the patient with multiple prescriptions in this manner does not create an undue risk of diversion or abuse.

(4) A schedule II prescription must be dispensed no later than 21 days after the date of issuance or, if the prescription is part of a multiple set of prescriptions, issued on the same day, no later than 21 days after the earliest date on which a pharmacy may dispense the prescription as indicated on each prescription.

**(5) Effective January 1, 2020, a person dispensing a Schedule II controlled substance prescription must provide written notice on the safe disposal of controlled substance prescription drugs that includes information on locations at which Schedule II controlled substance prescription drugs are accepted for safe disposal. In lieu of listing those locations, the notice may alternatively provide the address of an Internet website specified by the board that provides a searchable database of locations at which Schedule II controlled substance prescription drugs are accepted for safe disposal. Such written notice is not required in the following situations:**

**(A) the Schedule II controlled substance prescription is dispensed at a pharmacy or other location that is authorized to take back those drugs for disposal, and regularly accepts those drugs for disposal; or**

**(B) the dispenser provides to the person to whom the Schedule II controlled substance prescription is dispensed, at the time of dispensation and at no cost to the person a mail-in pouch for surrendering unused controlled substance prescription drugs or chemicals to render any unused drugs unusable and non-retrievable. Written notice may be provided as hard copy or electronic information provided with dispensed prescriptions**

...