



1 multiple-dose containers approved by the federal Food and Drug  
2 Administration from which doses have not been withdrawn; and

3 (2) not be the subject of a mandatory recall by a state  
4 or federal agency or a voluntary recall by a drug seller or  
5 manufacturer.

6 (b) A pharmacist for the pharmacy shall examine a drug  
7 returned under this section to ensure the integrity of the drug  
8 product. A health care facility or penal institution may not return  
9 a drug that:

10 (1) has been compounded;

11 (2) appears on inspection to be adulterated;

12 (3) requires refrigeration; or

13 (4) has less than 120 days until the expiration date or  
14 end of the shelf life.

15 SECTION 2. Section 431.321, Health and Safety Code, is  
16 amended by amending Subsection (a) and adding Subsection (d-1) to  
17 read as follows:

18 (a) "Charitable medical clinic" means a clinic, including a  
19 licensed pharmacy that is a community pharmaceutical access program  
20 provider, that provides medical care or drugs without charge or for  
21 a substantially reduced charge, complies with the insurance  
22 requirements of Chapter 84, Civil Practice and Remedies Code, and  
23 is exempt from federal income tax under Section 501(a) of the  
24 Internal Revenue Code of 1986 by being listed as an exempt  
25 organization in Section 501(c)(3) or 501(c)(4) of the code and is  
26 operated exclusively for the promotion of social welfare by being  
27 primarily engaged in promoting the common good and general welfare

1 of the people in a community.

2 (d-1) In this subchapter, "community pharmaceutical access  
3 program" means a program offered by a licensed pharmacy under which  
4 the pharmacy assists financially disadvantaged persons to access  
5 prescription drugs at no charge or at a substantially reduced  
6 charge.

7 SECTION 3. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2007.

David Dewhurst  
President of the Senate

Tom Craddick  
Speaker of the House

I hereby certify that S.B. No. 1896 passed the Senate on May 1, 2007, by the following vote: Yeas 31, Nays 0; May 17, 2007, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 21, 2007, House granted request of the Senate; May 25, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Arseny Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 1896 passed the House, with amendment, on May 10, 2007, by the following vote: Yeas 131, Nays 0, one present not voting; May 21, 2007, House granted request of the Senate for appointment of Conference Committee; May 25, 2007, House adopted Conference Committee Report by the following vote: Yeas 141, Nays 0, one present not voting.

Robert Haney  
Chief Clerk of the House

Approved:

15 JUN 07  
Date

RICK PERRY  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
5 PM O'CLOCK

ROGER WHITTING  
Secretary of State