

Is My Clinic in Compliance with Texas Pharmacy Law?

What is a Class D Pharmacy?

- A Clinic Pharmacy (Class D Pharmacy) is a facility/location other than a physician's office, where limited types of prescription drugs are stored and provided to outpatients.

What happens in a Class D Pharmacy?

- A physician may authorize the provision of prescription drugs to a patient in a facility licensed as a Class D (clinic) pharmacy by the Texas State Board of Pharmacy.
- The pharmacy may provide a prescription drug contained in the clinic's formulary in accordance with a medical directive (e.g., standing practitioner orders, etc.) and with the objectives of the clinic.
 - Examples of typical settings for Class D pharmacies include: rural health care clinics; school-based clinics; clinics for the homeless, indigent, or low-income; family planning clinics; TB, STD, or immunization clinics operated by state or local government; and onsite industrial clinics for company employee use.

What types of medications may a Class D pharmacy possess?

- The drug formulary is limited to anti-infective drugs, musculoskeletal drugs, vitamins, obstetrical and gynecological drugs and devices, topical drugs, and serums, toxoids, and vaccines.

What are the limits of the days' supply that can be provided to a patient by a physician versus a Class D Pharmacy?

- The Texas Medical Board is the state agency responsible for licensing physicians in the state of Texas. The Texas Administrative Code-Texas Medical Board rules for Physicians to Supply Drugs can be found here: [https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=22&pt=9&ch=169](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=22&pt=9&ch=169)
 - A physician may provide or dispense prescription drugs for use or consumption by the patient after the conclusion of the physician-patient encounter only in quantities necessary to meet the patient's immediate needs. "Immediate needs" shall be considered the amount of medication deemed necessary for a 72-hour period.
 - It is generally accepted that medications administered in the office as 1-time dosages (e.g., IM injections of Ceftriaxone or

Bicillin, PO dosages of 1-gram Azithromycin or 400mg Cefixime) are covered under the license of the physician who serves as the medical director of the clinic.

- The Texas State Board of Pharmacy is the state agency responsible for licensing pharmacies and pharmacists in the state of Texas. The Texas Administrative Code -Texas State Board of Pharmacy rules for Class D Pharmacies can be found here:
[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=22&pt=15&ch=291&sch=E&rl=Y](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=22&pt=15&ch=291&sch=E&rl=Y)
 - A Class D pharmacy may provide adequate medication for a full course of therapy (i.e., they are not limited by the 72-hour restriction).
 - Medications that are given to the patient for self-administration and are more than a 72-hour supply (e.g., 7-day therapy of Doxycycline, Valacyclovir, or Metronidazole) require the facility to be licensed as a Class D Pharmacy.