

By: Kacal

H.B. No. 3236

A BILL TO BE ENTITLED

AN ACT

relating to the costs associated with the provision of certain investigational drugs, biological products, and devices that are in clinical trials.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 489.053(c), Health and Safety Code, is amended to read as follows:

(c) A [If a] manufacturer may:

(1) provide [makes available] an investigational drug, biological product, or device to an eligible patient under this subchapter~~[, the manufacturer must provide the investigational drug, biological product, or device to the eligible patient]~~ without receiving compensation; or

(2) require an eligible patient under this subchapter to pay the costs of, or the costs associated with, the manufacture of the investigational drug, biological product, or device.

SECTION 2. The change in law made by this Act applies only to an investigational drug, biological product, or device provided to an eligible patient on or after the effective date of this Act. An investigational drug, biological product, or device provided to an eligible patient before the effective date of this Act is governed by the law in effect on the date the investigational drug, biological product, or device was provided, and the former law is continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2017.