



## **SOLICITATION OF INFORMAL COMMENTS**

### **April 24, 2020**

At the March 6, 2020, meeting of the Texas State Board of Dental Examiners (Board), Board staff was directed to solicit input from interested stakeholders and members of the public on the topic of electronic prescribing waivers. Board staff is requesting informal comments in lieu of holding an in-person stakeholder meeting.

Pursuant to House Bill 2174, beginning January 1, 2021, all controlled substance prescriptions in the state of Texas must be electronically prescribed. The law provides for prescriber waivers, which may be renewed annually, if the prescriber is experiencing: 1) economic hardship, 2) technological limitations not reasonably within the control of the prescriber, or 3) other exceptional circumstances demonstrated by the prescriber.

The law also calls for exceptions when a controlled substance is not required to be prescribed electronically, when electronic prescribing is not available due to temporary technological or electronic failure, and when necessary elements are not supported by the most recently implemented national data standard that facilitates electronic prescribing.

The Board requests stakeholder input on the following topic related to rulemaking proceedings:

- **Electronic Prescribing Waivers**, specifically clarification on what would constitute an economic hardship and/or an exceptional circumstance, for the purposes of requesting an electronic prescribing waiver.

Stakeholders and members of the public may submit informal input until **May 14, 2020**, by mail to the Board's General Counsel at 333 Guadalupe Street, Suite 3-800, Austin, Texas, 78701, by fax to (512) 305-9364, or by email to [stakeholders@tsbde.texas.gov](mailto:stakeholders@tsbde.texas.gov). Information regarding Board proceedings and the laws and rules related to dentistry are available at [www.tsbde.texas.gov](http://www.tsbde.texas.gov).

This solicitation of informal comments does not serve as an official comment period or rulemaking as required by Texas law or Board rules. Consideration of any rulemaking topics will occur at a future meeting of the Board held pursuant to Texas Government Code Chapter 551 (Texas Open Meetings Act), and all Board rulemakings will be conducted pursuant to Texas Government Code Chapter 2001 (Texas Administrative Procedure Act).