

Effective 7/1/2015

58-17b-803 Qualifications for licensure as a dispensing medical practitioner -- Scope of practice.

- (1) An applicant for a license as a dispensing medical practitioner shall:
 - (a) be licensed in good standing under at least one of the chapters listed in Subsection 58-17b-102(23)(a); and
 - (b) submit an application for a license as a dispensing medical practitioner in a form prescribed by the division and pay a fee established by the division.
- (2) The division shall accept the licensing in good standing under Subsection (1) in lieu of requiring an applicant for a license under this part to comply with Sections 58-17b-303 and 58-17b-307.
- (3) A dispensing medical practitioner may dispense, in accordance with this part:
 - (a) a cosmetic drug and an injectable weight loss drug if:
 - (i) the drug was prescribed by the dispensing medical practitioner to the dispensing medical practitioner's patient; and
 - (ii) the dispensing medical practitioner complies with administrative rules adopted by the division under Section 58-17b-802;
 - (b) a cancer drug treatment regimen if the dispensing medical practitioner complies with Section 58-17b-805; and
 - (c) a pre-packaged drug to an employee or a dependent of an employee at an employer sponsored clinic if the dispensing medical practitioner:
 - (i) treats an employee, or the dependent of an employee, of one of an exclusive group of employers at an employer sponsored clinic;
 - (ii) prescribes a prepackaged drug to the employee or the employee's dependent;
 - (iii) dispenses the prepackaged drug at the employer sponsored clinic; and
 - (iv) complies with administrative rules adopted by the division in consultation with the Board of Pharmacy that establish labeling, record keeping, patient counseling, purchasing and distribution, operating, treatment, quality of care, and storage requirements.
- (4) A dispensing medical practitioner:
 - (a) shall inform the patient:
 - (i) that the drug dispensed by the practitioner may be obtained from a pharmacy unaffiliated with the practitioner;
 - (ii) of the directions for appropriate use of the dispensed drug;
 - (iii) of potential side effects to the use of the dispensed drug; and
 - (iv) how to contact the dispensing medical practitioner if the patient has questions or concerns regarding the drug;
 - (b) shall report to the controlled substance database in the same manner as required in Section 58-37f-203; and
 - (c) may delegate the dispensing of the drug if the individual to whom the dispensing was delegated is:
 - (i) employed by the dispensing medical practitioner or the outpatient clinic setting in which the dispensing medical practitioner works; and
 - (ii) acting under the direction of a dispensing medical practitioner who is immediately available on site for any necessary consultation.
- (5) If the chapter that governs the license of a dispensing medical practitioner, as listed in Subsection 58-17b-102(23), requires physician supervision in its scope of practice requirements, the dispensing medical practitioner shall only dispense a drug under the supervision of an individual licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act.

Amended by Chapter 206, 2015 General Session