

Part 2 Board

58-83-201 Board.

- (1) There is created the Online Prescribing, Dispensing, and Facilitation Licensing Board consisting of the following seven members:
 - (a) two members who are licensed under either Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act, of which:
 - (i) one shall be engaged in the delivery of online pharmaceutical services; and
 - (ii) one may not be an online prescriber licensed under this chapter;
 - (b) two members who are licensed as a pharmacist under Chapter 17b, Pharmacy Practice Act, of which:
 - (i) one shall be associated with an online contract pharmacy; and
 - (ii) one may not be associated with an online contract pharmacy;
 - (c) two members of the general public who are not associated with:
 - (i) an online prescriber;
 - (ii) an online contract pharmacy; or
 - (iii) an Internet facilitator; and
 - (d) one member who is licensed under this chapter as an Internet facilitator.
- (2) Notwithstanding any other requirement for membership on the board, no more than one member of the board may be associated in any of the following ways with the same Internet facilitator:
 - (a) as an owner;
 - (b) as an employee;
 - (c) as an officer;
 - (d) as a director;
 - (e) contracted with;
 - (f) as an agent of; or
 - (g) having any direct or indirect financial interest.
- (3) The board shall be appointed and serve in accordance with Section 58-1-201.
- (4)
 - (a) The duties and responsibilities of the board shall be in accordance with Sections 58-1-202 and 58-1-203, and as otherwise provided in this chapter.
 - (b) The board may designate one of its members on a permanent or rotating basis to:
 - (i) assist the division in reviewing complaints concerning the unlawful or unprofessional conduct of a licensee; and
 - (ii) advise the division in its investigation of a complaint.
- (5) A board member who has, under Subsection (4), reviewed a complaint or advised in its investigation may be disqualified from participating with the board when the board serves as a presiding officer of an administrative proceeding concerning the complaint.

Enacted by Chapter 180, 2010 General Session