

## H.B. 28

### CONTROLLED SUBSTANCE DATABASE AMENDMENTS

Representative **Bradley M. Daw** proposes the following amendments:

1. *Page 15, Lines 434 through 445:*

- 434 (b) "Database" means the controlled substance database created in this section.  
435 ~~{ (c) "Database manager" means the person responsible for operating the database, or the~~  
436 ~~person's designee. }~~  
437 ~~{ (d) }~~ (c) "Health care facility" is as defined in Section 26-21-2.  
438 ~~{ (e) }~~ (d) "Mental health therapist" is as defined in Section 58-60-102.  
439 ~~{ (f) }~~ (e) "Pharmacy" or "pharmaceutical facility" is as defined in Section 58-17b-102.  
440 ~~{ (g) }~~ (f) "Prospective patient" means an individual who:  
441 (i) is seeking medical advice, medical treatment, or medical services from a  
442 practitioner; and  
443 (ii) the practitioner described in Subsection (2) ~~{ (g) }~~ (f) (i) is considering accepting as a  
444 patient.  
445 ~~{ (h) }~~ (g) "Substance abuse treatment program" is as defined in Section 62A-2-101.

2. *Page 16, Line 481:*

481 dispensed shall submit the data described in this section to the ~~{ manager of the database }~~ division ;

3. *Page 16, Line 487:*

487 inpatient at a health care facility, submit to the ~~{ manager of the database }~~ division the following

4. *Page 17, Line 505:*

505 required under this section shall be submitted to the ~~{ database manager }~~ division .

5. *Page 17, Line 521:*

521 (2) The ~~{ database manager }~~ division shall make information in the database available only to  
the

6. *Page 20, Line 600:*

600 the database, upon providing evidence satisfactory to the ~~{ database manager }~~ division that the  
individual

7. Page 21, Line 638 through Page 22, Line 652:

638 (1) Each individual who, on July 1, 2010, has a license to prescribe a controlled  
639 substance under Chapter 37, Utah Controlled Substances Act, but is not registered with the  
640 division to use the database shall, on or before September 30, 2010 {~~;~~  
641 ~~(a)~~} register with the division to use the database ~~.~~ ~~{;and~~  
642 ~~(b) participate in the online tutorial and pass the online test described in Section~~  
643 ~~58-37f-402.}~~  
644 (2) Each individual who, on ~~{July}~~ or before November 1, 2010, is registered with the  
645 division to use the  
646 database shall, on or before ~~{September 30, 2010}~~ January 1, 2011, participate in the online tutorial  
647 and pass the  
648 online test described in Section 58-37f-402.  
649 (3) ~~{An}~~ Beginning on July 1, 2010, an individual may not obtain or renew a license to  
650 prescribe a controlled substance  
651 under Chapter 37, Utah Controlled Substances Act, unless the individual registers with the  
652 division to use the database.  
653 (4) Beginning on ~~{July}~~ November 1, 2010, in order to register to use the database, the  
654 individual  
655 registering must participate in the online tutorial and pass the online test described in Section  
656 58-37f-402.

8. Page 23, Lines 686 through 687:

686 (4) The division shall ensure that the tutorial and test described in this section are fully  
687 functional and available for use online on or before ~~{July}~~ November 1, 2010.

9. Page 23, Line 698:

698 (b) fulfill the other duties imposed on the division under this part.  
(7) The Department of Health shall assist the division in developing the portion of the test described in Subsection (1)(d).

10. Page 25, Line 768:

768 (d) issue a public ~~{or private}~~ reprimand to the individual;

11. Page 26, Lines 793 through 795:

793 (2) There is established a pilot program for real-time reporting of data to, and access to  
794 data from, the database by a pharmacy, a pharmaceutical facility, or a prescribing practitioner  
795 beginning on July 1, ~~{2008}~~ 2010, and ending on July 1, ~~{2010}~~ 2012.

12. Page 27, Line 832 through Page 28, Line 834:

832 (d) the use of the database by prescribing practitioners.

833 (10) The division shall, on or before July 1, ~~{2010}~~ 2012, implement the pilot program as a

834 permanent program on a statewide basis.