

H.B. 28

CONTROLLED SUBSTANCE DATABASE AMENDMENTS

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

1. *Page 1, Lines 12 through 13:*

12 This bill recodifies and amends provisions relating to the Controlled Substance
13 Database and requires an individual , other than a veterinarian, who is licensed to prescribe a controlled
substance,

2. *Page 1, Line 24:*

24 ▶ requires an individual , other than a veterinarian, who is licensed to prescribe a controlled
substance, who is

3. *Page 15, Lines 435 through 445:*

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.

4. *Page 16, Lines 480 through 481:*

480 (1) The pharmacist in charge of the drug outlet where a controlled substance is

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

5. *Page 16, Line 487:*

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

6. *Page 17, Line 505:*

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

7. *Page 17, Line 521:*

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

8. *Page 20, Line 600:*

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

9. *Page 21, Line 638 through Page 22, Line 652:*

638 (1) Each individual , other than a veterinarian, 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
division to use the

645 database shall, on or before ~~{September 30, 2010}~~ January 1, 2011 , participate in the online tutorial
and pass the

646 online test described in Section 58-37f-402.

647 (3) ~~{An}~~ Beginning on July 1, 2010, an individual who is not a veterinarian may not
obtain or renew a license to prescribe a controlled substance

648 under Chapter 37, Utah Controlled Substances Act, unless the individual registers with the

649 division to use the database.

650 (4) Beginning on ~~{July}~~ November 1, 2010, in order to register to use the database, the
individual

651 registering must participate in the online tutorial and pass the online test described in Section

652 58-37f-402.

10. *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.

11. *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).

12. Page 25, Line 768:

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

13. 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.

14. Page 27, Line 833 through Page 28, Line 834:

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.