

S.B. 88
PHARMACY DISTRIBUTION AMENDMENTS

Representative **Evan J. Vickers** proposes the following amendments:

1. *Page 2, Lines 28 through 29:*

28 AMENDS:

29 58-17b-309, as last amended by Laws of Utah 2011, Chapter 76

= **58-83-502, as enacted by Laws of Utah 2010, Chapter 180**

2. *Page 5, Lines 124 through 125:*

124 scope of practice of an optometrist or optometric physician licensed under Chapter 16a, Utah

125 Optometry Practice Act.

= **Section 2. Section 58-83-502 is amended to read:**

58-83-502. Unprofessional conduct.

"Unprofessional conduct" includes, in addition to the definition in Section 58-1-501 and as may be further defined by administrative rule:

- (1) online prescribing, dispensing, or facilitation with respect to a person under the age of 18 years;
- (2) using the name or official seal of the state, the Utah Department of Commerce, or the Utah Division of Occupational and Professional Licensing, or their boards, in an unauthorized manner;
- (3) failing to respond promptly to a request by the division for information including:
 - (a) an audit of the website; or
 - (b) records of the online prescriber, the Internet facilitator, or the online contract pharmacy;
- (4) using an online prescriber, online contract pharmacy, or Internet facilitator without approval of the division;
- (5) failing to inform a patient of the patient's freedom of choice in selecting who will dispense a prescription in accordance with Subsection 58-83-305(1)(n); ~~{and}~~
- (6) failing to keep the division informed of the name and contact information of the Internet facilitator or online contract pharmacy ~~{·}~~ ;**and**
- (7) violating the dispensing and labeling requirements of Section 58-17b-309.**