LEGISLATIVE GENERAL COUNSEL
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S.B. 203
1st Sub. (Green)

Senator Patricia W. Jones proposes the following substitute bill:

PRESCRIPTION LABEL INFORMATION AND EDUCATION AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Patricia W. Jones

House Sponsor: Paul Ray

LONG TITLE

General Description:

This bill directs the Division of Occupational and Professional Licensing (DOPL) to offer information on the DOPL pharmacy website encouraging the inclusion of information on prescription drug labels that would aid emergency responders with patient condition identification and assist physicians and consumers.

Highlighted Provisions:

This bill:

- directs DOPL to offer information on the DOPL pharmacy website encouraging prescribers, pharmacists, and pharmacy interns to include information relating to the condition the prescription is meant to treat on certain prescription drug labels; and
- directs prescribers to encourage pharmacists and pharmacy interns to include information relating to the condition the prescription is meant to treat on certain prescription drug labels.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

1st Sub. S.B. 203

Utah Code Sections Affected:

AMENDS:

58-17b-602, as last amended by Laws of Utah 2009, Chapter 151

ENACTS:

58-17b-602.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **58-17b-602** is amended to read:

58-17b-602. Prescription orders -- Information required -- Alteration -- Labels -- Signatures -- Dispensing in pharmacies.

(1) Except as provided in Section 58-1-501.3, the minimum information that shall be included in a prescription order, and that may be defined by rule, is:

(a) the prescriber's name, address, and telephone number, and, if the order is for a controlled substance, the patient's age and the prescriber's DEA number;

(b) the patient's name and address or, in the case of an animal, the name of the owner and species of the animal;

(c) the date of issuance;

(d) the name of the medication or device prescribed and dispensing instructions, if necessary;

(e) the directions, if appropriate, for the use of the prescription by the patient or animal and any refill, special labeling, or other instructions;

(f) the prescriber's signature if the prescription order is written;

(g) if the order is an electronically transmitted prescription order, the prescribing practitioner's electronic signature; and

(h) if the order is a hard copy prescription order generated from electronic media, the prescribing practitioner's electronic or manual signature.

(2) The requirement of Subsection (1)(a) does not apply to prescription orders dispensed for inpatients by hospital pharmacies if the prescriber is a current member of the hospital staff and the prescription order is on file in the patient's medical record.

(3) Unless it is for a Schedule II controlled substance, a prescription order may be dispensed by a pharmacist or pharmacy intern upon an oral prescription of a practitioner only if

the oral prescription is promptly reduced to writing.

(4) (a) Except as provided under Subsection (4)(b), a pharmacist or pharmacy intern may not dispense or compound any prescription of a practitioner if the prescription shows evidence of alteration, erasure, or addition by any person other than the person writing the prescription.

(b) A pharmacist or pharmacy intern dispensing or compounding a prescription may alter or make additions to the prescription after receiving permission of the prescriber and may make entries or additions on the prescription required by law or necessitated in the compounding and dispensing procedures.

(5) Each drug dispensed shall have a label securely affixed to the container indicating the following minimum information:

(a) the name, address, and telephone number of the pharmacy;

(b) the serial number of the prescription as assigned by the dispensing pharmacy;

(c) the filling date of the prescription or its last dispensing date;

(d) the name of the patient, or in the case of an animal, the name of the owner and species of the animal;

(e) the name of the prescriber;

(f) the directions for use and cautionary statements, if any, which are contained in the prescription order or are needed;

(g) except as provided in Subsection (6), the trade, generic, or chemical name, amount dispensed and the strength of dosage form, but if multiple ingredient products with established proprietary or nonproprietary names are prescribed, those products' names may be used; and

(h) the beyond use date.

(6) If the prescriber specifically indicates the name of the prescription product should not appear on the label, then any of the trade, generic, chemical, established proprietary, and established nonproprietary names and the strength of dosage form may not be included.

(7) Prescribers are encouraged to include on prescription labels the information described in Section 58-17b-602.5 in accordance with the provisions of that section.

[~~(7)~~] (8) Except when it is delivered to the ultimate user via the United States Postal Service, licensed common carrier, or supportive personnel, a prescription drug may be dispensed to the ultimate user or his agent only at a licensed pharmacy.

Section 2. Section **58-17b-602.5** is enacted to read:

58-17b-602.5. Information on prescription labels -- Education outreach.

The division, in order to assist emergency responders in quickly determining the physical condition of a patient at the scene of an emergency, as well as for the benefit of physicians and consumers, shall:

(1) provide information on the pharmacy licensing website recommending that prescribers, pharmacists, and pharmacy interns include information on the label of a drug dispensed under Section 58-17b-602 describing the condition the prescription is meant to treat; and

(2) as part of the website information, specify that information described in Subsection (1) should not be included on the label if:

(a) the prescription order does not include a refill; or

(b) the prescriber or patient indicates that the information may not be included on the label.