

306 (15) prescribing a Schedule II-III controlled substance without [~~a consulting physician~~  
 307 ~~or outside of a consultation and referral plan;~~] complying with the requirements in Section  
 308 58-31b-803;

309 (16) violating Section 58-31b-801; [~~and]~~

310 (17) violating the dispensing requirements of Section 58-17b-309 or Chapter 17b, Part  
 311 8, Dispensing Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, if  
 312 applicable[-]; and

313 (18) establishing or operating a pain clinic without a consultation and referral plan for  
 314 Schedule II-III controlled substances.

315 Section 5. Section **58-31b-803** is enacted to read:

316 **58-31b-803. Prescriptive authority for advanced practice registered nurses --**  
 317 **Schedule II controlled substance or device -- Workers' compensation -- Pain clinics.**

318 (1) This section does not apply to an advanced practice registered nurse specializing as  
 319 a certified registered nurse anesthetist under Subsection 58-31b-102(14)(d).

320 (2) Except as provided in Subsection (3), an advanced practice registered nurse shall  
 321 prescribe or administer a Schedule II controlled substance in accordance with a consultation  
 322 and referral plan.

323 (3) Except as provided by Subsection 58-31b-502(18), an advanced practice registered  
 324 nurse may prescribe or administer a Schedule II controlled substance without a consultation  
 325 and referral plan if the advanced practice registered nurse:

326 (a) has the lesser of:

327 (i) two years of licensure as a nurse practicing advanced practice registered nursing; or

328 (ii) 2,000 hours of experience practicing advanced practice registered nursing;

329 (b) (i) prior to the first time prescribing or administering a Schedule ~~II~~ **III controlled**  
 329a substance for chronic pain, or a Schedule ~~II~~ **III** ~~controlled~~ **controlled**

330 substance to a particular patient, ~~II~~ **III** unless treating the patient in a licensed general acute  
 330a hospital, ~~II~~ **III** checks information about the patient in the Controlled

331 Substance Database created in Section 58-37f-201; and

332 (ii) periodically, thereafter, checks information about the patient in the Controlled  
 333 Substance Database created in Section 58-37f-201; and

334 (c) follows the health care provider prescribing guidelines for the treatment of an  
 335 injured worker, developed by the Labor Commission under Title 34A, Chapter 2, Workers'  
 336 Compensation Act, or Title 34A, Chapter 3, Utah Occupational Disease Act, if: