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Fluoride Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephanie Gricius

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3	LONG TITLE
4	General Description:
5	This bill addresses provisions related to water fluoridation and prescription fluoride
6	supplements.
7	Highlighted Provisions:
8	This bill:
9	 defines terms;
10	 prohibits adding fluoride to public water systems;
1	 requires the Department of Health and Human Services to issue standing prescription
12	drug orders for fluoride supplements; and
3	 requires a pharmacist who dispenses fluoride supplements to a patient to provide patient
14	counseling.
15	Money Appropriated in this Bill:
16	None
17	Other Special Clauses:
18	None
19	Utah Code Sections Affected:
20	ENACTS:
21	26B-4-516 , Utah Code Annotated 1953
22	REPEALS AND REENACTS:
23	19-4-111, as last amended by Laws of Utah 2023, Chapter 16
24	REPEALS:
25	19-4-111.1, as last amended by Laws of Utah 2013, Chapter 321
26	19-4-111.2, as last amended by Laws of Utah 2013, Chapter 321
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28	Be it enacted by the Legislature of the state of Utah:
29	Section 1. Section 19-4-111 is repealed and reenacted to read:
30	<u>19-4-111</u> . Prohibition of fluoride in public water systems.

31 (1) As used in this section, "fluoride" means a chemical compound that contains the

32	fluoride ion and is used to fluoridate drinking water, including:
33	(a) <u>fluorosilicic acid;</u>
34	(b) sodium fluorosilicate; or
35	(c) sodium fluoride.
36	(2) A person may not add fluoride to water in, or water that will be introduced into, a public
37	water system.
38	(3) A political subdivision may not enact or enforce an ordinance that requires or permits
39	the addition of fluoride to water in, or water that will be introduced into, a public water
40	system.
41	Section 2. Section 26B-4-516 is enacted to read:
42	<u>26B-4-516</u> . Standing prescription drug orders for a fluoride supplement.
43	(1) As used in this section, "fluoride supplement" means a product containing fluoride that
44	is intended to enhance oral health and is available only by prescription.
45	(2) Notwithstanding Title 58, Chapter 17b, Pharmacy Practice Act, a person licensed under
46	Title 58, Chapter 17b, Pharmacy Practice Act, to dispense a fluoride supplement may
47	dispense the fluoride supplement:
48	(a) pursuant to a standing prescription drug order made in accordance with Subsection
49	<u>(3);</u>
50	(b) without any other prescription drug order from a person licensed to prescribe a
51	fluoride supplement; and
52	(c) in accordance with the dispensing guidelines described in Subsection (4).
53	(3) The Department of Health and Human Services shall have a physician acting in the
54	physician's capacity as an employee of the Department of Health and Human Services
55	issue a standing prescription drug order authorizing the dispensing of a fluoride
56	supplement under Subsection (2) in accordance with a protocol that:
57	(a) requires the physician to specify the individuals, by professional license number,
58	authorized to dispense the fluoride supplement:
59	(b) requires the physician to review at least annually the dispensing practices of the
60	individuals authorized by the physician to dispense the fluoride supplement;
61	(c) requires the individuals authorized by the physician to dispense the fluoride
62	supplement to make and retain a record of each individual to whom the fluoride
63	supplement is dispensed, including:
64	(i) the name of the individual;
65	(ii) the fluoride supplement dispensed; and

66	(iii) other relevant information; and
67	(d) is approved by the Division of Professional Licensing within the Department of
68	Commerce by rule made in accordance with Title 63G, Chapter 3, Utah
69	Administrative Rulemaking Act.
70	(4) If a pharmacist dispenses a fluoride supplement to a patient, the pharmacist shall, at a
71	minimum, provide patient counseling regarding:
72	(a) the appropriate administration and storage of the fluoride supplement;
73	(b) the potential side effects and risks of the fluoride supplement; and
74	(c) when to seek emergency medical attention.
75	(5) A physician who issues a standing prescription drug order in accordance with
76	Subsection (3) is not liable for civil damages for acts or omissions resulting from the
77	dispensing of a fluoride supplement under this section.
78	Section 3. Repealer.
79	This bill repeals:
80	Section 19-4-111.1, Provision of fluoridated water Request of resident.
81	Section 19-4-111.2, Provision of fluoridated water Emergency circumstances.
82	Section 4. Effective date.
83	This bill takes effect on May 7, 2025.