

32 fluoride ion and is used to fluoridate drinking water, including:

33 (a) fluorosilicic acid;

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 **26B-4-516 . 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 (3);

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.