Pharmacy Accessibility Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer Dailey-Provost

LONG TITLE

General Description:

This bill addresses prescription drug labeling.

Highlighted Provisions:

This bill:

- makes technical and conforming changes; and
- requires a pharmacy to use an accessible prescription label for prescriptions dispensed to a patient who identifies as visually impaired and requests an accessible prescription label.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-17b-602, as last amended by Laws of Utah 2023, Chapter 328

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

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

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

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

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

(v) the name of the prescriber;

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

(vii) except as provided in Subsection [~~(7)~~] (8), 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

(viii) the beyond use date.

(b) The requirements described in Subsections (5)(a)(i) through (vi) do not apply to a label on the container of a drug that a health care provider administers to a patient at:

(i) a pharmaceutical administration facility; or

(ii) a hospital licensed under Title 26B, Chapter 2, Part 2, Health Care Facility Licensing and Inspection.

(6)(a) A pharmacy shall provide to a patient an accessible prescription label, in accordance with Subsections (6)(b) and (c), affixed to the patient's prescription container, if a patient informs the pharmacy that the patient:

(i) identifies as a person who is blind, visually impaired, or otherwise unable to read a standard prescription label; and

(ii) requests an accessible prescription label.

(b) A pharmacy shall provide an accessible prescription label under Subsection (6)(a):

(i) in a timely manner comparable to other patient wait times;

(ii) that lasts for the duration of the prescription;

(iii) subject to Subsection (6)(c), in a format that:

(A) is appropriate to the disability and preference of the person making the request through use of an audible, large-print, or braille label; and

(B) contains the minimum information required under Subsection (5).

(c) A pharmacy shall use its best efforts to provide a prescription label that is compatible with a patient's device designed to audibly convey the information contained on the label of a prescription drug.

[~~(6)~~] (7) A hospital pharmacy that dispenses a prescription drug that is packaged in a multidose container to a hospital patient may provide the drug in the multidose container to the patient when the patient is discharged from the hospital if:

(a) the pharmacy receives a discharge order for the patient; and

(b) the pharmacy labels the drug with the:

(i) patient's name;

(ii) drug's name and strength;

(iii) directions for use of the drug, if applicable; and

(iv) pharmacy's name and phone number.

[~~(7)~~] (8) 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.

[~~(8)~~] (9) 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.

[~~(9)~~] (10) A pharmacy may only deliver a prescription drug to a patient or a patient's agent:

(a) in person at the pharmacy; or

(b) via the United States Postal Service, a licensed common carrier, or supportive personnel, if the pharmacy takes reasonable precautions to ensure the prescription drug is:

(i) delivered to the patient or patient's agent; or

(ii) returned to the pharmacy.

Section 2. **Effective Date.**

This bill takes effect on May 7, 2025.