

**Office of Professional Licensure Review Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

House Sponsor: Jason B. Kyle

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**LONG TITLE**

**General Description:**

This bill modifies the scope of practice requirements for health professions.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides that a physical therapist may prescribe durable medical equipment;
- ▶ expands the medical imaging a physical therapist may order;
- ▶ allows a physical therapist assistant to perform limited joint mobilization;
- ▶ provides a certified registered nurse anesthetist prescriptive authority immediately before and after a procedure;
- ▶ extends the amount of time a student may work as a registered nurse apprentice;
- ▶ permits an advanced practice registered nurse and a physician assistant to perform minor surgical procedures;
- ▶ repeals the authority of an advanced practice registered nurse and a physician assistant to perform minor surgical procedures on July 1, 2028;
- ▶ clarifies collaboration requirements between an athletic trainer and a physician;
- ▶ allows an occupational therapist to prescribe durable medical equipment and adaptive devices;
- ▶ gives the division rulemaking authority for occupational therapists;
- ▶ directs the division to create and issue a respiratory care apprentice license;
- ▶ reduces the number of hours required for a physician assistant to work without a collaborative agreement;
- ▶ allows an acupuncturist to delegate a low-risk task to an unlicensed aide under specified conditions;

- 28       ▶ changes the training requirements for an acupuncturist performing injection therapy;
- 29       ▶ gives the division rulemaking authority to determine additional substances an
- 30 acupuncturist may inject;
- 31       ▶ clarifies the titles an acupuncturist may use;
- 32       ▶ aligns dry needling for occupational therapists and physical therapists; and
- 33       ▶ makes technical and conforming changes.

34 **Money Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 None

38 **Utah Code Sections Affected:**

39 AMENDS:

40 **26B-2-801 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special

41 Session, Chapter 11

42 **26B-4-203 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 392

43 **26B-8-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 240

44 **58-1-401 (Effective 05/06/26)**, as last amended by Laws of Utah 2021, Chapter 404

45 **58-1-510 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 324

46 **58-1-602 (Effective 05/06/26)**, as enacted by Laws of Utah 2022, Chapter 317

47 **58-1-603 (Effective 05/06/26)**, as enacted by Laws of Utah 2023, Chapter 2

48 **58-24b-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 219

49 **58-24b-402 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 220

50 **58-24b-403 (Effective 05/06/26)**, as enacted by Laws of Utah 2009, Chapter 220

51 **58-31b-103 (Effective 05/06/26)**, as last amended by Laws of Utah 2011, Chapter 303

52 **58-31b-301 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 277

53 **58-31b-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapters 277,

54 415

55 **58-31b-304 (Effective 05/06/26)**, as last amended by Laws of Utah 2022, Chapter 277

56 **58-31b-306.1 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 173

57 **58-31b-803 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 223

58 **58-31d-102 (Effective 05/06/26)**, as repealed and reenacted by Laws of Utah 2022,

59 Chapter 438

60 **58-40a-102 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 206

61 **58-40a-201 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 206

62 **58-40a-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2009, Chapter 183  
63 **58-40a-303 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 206  
64 **58-42a-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 219  
65 **58-42a-306 (Effective 05/06/26)**, as last amended by Laws of Utah 2015, Chapter 432  
66 **58-42a-307 (Effective 05/06/26)**, as enacted by Laws of Utah 2025, Chapter 219  
67 **58-44a-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 443  
68 **58-47b-201 (Effective 05/06/26) (Repealed 07/01/34)**, as last amended by Laws of Utah  
69 2024, Chapter 507  
70 **58-54-303 (Effective 05/06/26)**, as last amended by Laws of Utah 2018, Chapter 242  
71 **58-70a-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 443  
72 **58-70a-307 (Effective 05/06/26)**, as enacted by Laws of Utah 2021, Chapter 312 and last  
73 amended by Coordination Clause, Laws of Utah 2021, Chapters 313, 344  
74 **58-70a-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 301  
75 **58-72-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 507  
76 **58-72-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2020, Chapter 339  
77 **58-72-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2008, Chapter 250  
78 **58-72-701 (Effective 05/06/26)**, as enacted by Laws of Utah 2019, Chapter 485  
79 **58-88-201 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 276  
80 **63I-2-258 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 277

## 81 REPEALS AND REENACTS:

82 **58-31b-102 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 507  
83 **58-31b-302 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 443

## 84 RENUMBERS AND AMENDS:

85 **58-57-101 (Effective 05/06/26)**, (Renumbered from 58-57-2, as last amended by Laws  
86 of Utah 2006, Chapter 106)  
87 **58-57-102 (Effective 05/06/26)**, (Renumbered from 58-57-3, as last amended by Laws  
88 of Utah 1993, Chapter 297)  
89 **58-57-103 (Effective 05/06/26)**, (Renumbered from 58-57-4, as last amended by Laws  
90 of Utah 2020, Chapter 339)  
91 **58-57-104 (Effective 05/06/26)**, (Renumbered from 58-57-5, as last amended by Laws  
92 of Utah 2006, Chapter 106)  
93 **58-57-105 (Effective 05/06/26)**, (Renumbered from 58-57-6, as repealed and reenacted  
94 by Laws of Utah 1993, Chapter 297)  
95 **58-57-106 (Effective 05/06/26)**, (Renumbered from 58-57-7, as last amended by Laws

96 of Utah 2024, Chapter 147)  
 97 **58-57-107 (Effective 05/06/26)**, (Renumbered from 58-57-8, as repealed and reenacted  
 98 by Laws of Utah 1993, Chapter 297)  
 99 **58-57-108 (Effective 05/06/26)**, (Renumbered from 58-57-10, as last amended by  
 100 Laws of Utah 2006, Chapter 106)  
 101 **58-57-109 (Effective 05/06/26)**, (Renumbered from 58-57-12, as last amended by  
 102 Laws of Utah 2006, Chapter 106)  
 103 **58-57-110 (Effective 05/06/26)**, (Renumbered from 58-57-14, as last amended by  
 104 Laws of Utah 2022, Chapter 415)

105 REPEALS:

106 **58-40a-103 (Effective 05/06/26)**, as enacted by Laws of Utah 2006, Chapter 206  
 107 **58-41-1 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
 108 1989, Chapter 207  
 109 **58-41-3 (Effective 05/06/26) (Repealed 07/01/29)**, as last amended by Laws of Utah  
 110 2020, Chapter 424  
 111 **58-57-1 (Effective 05/06/26)**, as enacted by Laws of Utah 1990, Chapter 208  
 112 **58-57-11 (Effective 05/06/26)**, as last amended by Laws of Utah 2006, Chapter 106  
 113 **58-72-601 (Effective 05/06/26)**, as last amended by Laws of Utah 2007, Chapter 90

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

116 Section 1. Section **26B-2-801** is amended to read:

117 **26B-2-801 (Effective 05/06/26). Definitions for part.**

118 As used in this part:

- 119 (1) "Adult" means an individual who is:  
 120 (a) at least 18 years old; or  
 121 (b) under 18 years old and is emancipated.  
 122 (2) "APRN" means an individual who is:  
 123 (a) certified or licensed as an [advanee] advanced practice registered nurse under  
 124 Subsection [58-31b-301(2)(e)] 58-31b-301(2);  
 125 (b) an independent practitioner; and  
 126 (c) acting within the scope of practice for that individual, as provided by law, rule, and  
 127 specialized certification and training in that individual's area of practice.  
 128 (3) "Capacity" means the same as that term is defined in Section 75A-9-101.  
 129 (4) "Emergency medical services provider" means a person that is licensed, designated, or

- 130 certified under Title 53, Chapter 2d, Emergency Medical Services Act.
- 131 (5) "Health care" means the same as that term is defined in Section 75A-9-101.
- 132 (6) "Health care provider" means the same as that term is defined in Section 78B-3-403,  
133 except that "health care provider" does not include an emergency medical services  
134 provider.
- 135 (7)(a) "Life sustaining care" means any medical intervention, including procedures,  
136 administration of medication, or use of a medical device, that maintains life by  
137 sustaining, restoring, or supplanting a vital function.
- 138 (b) "Life sustaining care" does not include care provided for the purpose of keeping an  
139 individual comfortable.
- 140 (8) "Minor" means an individual who:  
141 (a) is under 18 years old; and  
142 (b) is not emancipated.
- 143 (9) "Order for life sustaining treatment" means an order related to life sustaining treatment,  
144 on a form designated by the Department of Health and Human Services under Section  
145 26B-2-802, that gives direction to health care providers, health care facilities, and  
146 emergency medical services providers regarding the specific health care decisions of the  
147 individual to whom the order relates.
- 148 (10) "Parent" means the same as that term is defined in Section 75-1-201.
- 149 (11) "Physician" means a physician and surgeon or osteopathic surgeon licensed under Title  
150 58, Chapter 67, Utah Medical Practice Act or Chapter 68, Utah Osteopathic Medical  
151 Practice Act.
- 152 (12) "Physician assistant" means an individual licensed as a physician assistant under Title  
153 58, Chapter 70a, Utah Physician Assistant Act.
- 154 (13) "Sign" means the same as that term is defined in Section 75-1-201.
- 155 (14) "Substituted judgment" means the standard to be applied by a surrogate when making a  
156 health care decision for an adult who previously had the capacity to make health care  
157 decisions, which requires the surrogate to consider:  
158 (a) specific preferences expressed by the adult:  
159 (i) when the adult had the capacity to make health care decisions; and  
160 (ii) at the time the decision is being made;  
161 (b) the surrogate's understanding of the adult's health care preferences;  
162 (c) the surrogate's understanding of what the adult would have wanted under the  
163 circumstances; and

164 (d) to the extent that the preferences described in Subsections (14)(a) through (c) are  
165 unknown, the best interest of the adult.

166 (15) "Surrogate" means the same as that term is defined in Section 75A-9-101.

167 Section 2. Section **26B-4-203** is amended to read:

168 **26B-4-203 (Effective 05/06/26). Qualifying condition.**

169 (1) By designating a particular condition under Subsection (2) for which the use of medical  
170 cannabis to treat symptoms is decriminalized, the Legislature does not conclusively state  
171 that:

172 (a) current scientific evidence clearly supports the efficacy of a medical cannabis  
173 treatment for the condition; or

174 (b) a medical cannabis treatment will treat, cure, or positively affect the condition.

175 (2) For the purposes of this part, each of the following conditions is a qualifying condition:

176 (a) HIV or acquired immune deficiency syndrome;

177 (b) Alzheimer's disease;

178 (c) amyotrophic lateral sclerosis;

179 (d) cancer;

180 (e) cachexia;

181 (f) persistent nausea that is not significantly responsive to traditional treatment, except  
182 for nausea related to:

183 (i) pregnancy;

184 (ii) cannabis-induced cyclical vomiting syndrome; or

185 (iii) cannabinoid hyperemesis syndrome;

186 (g) Crohn's disease or ulcerative colitis;

187 (h) epilepsy or debilitating seizures;

188 (i) multiple sclerosis or persistent and debilitating muscle spasms;

189 (j) post-traumatic stress disorder that is being treated and monitored by a licensed mental  
190 health therapist, as that term is defined in Section 58-60-102, and that:

191 (i) has been diagnosed by a health\_care provider or mental health provider employed  
192 or contracted by the United States Veterans Administration, evidenced by copies

193 of medical records from the United States Veterans Administration that are

194 included as part of the recommending medical provider's pre-treatment assessment  
195 and medical record documentation; or

196 (ii) has been diagnosed or confirmed, through face-to-face or telehealth evaluation of  
197 the patient, by a provider who is:

- 198 (A) a licensed board-eligible or board-certified psychiatrist;  
 199 (B) a licensed psychologist with a master's-level degree;  
 200 (C) a licensed clinical social worker with a master's-level degree;  
 201 (D) a licensed advanced practice registered nurse who is qualified to practice  
 202 within the psychiatric mental health nursing specialty and who has completed  
 203 the clinical practice requirements in psychiatric mental health nursing,  
 204 including in psychotherapy[, in accordance with Subsection 58-31b-302(5)(g)];  
 205 or  
 206 (E) a licensed physician assistant who is qualified to specialize in mental health  
 207 care under Section 58-70a-501.1;
- 208 (k) autism;
- 209 (l) a terminal illness when the patient's remaining life expectancy is less than six months;
- 210 (m) a condition resulting in the individual receiving hospice care;
- 211 (n) a rare condition or disease that:
- 212 (i) affects less than 200,000 individuals in the United States, as defined in Section  
 213 526 of the Federal Food, Drug, and Cosmetic Act; and
- 214 (ii) is not adequately managed despite treatment attempts using:
- 215 (A) conventional medications other than opioids or opiates; or  
 216 (B) physical interventions;
- 217 (o) pain lasting longer than two weeks that is not adequately managed, in the  
 218 recommending medical provider's opinion, despite treatment attempts using:
- 219 (i) conventional medications other than opioids or opiates; or  
 220 (ii) physical interventions;
- 221 (p) pain that is expected to last for two weeks or longer for an acute condition, including  
 222 a surgical procedure, for which a medical professional may generally prescribe  
 223 opioids for a limited duration, subject to Subsection 26B-4-213(5)(c); and
- 224 (q) a condition that the Compassionate Use Board approves under Section 26B-1-421,  
 225 on an individual, case-by-case basis.

226 Section 3. Section **26B-8-201** is amended to read:

227 **26B-8-201 (Effective 05/06/26). Definitions.**

228 As used in this part:

- 229 (1) "Dead body" means the same as that term is defined in Section 26B-8-101.  
 230 (2)(a) "Death by violence" means death that resulted by the decedent's exposure to  
 231 physical, mechanical, or chemical forces.

- 232 (b) "Death by violence" includes death that appears to have been due to homicide, death  
 233 that occurred during or in an attempt to commit rape, mayhem, kidnapping, robbery,  
 234 burglary, housebreaking, extortion, or blackmail accompanied by threats of violence,  
 235 assault with a dangerous weapon, assault with intent to commit any offense  
 236 punishable by imprisonment for more than one year, arson punishable by  
 237 imprisonment for more than one year, or any attempt to commit any of the foregoing  
 238 offenses.
- 239 (3) "Health care professional" means any of the following while acting in a professional  
 240 capacity:
- 241 (a) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title  
 242 58, Chapter 68, Utah Osteopathic Medical Practice Act;
- 243 (b) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician Assistant  
 244 Act; or
- 245 (c) an advanced practice registered nurse licensed under Subsections 58-31b-301(2)(a)  
 246 through (c).
- 247 (4) "Immediate relative" means an individual's spouse, child, parent, sibling, grandparent,  
 248 or grandchild.
- 249 [~~(4) "Health care professional" means any of the following while acting in a professional~~  
 250 ~~capacity:]~~
- 251 [~~(a) a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title~~  
 252 ~~58, Chapter 68, Utah Osteopathic Medical Practice Act;]~~
- 253 [~~(b) a physician assistant licensed under Title 58, Chapter 70a, Utah Physician Assistant~~  
 254 ~~Act; or]~~
- 255 [~~(c) an advance practice registered nurse licensed under Subsection 58-31b-301(2)(c).]~~
- 256 (5) "Medical examiner" means the state medical examiner appointed pursuant to Section  
 257 26B-8-202 or a deputy appointed by the medical examiner.
- 258 (6) "Medical examiner record" means:
- 259 (a) all information that the medical examiner obtains regarding a decedent;  
 260 (b) reports that the medical examiner makes regarding a decedent; and  
 261 (c) all administrative forms and correspondence related to a decedent's case.
- 262 (7) "Regional pathologist" means an American Board of Pathology certified pathologist  
 263 licensed to practice medicine and surgery in the state, appointed by the medical  
 264 examiner pursuant to Subsection 26B-8-202(3).
- 265 (8) "Sudden death while in apparent good health" means apparently instantaneous death

- 266 without obvious natural cause, death during or following an unexplained syncope or  
267 coma, or death during an acute or unexplained rapidly fatal illness.
- 268 (9) "Sudden unexpected infant death" means the death of a child who was thought to be in  
269 good health or whose terminal illness appeared to be so mild that the possibility of a  
270 fatal outcome was not anticipated.
- 271 (10) "Suicide" means death caused by an intentional and voluntary act of an individual who  
272 understands the physical nature of the act and intends by such act to accomplish  
273 self-destruction.
- 274 (11) "Unattended death" means a death that occurs more than 365 days after the day on  
275 which a health care professional examined or treated the deceased individual for any  
276 purpose, including writing a prescription.
- 277 (12)(a) "Unavailable for postmortem investigation" means that a dead body is:
- 278 (i) transported out of state;
- 279 (ii) buried at sea;
- 280 (iii) cremated;
- 281 (iv) processed by alkaline hydrolysis; or
- 282 (v) otherwise made unavailable to the medical examiner for postmortem investigation  
283 or autopsy.
- 284 (b) "Unavailable for postmortem investigation" does not include embalming or burial of  
285 a dead body pursuant to the requirements of law.
- 286 (13) "Within the scope of the decedent's employment" means all acts reasonably necessary  
287 or incident to the performance of work, including matters of personal convenience and  
288 comfort not in conflict with specific instructions.

289 Section 4. Section **58-1-401** is amended to read:

290 **58-1-401 (Effective 05/06/26). Grounds for denial of license -- Disciplinary**  
291 **proceedings -- Time limitations -- Sanctions.**

- 292 (1) The division shall refuse to issue a license to an applicant and shall refuse to renew or  
293 shall revoke, suspend, restrict, place on probation, or otherwise act upon the license of a  
294 licensee who does not meet the qualifications for licensure under this title.
- 295 (2) The division may refuse to issue a license to an applicant and may refuse to renew or  
296 may revoke, suspend, restrict, place on probation, issue a public reprimand to, or  
297 otherwise act upon the license of a licensee for the following reasons:
- 298 (a) subject to the provisions of Subsection (7), the applicant or licensee has engaged in  
299 unprofessional conduct, as defined by statute or rule under this title;

- 300 (b) the applicant or licensee has engaged in unlawful conduct as defined by statute under  
301 this title;
- 302 (c) the applicant or licensee has been determined to be mentally incompetent by a court  
303 of competent jurisdiction; or
- 304 (d) subject to Subsections [~~58-31b-401(7)~~] 58-31b-401(6), 58-60-108(2), 58-61-401(2),  
305 58-67-401(2), 58-68-401(2), 58-70a-401(2), and Section 58-81-105, the applicant or  
306 licensee is unable to practice the occupation or profession with reasonable skill and  
307 safety because of illness, drunkenness, excessive use of drugs, narcotics, chemicals,  
308 or other type of material, or as a result of a mental or physical condition, when the  
309 condition demonstrates a threat or potential threat to the public health, safety, or  
310 welfare.
- 311 (3) A licensee whose license to practice an occupation or profession regulated by this title  
312 has been suspended, revoked, placed on probation, or restricted may apply for  
313 reinstatement of the license at reasonable intervals and upon compliance with conditions  
314 imposed upon the licensee by statute, rule, or terms of the license suspension,  
315 revocation, probation, or restriction.
- 316 (4) The division may issue cease and desist orders to:
- 317 (a) a licensee or applicant who may be disciplined under Subsection (1) or (2);
- 318 (b) a person who engages in or represents that the person is engaged in an occupation or  
319 profession regulated under this title; and
- 320 (c) a person who otherwise violates this title or a rule adopted under this title.
- 321 (5) The division may impose an administrative penalty in accordance with Section 58-1-502.
- 322 (6)(a) The division may not take disciplinary action against a person for unprofessional  
323 or unlawful conduct under this title, unless the division enters into a stipulated  
324 agreement or initiates an adjudicative proceeding regarding the conduct within four  
325 years after the conduct is reported to the division, except under Subsection (6)(b).
- 326 (b)(i) The division may not take disciplinary action against a person for  
327 unprofessional or unlawful conduct more than 10 years after the occurrence of the  
328 conduct, unless the proceeding is in response to a civil or criminal judgment or  
329 settlement and the proceeding is initiated within one year following the judgment  
330 or settlement.
- 331 (ii) Notwithstanding Subsection (6)(b)(i), the division may refuse to issue a license  
332 due to unprofessional or unlawful conduct that occurred more than 10 years before  
333 a request or application for licensure is made.

- 334 (7) When the division is determining whether to refuse to issue a license to an applicant, or  
335 to refuse to renew the license of a licensee, based solely on the criminal conviction of an  
336 applicant or licensee, the division shall:
- 337 (a) provide individualized consideration to the applicant or licensee;
  - 338 (b) determine whether the criminal conviction bears a substantial relationship to the  
339 applicant's or licensee's ability to safely or competently practice the occupation or  
340 profession; and
  - 341 (c) consider the applicant's or licensee's current circumstances, which may include any  
342 of the following:
    - 343 (i) the age of the applicant or licensee when the applicant or licensee committed the  
344 offense;
    - 345 (ii) the time that has elapsed since the applicant or licensee committed the offense;
    - 346 (iii) whether the applicant or licensee has completed the applicant's or licensee's  
347 criminal sentence;
    - 348 (iv) whether the applicant has completed or is actively participating in rehabilitative  
349 drug or alcohol treatment;
    - 350 (v) any testimonials or recommendations from other individuals provided by the  
351 applicant or licensee, including a progress report from the applicant's or licensee's  
352 probation or parole officer;
    - 353 (vi) other evidence of rehabilitation provided by the applicant or licensee;
    - 354 (vii) the education and training of the applicant or licensee;
    - 355 (viii) the employment history of the applicant or licensee; and
    - 356 (ix) other relevant information provided by the applicant or licensee.

357 Section 5. Section **58-1-510** is amended to read:

358 **58-1-510 (Effective 05/06/26). Anesthesia and sedation requirements --**

359 **Unprofessional conduct -- Whistleblower protection.**

360 (1) As used in this section:

- 361 (a) "Anesthesia or sedation provider" means an individual who is licensed:
  - 362 (i) under Chapter 5a, Podiatric Physician Licensing Act;
  - 363 (ii) under Subsection [~~58-31b-301(2)(e)~~] 58-31b-301(2)(b);
  - 364 (iii) under Chapter 67, Utah Medical Practice Act;
  - 365 (iv) under Chapter 68, Utah Osteopathic Medical Practice Act; or
  - 366 (v) as a dentist under Chapter 69, Dentist and Dental Hygienist Practice Act, and who  
367 has obtained the appropriate permit established by the division under Subsection

- 368 58-69-301(4).
- 369 (b) "Deep sedation" means a drug-induced depression of consciousness where an  
370 individual:
- 371 (i) cannot be easily aroused;
- 372 (ii) responds purposefully following repeated or painful stimulation;
- 373 (iii) may not be able to independently maintain ventilatory function;
- 374 (iv) may require assistance in maintaining a patent airway; and
- 375 (v) usually maintains cardiovascular function.
- 376 (c) "General anesthesia" means a drug-induced loss of consciousness where an  
377 individual:
- 378 (i) cannot be aroused, even by painful stimulation;
- 379 (ii) is often unable to maintain ventilatory function;
- 380 (iii) often requires assistance in maintaining a patent airway and positive pressure  
381 ventilation may be required because of depressed spontaneous ventilation or  
382 drug-induced depression of neuromuscular function; and
- 383 (iv) may not be able to maintain cardiovascular function.
- 384 (d) "General anesthetic" means a drug identified as a general anesthetic by the federal  
385 Food and Drug Administration.
- 386 (e) "Minimal sedation" means a drug-induced state where an individual:
- 387 (i) responds normally to verbal commands;
- 388 (ii) may have reduced cognitive function and physical coordination; and
- 389 (iii) maintains airway reflexes, ventilatory function, and cardiovascular function.
- 390 (f) "Moderate sedation" means a drug-induced depression of consciousness where an  
391 individual:
- 392 (i) responds purposefully to verbal commands, either alone or accompanied by light  
393 tactile stimulation;
- 394 (ii) maintains a patent airway;
- 395 (iii) maintains spontaneous ventilation; and
- 396 (iv) usually maintains cardiovascular function.
- 397 (2) An anesthesia or sedation provider may not cause a patient to undergo moderate  
398 sedation, deep sedation, or general anesthesia, in an outpatient setting that is not an  
399 emergency department without:
- 400 (a) first providing the following information in writing and verbally:
- 401 (i) the level of anesthesia or sedation being administered;

- 402 (ii) the identity, type of license, and training of the provider who is performing the  
403 procedure for which the anesthesia or sedation will be administered;
- 404 (iii) the identity, type of license, and a description of the training described in  
405 Subsection (4) of the anesthesia or sedation provider who will be administering  
406 the anesthesia or sedation; and
- 407 (iv) a description of the monitoring that will occur during the sedation or anesthesia,  
408 including descriptions related to the monitoring of the patient's oxygenation,  
409 ventilation, and circulation;
- 410 (b) after complying with Subsection (2)(a), obtaining the patient's written and verbal  
411 consent regarding the procedure;
- 412 (c) having the training described in Subsection (4);
- 413 (d) directly supervising the patient;
- 414 (e) if the patient is a minor, having a current pediatric advanced life support certification;
- 415 (f) if the patient is an adult, having a current advanced cardiovascular life support  
416 certification or perioperative resuscitation and life support certification;
- 417 (g)(i) having at least one individual in the procedure room who has advanced airway  
418 training and the knowledge and skills to recognize and treat airway complications  
419 and rescue a patient who entered a deeper than intended level of sedation; or
- 420 (ii) if the anesthesia or sedation provider is administering ketamine for a  
421 non-anesthetic purpose, having at least one individual on site and available who  
422 has advanced airway training and the knowledge and skills to recognize and treat  
423 airway complications and rescue a patient who entered a deeper than intended  
424 level of sedation;
- 425 (h) having access during the procedure to an advanced cardiac life support crash cart in  
426 the office with equipment that:
- 427 (i) is regularly maintained according to guidelines established by the American Heart  
428 Association; and
- 429 (ii) includes:
- 430 (A) a defibrillator;
- 431 (B) administrable oxygen;
- 432 (C) age appropriate airway equipment;
- 433 (D) positive pressure ventilation equipment; and
- 434 (E) unexpired emergency and reversal medications including naloxone for opioid  
435 sedation and flumazenil for benzodiazepine sedation;

- 436 (i) using monitors that meet basic standards set by the American Society of  
 437 Anesthesiologists and continually monitoring ventilatory function with capnography  
 438 unless precluded or invalidated by the nature of the patient, procedure, or equipment;  
 439 and
- 440 (j) entering appropriate information into the patient's chart or medical record, which  
 441 shall include:
- 442 (i) the patient's name;
- 443 (ii) the route and site the anesthesia or sedation was administered;
- 444 (iii) the time of anesthesia or sedation administration and the dosage;
- 445 (iv) the patient's periodic vital signs during the procedure; and
- 446 (v) the name of the individual who monitored the patient's oxygenation and  
 447 ventilation.
- 448 (3)(a) An anesthesia or sedation provider who violates Subsection (2) or ~~[any]~~ a rule [  
 449 ~~created by the division]~~ the division makes in accordance with Title 63G, Chapter 3,  
 450 Utah Administrative Rulemaking Act, to implement this section commits  
 451 unprofessional conduct.
- 452 (b) An individual commits unprofessional conduct if the individual administers  
 453 anesthesia or sedation for which the individual is not appropriately trained.
- 454 (4)(a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
 455 the division shall make rules to create training and safety standards regarding the  
 456 inducing of general anesthesia, deep sedation, and moderate sedation:
- 457 (i) for each license described in Subsection (1)(a);
- 458 (ii) that are based on standards created by nationally recognized organizations, such  
 459 as the American Society of Anesthesiologists, the American Dental Association,  
 460 or the American Association of Oral and Maxillofacial Surgeons; and
- 461 (iii) that include safety standards for general anesthetic use that are consistent with  
 462 federal Food and Drug Administration guidance.
- 463 (b) For making rules described in Subsection (4)(a), the division shall consult with the  
 464 applicable licensing boards and a board described in Sections 58-67-201, ~~[58-68-201,]~~  
 465 and 58-69-201.
- 466 (5) The requirements of Subsection (2) do not apply to the practice of inducing minimal  
 467 sedation.
- 468 (6) An employer may not take an adverse employment action against an employee if:  
 469 (a) the employee notifies the division of:

- 470 (i) a violation of this section; or  
471 (ii) a violation of [~~any rule created by the division to implement this section~~] a rule the  
472 division makes in accordance with Title 63G, Chapter 3, Utah Administrative  
473 Rulemaking Act, to implement this section; and  
474 (b) the employment action is based on the individual notifying the division of the  
475 violation.

476 Section 6. Section **58-1-602** is amended to read:

477 **58-1-602 (Effective 05/06/26). Auricular detoxification certification.**

478 (1) As used in this section:

479 (a) "Health care provider" means an individual who is licensed under:

- 480 (i) Subsection [~~58-31b-301(2)(a), (b), (d), or (e)~~] 58-31b-301(2)(a), (2)(b), (2)(c),  
481 (2)(d), (2)(f), or (2)(g);  
482 (ii) Chapter 60, Mental Health Professional Practice Act;  
483 (iii) Chapter 61, Part 3, Licensing; or  
484 (iv) Chapter 70a, Utah Physician Assistant Act.

485 (b)(i) "NADA protocol" means:

- 486 (A) a protocol developed by the National Acupuncture Detoxification  
487 Association; and  
488 (B) an adjunctive therapy using one to five invariant ear acupuncture or  
489 acupressure points for the adjunctive treatment and prevention of substance use  
490 disorders or to provide support for individuals who have experienced physical  
491 or emotional trauma.  
492 (ii) "NADA protocol" does not include the stimulation of other auricular or distal  
493 acupuncture points.

494 (2) A health care provider may perform the NADA protocol if the health care provider:

- 495 (a) obtains a certification from the National Acupuncture Detoxification Association to  
496 perform the NADA protocol; and  
497 (b) provides the division proof of obtaining the certification.

498 (3) A health care provider may perform a protocol substantially similar to the NADA  
499 protocol if:

- 500 (a) the division has determined the protocol is substantially similar to the NADA  
501 protocol; and  
502 (b) the individual has met each requirement the division has created to perform the  
503 protocol.

504 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
505 division may make rules for implementing Subsection (3).

506 Section 7. Section **58-1-603** is amended to read:

507 **58-1-603 (Effective 05/06/26). Hormonal transgender treatment on minors --**  
508 **Requirements.**

509 (1) As used in this section:

510 (a) "Approved organization" means an organization with expertise regarding transgender  
511 health care for minors that is approved by the division.

512 (b) "Biological sex at birth" means an individual's sex, as being male or female,  
513 according to distinct reproductive roles as manifested by sex and reproductive organ  
514 anatomy, chromosomal makeup, and endogenous hormone profiles.

515 (c) "Disorder of sexual development" means a sexual development disorder where an  
516 individual:

517 (i) is born with external biological sex characteristics that are irresolvably ambiguous;

518 (ii) is born with 46, XX chromosomes with virilization;

519 (iii) is born with 46, XY chromosomes with undervirilization;

520 (iv) has both ovarian and testicular tissue; or

521 (v) has been diagnosed by a physician, based on genetic or biochemical testing, with  
522 abnormal:

523 (A) sex chromosome structure;

524 (B) sex steroid hormone production; or

525 (C) sex steroid hormone action for a male or female.

526 (d) "Health care provider" means:

527 (i) a physician;

528 (ii) a physician assistant licensed under Chapter 70a, Utah Physician Assistant Act; or

529 (iii) an advanced practice registered nurse licensed under [~~Subsection~~

530 ~~58-31b-301(2)(e)] Subsections 58-31b-301(2)(a) through (c).~~

531 (e)(i) "Hormonal transgender treatment" means administering, prescribing, or

532 supplying for effectuating or facilitating an individual's attempted sex change:

533 (A) to an individual whose biological sex at birth is female, a dose of testosterone  
534 or other androgens at levels above those normally found in an individual whose  
535 biological sex at birth is female;

536 (B) to an individual whose biological sex at birth is male, a dose of estrogen or a  
537 synthetic compound with estrogenic activity or effect at levels above those

- 538 normally found in an individual whose biological sex at birth is male; or  
539 (C) a puberty inhibition drug.
- 540 (ii) "Hormonal transgender treatment" does not include administering, prescribing, or  
541 supplying a substance described in Subsection (1)(e)(i) to an individual if the  
542 treatment is medically necessary as a treatment for:
- 543 (A) precocious puberty;  
544 (B) endometriosis;  
545 (C) a menstrual, ovarian, or uterine disorder;  
546 (D) a sex-hormone stimulated cancer; or  
547 (E) a disorder of sexual development.
- 548 (f) "Mental health professional" means any of the following:
- 549 (i) a physician who is board certified for a psychiatry specialization recognized by the  
550 American Board of Medical Specialists or the American Osteopathic Association's  
551 Bureau of Osteopathic Specialists;
- 552 (ii) a psychologist licensed under Chapter 61, Psychologist Licensing Act;
- 553 (iii) a clinical social worker licensed under Chapter 60, Part 2, Social Worker  
554 Licensing Act;
- 555 (iv) a marriage and family therapist licensed under Chapter 60, Part 3, Marriage and  
556 Family Therapist Licensing Act; or
- 557 (v) a clinical mental health counselor licensed under Chapter 60, Part 4, Clinical  
558 Mental Health Counselor Licensing Act.
- 559 (g) "Minor" means an individual who is less than 18 years old.
- 560 (h) "Physician" means an individual licensed under:
- 561 (i) Chapter 67, Utah Medical Practice Act; or  
562 (ii) Chapter 68, Utah Osteopathic Medical Practice Act.
- 563 (i) "Puberty inhibition drug" means any of the following alone or in combination with  
564 aromatase inhibitors:
- 565 (i) gonadotropin-releasing hormone agonists; or  
566 (ii) androgen receptor inhibitors.
- 567 (j) "Transgender treatment certification" means a certification described in Subsection (2).
- 568 (2)(a) The division shall create a transgender treatment certification on or before July 1,  
569 2023.
- 570 (b) The division may issue the transgender treatment certification to an individual if the  
571 individual:

- 572 (i) is a health care provider or a mental health professional; and  
573 (ii) has completed at least 40 hours of education related to transgender health care for  
574 minors from an approved organization.
- 575 (c) The division may renew a transgender treatment certification:  
576 (i) at the time an individual renews the individual's license; and  
577 (ii) if the individual has completed at least 20 hours of continuing education related  
578 to transgender health care for minors from an approved organization during the  
579 individual's continuing education cycle.
- 580 (d) Beginning January 1, 2024, providing a hormonal transgender treatment to a minor  
581 without a transgender treatment certification is unprofessional conduct.
- 582 (3)(a) A health care provider may provide a hormonal transgender treatment to a minor  
583 only if the health care provider has been treating the minor for gender dysphoria for  
584 at least six months.
- 585 (b) Beginning July 1, 2023, before providing a hormonal transgender treatment to a  
586 minor described in Subsection (3)(a), a health care provider shall:  
587 (i) determine if the minor has other physical or mental health conditions, identify and  
588 document any condition, and consider whether treating those conditions before  
589 treating the gender dysphoria would provide the minor the best long-term outcome;  
590 (ii) consider whether an alternative medical treatment or behavioral intervention to  
591 treat the minor's gender dysphoria would provide the minor the best long-term  
592 outcome;  
593 (iii) document in the medical record that:  
594 (A) the health care provider has complied with Subsections (3)(b)(i) and (ii); and  
595 (B) providing the hormonal transgender treatment will likely result in the best  
596 long-term outcome for the minor;  
597 (iv) obtain written consent from:  
598 (A) the minor; and  
599 (B) the minor's parent or guardian unless the minor is emancipated;  
600 (v) discuss with the minor:  
601 (A) the risks of the hormonal transgender treatment;  
602 (B) the minor's short-term and long-term expectations regarding the effect that the  
603 hormonal transgender treatment will have on the minor; and  
604 (C) the likelihood that the hormonal transgender treatment will meet the  
605 short-term and long-term expectations described in Subsection (3)(b)(v)(B);

- 606 (vi) unless the minor is emancipated, discuss with the minor's parent or guardian:
- 607 (A) the risks of the hormonal transgender treatment;
- 608 (B) the minor's short-term and long-term expectations regarding the effect that the
- 609 hormonal transgender treatment will have on the minor;
- 610 (C) the parent or guardian's short-term and long-term expectations regarding the
- 611 effect that the hormonal transgender treatment will have on the minor; and
- 612 (D) the likelihood that the hormonal transgender treatment will meet the
- 613 short-term and long-term expectations described in Subsections (3)(b)(vi)(B)
- 614 and (C);
- 615 (vii) document in the medical record that the health care provider has provided the
- 616 information described in Subsections (3)(b)(viii) and (ix);
- 617 (viii) provide the minor the following information if providing the minor a puberty
- 618 inhibition drug:
- 619 (A) puberty inhibition drugs are not approved by the FDA for the treatment of
- 620 gender dysphoria;
- 621 (B) possible adverse outcomes of puberty blockers are known to include
- 622 diminished bone density, pseudotumor cerebri and long term adult sexual
- 623 dysfunction;
- 624 (C) research on the long-term risks to children of prolonged treatment with
- 625 puberty blockers for the treatment of gender dysphoria has not yet occurred;
- 626 and
- 627 (D) the full effects of puberty blockers on brain development and cognition are
- 628 unknown;
- 629 (ix) provide the minor the following information if providing a cross-sex hormone as
- 630 described in Subsection (1)(e)(i)(A) or (B):
- 631 (A) the use of cross-sex hormones in males is associated with risks that include
- 632 blood clots, gallstones, coronary artery disease, heart attacks, tumors of the
- 633 pituitary gland, strokes, elevated levels of triglycerides in the blood, breast
- 634 cancer, and irreversible infertility; and
- 635 (B) the use of cross-sex hormones in females is associated with risks of
- 636 erythrocytosis, severe liver dysfunction, coronary artery disease, hypertension,
- 637 and increased risk of breast and uterine cancers; and
- 638 (x) upon the completion of any relevant information privacy release, obtain a mental
- 639 health evaluation of the minor as described in Subsection (4).

- 640 (4) The mental health evaluation shall:
- 641 (a) be performed by a mental health professional who:
- 642 (i) beginning January 1, 2024, has a current transgender treatment certification; and
- 643 (ii) is not the health care provider that is recommending or providing the hormonal
- 644 transgender treatment;
- 645 (b) contain a determination regarding whether the minor suffers from gender dysphoria
- 646 in accordance with the fifth edition of the Diagnostic and Statistical Manual of
- 647 Mental Disorders;
- 648 (c) confirm that the minor and the mental health professional have had at least three
- 649 therapy sessions; and
- 650 (d) document all of the minor's mental health diagnoses and any significant life events
- 651 that may be contributing to the diagnoses.
- 652 (5) A violation of Subsection (3) is unprofessional conduct.
- 653 Section 8. Section **58-24b-102** is amended to read:
- 654 **58-24b-102 (Effective 05/06/26). Definitions.**
- 655 As used in this chapter:
- 656 [~~(1) "Animal physical therapy" means practicing physical therapy or physiotherapy on an~~
- 657 ~~animal.]~~
- 658 [~~(2)~~ (1) "Board" means the Physical Therapies Licensing Board, created in Section
- 659 58-24b-201.
- 660 [~~(3)~~ (2) "Consultation by telecommunication" [~~means the provision of expert or~~
- 661 ~~professional advice by a physical therapist who is licensed outside of Utah to a licensed~~
- 662 ~~physical therapist or a health care provider by telecommunication or electronic~~
- 663 ~~communication] means a health care provider, as that term is defined in Section~~
- 664 58-1-501.8, receiving professional advice through electronic communication from a
- 665 physical therapist who is licensed outside of the state.
- 666 (3) "Dry needling" means a skilled intervention using a filiform needle to penetrate the skin
- 667 and underlying tissue for the evaluation, management, or prevention of a disability, a
- 668 movement impairment, a neuromusculoskeletal condition, or pain.
- 669 (4) "General supervision" means supervision and oversight of an individual by a licensed
- 670 physical therapist when the licensed physical therapist is immediately available in
- 671 person, by telephone, or by electronic communication to assist the individual.
- 672 (5) "Licensed physical therapist" means an individual licensed under this chapter to engage
- 673 in the practice of physical therapy.

- 674 (6) "Licensed physical therapist assistant" means an individual licensed under this chapter  
675 to engage in the practice of physical therapy, subject to the provisions of Subsection  
676 58-24b-401(2)(a).
- 677 (7) "Licensing examination" means a nationally recognized physical therapy examination  
678 that ~~[is approved by the division, in consultation with the board]~~ the division approves by  
679 rule the division makes in consultation with the board and with Title 63G, Chapter 3,  
680 Utah Administrative Rulemaking Act.
- 681 (8) "On-site supervision" means supervision and oversight of an individual by a licensed  
682 physical therapist or a licensed physical therapist assistant when the licensed physical  
683 therapist or licensed physical therapist assistant is:
- 684 (a) continuously present at the facility where the individual is providing services;  
685 (b) immediately available to assist the individual; and  
686 (c) regularly involved in the services being provided by the individual.
- 687 (9) "Physical impairment" means:
- 688 ~~[(a) a mechanical impairment;]~~  
689 ~~[(b) a physiological impairment;]~~  
690 ~~[(c) a developmental impairment;]~~  
691 ~~[(d) a functional limitation;]~~  
692 ~~[(e) a disability;]~~  
693 ~~[(f) a mobility impairment; or]~~  
694 ~~[(g) a bodily malfunction.]~~  
695 (a) a bodily malfunction;  
696 (b) a developmental impairment;  
697 (c) a disability;  
698 (d) a functional limitation;  
699 (e) a mechanical impairment;  
700 (f) a mobility impairment; or  
701 (g) a physiological impairment.
- 702 (10)(a) "Physical therapy" ~~[or "physiotherapy" means:]~~ means examining, evaluating,  
703 and testing an individual who has a physical impairment or injury.
- 704 ~~[(i) examining, evaluating, and testing an individual who has a physical impairment~~  
705 ~~or injury]~~
- 706 (b) "Physical therapy" includes:
- 707 (i) ordering imaging in accordance with Section 58-54-303;

- 708 (ii) identifying or labeling a physical impairment or injury;
- 709 (iii) formulating a therapeutic intervention plan for the treatment of a physical
- 710 impairment, injury, or pain;
- 711 (iv) assessing the ongoing effects of therapeutic intervention for the treatment of a
- 712 physical impairment or injury;
- 713 (v) treating or alleviating a physical impairment by designing, modifying, or
- 714 implementing a therapeutic intervention;
- 715 (vi) reducing the risk of an injury or physical impairment;
- 716 (vii) providing instruction on the use of physical measures, activities, or devices for
- 717 preventative and therapeutic purposes;
- 718 (viii) promoting and maintaining health and fitness;
- 719 (ix) ~~[the administration of-]~~ administering a prescription drug ~~[pursuant to]~~ in
- 720 accordance with Section 58-24b-403;
- 721 (x) applying dry needling to enhance a client's physical performance if the physical
- 722 therapy practitioner has the necessary training the division requires by rule the
- 723 division makes in consultation with the board and in accordance with Title 63G,
- 724 Chapter 3, Utah Administrative Rulemaking Act;
- 725 ~~[(x)]~~ (xi) subject to Subsection 58-28-307(12)(b), engaging in the functions described
- 726 in Subsections ~~[(10)(a)(i) through (ix)]~~ (10)(b)(i) through (ix) in relation to an
- 727 animal, in accordance with the requirements of Section 58-24b-405; or
- 728 ~~[(xi)]~~ (xii) ~~[engaging in administration, consultation, education, and research relating~~
- 729 ~~to-]~~ administering, consulting, educating, and researching the practices described in [
- 730 ~~this Subsection (10)(a); or]~~ Subsection (10).
- 731 ~~[(xii) applying dry needling to enhance an individual's physical performance if the~~
- 732 ~~physical therapy practitioner has received the necessary training as determined by~~
- 733 ~~division rule in collaboration with the board.]~~
- 734 ~~[(b)]~~ (c) "Physical therapy" ~~[or "physiotherapy"]~~ does not include:
- 735 ~~[(i) diagnosing disease;]~~
- 736 ~~[(ii) performing surgery;]~~
- 737 ~~[(iii) performing acupuncture;]~~
- 738 ~~[(iv) taking x-rays; or]~~
- 739 ~~[(v) prescribing or dispensing a drug, as defined in Section 58-37-2.]~~
- 740 (i) diagnosing a disease;
- 741 (ii) dispensing or prescribing a drug as defined in Section 58-37-2;

- 742            (iii) performing acupuncture;  
743            (iv) performing surgery; or  
744            (v) taking x-rays.
- 745        (11) "Physical therapy aide" means an individual who:
- 746            (a) ~~[is trained, on-the-job, by]~~ receives on-the-job training from a licensed physical  
747            therapist; and
- 748            (b) provides routine assistance to a licensed physical therapist or licensed physical  
749            therapist assistant, while the licensed physical therapist or licensed physical therapist  
750            assistant practices physical therapy~~[- within the scope of the licensed physical~~  
751            ~~therapist's or licensed physical therapist assistant's license].~~
- 752        (12) "Recognized accreditation agency" means an accreditation agency that~~[:]~~ the division  
753            approves in consultation with the board.
- 754            ~~[(a) grants accreditation, nationally, in the United States of America; and]~~  
755            ~~[(b) is approved by the division, in consultation with the board.]~~
- 756        (13)(a) "Testing" means a standard method or technique used to gather data regarding a  
757            patient that is generally and nationally accepted by physical therapists for the practice  
758            of physical therapy.
- 759            (b) "Testing" includes measurement or evaluation of:
- 760            (i) muscle strength, force, endurance, or tone;  
761            (ii) cardiovascular fitness;  
762            (iii) physical work capacity;  
763            (iv) joint motion, mobility, or stability;  
764            (v) reflexes or autonomic reactions;  
765            (vi) movement skill or accuracy;  
766            (vii) sensation;  
767            (viii) perception;  
768            (ix) peripheral nerve integrity;  
769            (x) locomotor skills, stability, and endurance;  
770            (xi) the fit, function, and comfort of prosthetic, orthotic, or other assistive devices;  
771            (xii) posture;  
772            (xiii) body mechanics;  
773            (xiv) limb length, circumference, and volume;  
774            (xv) thoracic excursion and breathing patterns;  
775            (xvi) activities of daily living related to physical movement and mobility;

- 776 (xvii) ~~[functioning]~~ physical movement and mobility functions in the physical  
 777 environment at home or work~~[- as it relates to physical movement and mobility];~~  
 778 and
- 779 (xviii) neural muscular responses.
- 780 [(14)(a) "Trigger point dry needling" means the stimulation of a trigger point using a  
 781 dry needle to treat neuromuscular pain and functional movement deficits.]
- 782 [(b) "Trigger point dry needling" does not include the stimulation of auricular or distal  
 783 points.]
- 784 [(15) (14) "Therapeutic intervention" includes:
- 785 (a) therapeutic exercise, with or without the use of a device;
- 786 (b) ~~[functional training in]~~ physical movement and mobility training for functional  
 787 self-care[- as it relates to physical movement and mobility];
- 788 (c) physical movement and mobility for community or work integration[- as it relates to  
 789 physical movement and mobility];
- 790 (d) manual therapy, including:
- 791 (i) soft tissue mobilization;
- 792 (ii) therapeutic massage; or
- 793 (iii) joint mobilization, as ~~[defined by the division, by rule]~~ the division defines by  
 794 rule the division makes in consultation with the board and in accordance with  
 795 Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
- 796 (e) ~~[prescribing, applying, or fabricating an assistive, adaptive, orthotic, prosthetic,~~  
 797 ~~protective, or supportive device]~~ prescription, application, fabrication, or training for  
 798 an assistive technology, an adaptive device, an orthotic device, or a prosthetic device;
- 799 (f) prescription of durable medical equipment to a patient with or without requesting a  
 800 prescription from a licensed physician;
- 801 [(f)] (g) airway clearance techniques, including postural drainage;
- 802 [(g)] (h) integumentary protection and repair techniques;
- 803 [(h)] (i) wound debridement, cleansing, and dressing;
- 804 [(i)] (j) the application of a physical agent, including:
- 805 (i) light;
- 806 (ii) heat;
- 807 (iii) cold;
- 808 (iv) water;
- 809 (v) air;

- 810 (vi) sound;
- 811 (vii) compression;
- 812 (viii) electricity; and
- 813 (ix) electromagnetic radiation;
- 814 ~~[(j)]~~ (k) mechanical or electrotherapeutic modalities;
- 815 ~~[(k)]~~ (l) positioning;
- 816 ~~[(l)]~~ (m) instructing or training a patient in locomotion or other functional activities, with
- 817 or without an assistive device;
- 818 ~~[(m)]~~ (n) manual or mechanical traction;
- 819 ~~[(n)]~~ (o) correction of posture, body mechanics, or gait; and
- 820 ~~[(o)]~~ (p) trigger point dry needling, under the conditions described in Section 58-24b-505.

821 Section 9. Section **58-24b-402** is amended to read:

822 **58-24b-402 (Effective 05/06/26). Patient care and management.**

- 823 (1) ~~[In practicing physical therapy, a]~~ A licensed physical therapist shall:
- 824 (a) manage ~~[all aspects of]~~ the physical therapy of a patient under the licensed physical
- 825 therapist's care;
- 826 (b) perform the initial evaluation and documentation for each patient;
- 827 (c) perform periodic reevaluation and documentation for each patient;
- 828 (d) perform a physical therapy [interventions] intervention that ~~[require]~~ requires
- 829 immediate and continuous ~~[examination and]~~ evaluation throughout the intervention;
- 830 (e) perform on a patient all therapeutic intervention ~~[on a patient]~~ that is outside of the ~~[~~
- 831 ~~standard]~~ scope of practice of a licensed physical therapist assistant or a physical
- 832 therapy aide;
- 833 (f) determine the therapeutic intervention ~~[to be performed by]~~ a licensed physical
- 834 therapist assistant ~~[under the on-site supervision or general supervision of the~~
- 835 ~~licensed physical therapist]~~ performs while under the licensed physical therapist's
- 836 on-site supervision or while the licensed physical therapist is immediately available
- 837 in person, by telephone, or by electronic communication to ensure that the
- 838 therapeutic intervention is safe, effective, efficient, and within the scope of practice
- 839 of the licensed physical therapist assistant;
- 840 (g) conduct the discharge of each patient and document ~~[for each patient,]~~ each patient's
- 841 response to therapeutic intervention at the time of discharge~~[-, the patient's response to~~
- 842 ~~therapeutic intervention]~~; and
- 843 (h) provide accurate documentation of the billing and services provided.

- 844 (2) A licensed physical therapist assistant or a physical therapy aide may not:
- 845 (a) perform a physical therapy evaluation or assessment;
- 846 (b) identify or label a physical impairment or injury;
- 847 (c) design a plan of care for a patient;
- 848 [~~(d) perform the joint mobilization component of manual therapy; or~~]
- 849 [~~(e)~~ (d) perform the sharp selective debridement component of wound management; or]
- 850 (e) perform high-velocity thrust joint mobilization.

851 [~~(3) Subsection (2)(d) does not apply to:~~]

- 852 [~~(a) simple joint distraction techniques or stretching; or~~]
- 853 [~~(b) a stretch or mobilization that can be given as part of a home exercise program.~~]
- 854 (3) A licensed physical therapy aide may not perform or assist in any joint mobilization
- 855 component of manual therapy except:
- 856 (a) a simple joint distraction technique or stretching; or
- 857 (b) a stretch or a mobilization that is a part of a home exercise program.

858 Section 10. Section **58-24b-403** is amended to read:

859 **58-24b-403 (Effective 05/06/26). Administration of a prescription drug --**

860 **Ordering laboratory testing -- Reporting laboratory results -- Referral.**

- 861 (1) A licensed physical therapist may purchase, store, and administer topical and aerosol
- 862 medications that require a prescription~~[-only]~~ as provided in this section.
- 863 (2) A licensed physical therapist may purchase, store, and administer:
- 864 (a) [~~topically applied medicinal agents, including steroids and analgesics;~~] a topical
- 865 medication for wound care and for musculoskeletal treatment, using iontophoresis or
- 866 phonophoresis; and
- 867 (b) [~~aerosols~~] an aerosol medication for pulmonary hygiene in an institutional setting, if a
- 868 licensed respiratory therapist is not available [~~in, or~~] within a 10 mile radius of[, ] the
- 869 institution.
- 870 (3) A licensed physical therapist [~~may only~~] shall purchase, store, or administer a
- 871 medication described in this section [~~pursuant to~~] in accordance with a written
- 872 prescription issued by a practitioner who is licensed to prescribe that medication.
- 873 (4) This section does not authorize a licensed physical therapist to dispense a prescription
- 874 drug.

875 Section 11. Section **58-31b-102** is repealed and reenacted to read:

876 **58-31b-102 (Effective 05/06/26). Definitions.**

877 As used in this chapter:

- 878 (1) "Administrative penalty" means a monetary fine or citation that the division imposes:  
879 (a) for an act or an omission that the division determines is unprofessional or unlawful  
880 conduct;  
881 (b) in accordance with a fine schedule the division makes by rule in accordance with  
882 Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
883 (c) as the result of an adjudicative proceeding the division conducts in accordance with  
884 Title 63G, Chapter 4, Administrative Procedures Act.
- 885 (2) "Applicant" means an individual who applies for licensure or certification under this  
886 chapter by submitting a completed application for licensure or certification and the  
887 required fees to the department.
- 888 (3) "Approved education program" means a nursing education program that meets the  
889 requirements of Section 58-31b-601.
- 890 (4) "Board" means the Board of Nursing and Certified Nurse Midwives created in Section  
891 58-31b-201.
- 892 (5) "Diagnosis" means the identification of and discrimination between physical and  
893 psychosocial signs and symptoms essential to the effective execution and management  
894 of health care.
- 895 (6) "Examinee" means an individual who applies to take or does take any examination  
896 required under this chapter for licensure.
- 897 (7)(a) "License" means a license the division issues in accordance with this chapter.  
898 (b) "License" includes a certification until the earlier of:  
899 (i) the renewal; or  
900 (ii) May 6, 2028.
- 901 (8)(a) "Licensee" means an individual who is licensed under this chapter.  
902 (b) "Licensee" includes an individual who is certified until the earlier of:  
903 (i) renewal; or  
904 (ii) May 6, 2028.
- 905 (9) "Long-term care facility" means the following facilities the Department of Health and  
906 Human Services licenses under Title 26B, Chapter 2, Part 2, Health Care Facility  
907 Licensing and Inspection:  
908 (a) a nursing care facility;  
909 (b) a small health care facility;  
910 (c) an intermediate care facility for people with an intellectual disability;  
911 (d) an assisted living facility Type I or II; or

- 912 (e) a designated swing bed unit in a general hospital.
- 913 (10) "Practice of nurse anesthesia" means:
- 914 (a) in accordance with Section 58-31b-803, prescribing or administering a prescription
- 915 drug including a Schedule II-V controlled substance;
- 916 (b) pre-anesthesia preparation and evaluation, including:
- 917 (i) performing a pre-anesthetic assessment of the patient; and
- 918 (ii) ordering and evaluating appropriate lab and other studies to determine the health
- 919 of the patient;
- 920 (c) anesthesia induction, maintenance, and emergence, including:
- 921 (i) selecting and initiating the planned anesthetic technique;
- 922 (ii) selecting and administering anesthetics and adjunct drugs and fluids; and
- 923 (iii) administering general, regional, and local anesthesia;
- 924 (d) post anesthesia follow-up care, including evaluating the patient's response to
- 925 anesthesia and implementing corrective actions; and
- 926 (e) other related services related to an activity described in Subsections (10)(a) through
- 927 (10)(d), including:
- 928 (i) providing emergency airway management;
- 929 (ii) providing advanced cardiac life support; and
- 930 (iii) establishing peripheral, central, and arterial invasive lines.
- 931 (11) "Practice of nursing" means assisting a patient to maintain or attain optimal health,
- 932 implementing a strategy of care to accomplish defined goals and evaluating responses to
- 933 care and treatment, and requires substantial specialized or general knowledge, judgment,
- 934 and skill based upon principles of the biological, physical, behavioral, and social
- 935 sciences.
- 936 (12) "Routine medication" means an established medication that:
- 937 (a) is administered to a medically stable patient as determined by a licensed health care
- 938 provider or in consultation with a licensed health care provider; and
- 939 (b) is administered by the following routes:
- 940 (i) buccal;
- 941 (ii) ear;
- 942 (iii) eye;
- 943 (iv) inhalation:
- 944 (A) of a premeasured medication delivered by aerosol or nebulizer; or
- 945 (B) of a medication delivered by a metered hand-held inhaler;

- 946           (v) nasal;  
 947           (vi) oral;  
 948           (vii) rectal;  
 949           (viii) sublingual;  
 950           (ix) topical, including a skin ointment or a transdermal patch; or  
 951           (x) vaginal.

952           (13) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501 and  
 953           58-31b-501.

954           (14) "Unlicensed assistive personnel" means an unlicensed individual, regardless of title,  
 955           who is delegated a task by a licensed registered nurse as the division permits by rule the  
 956           division makes in accordance with Title 63G, Chapter 3, Utah Administrative  
 957           Rulemaking Act, and the standards of the profession.

958           (15) "Unprofessional conduct" means the same as that term is defined in Sections 58-1-501  
 959           and 58-31b-502 and as the division may define by rule the division makes in accordance  
 960           with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

961           Section 12. Section **58-31b-103** is amended to read:

962           **58-31b-103 (Effective 05/06/26). Nurse Education and Enforcement Account.**

- 963           (1) There is created a restricted account within the General Fund known as the "Nurse  
 964           Education and Enforcement Account."  
 965           (2) The restricted account shall consist of:  
 966           (a) administrative penalties imposed under Section 58-31b-503; and  
 967           (b) interest earned on money in the account.  
 968           (3) Money in the account may be appropriated by the Legislature for the following  
 969           purposes:  
 970           (a) education and training of licensees or potential licensees under this chapter;  
 971           (b) enforcement of this chapter by:  
 972           (i) investigating unprofessional or unlawful conduct;  
 973           (ii) providing legal representation to the division when legal action is taken against a  
 974           person engaging in unprofessional or unlawful conduct; and  
 975           (iii) monitoring compliance of renewal requirements;  
 976           (c) survey nursing education programs throughout the state;  
 977           (d) education and training of board members; and  
 978           (e) establish and review [and approve nursing education programs and medication aide  
 979           certified training programs] approved education programs.

980 Section 13. Section **58-31b-301** is amended to read:

981 **58-31b-301 (Effective 05/06/26). License required -- Classifications.**

982 (1) ~~[A] Except as provided in Sections 58-1-307 and 58-31b-308, a license is required to~~  
 983 ~~engage in the practice of nursing[, except as specifically provided in Sections 58-1-307~~  
 984 ~~and 58-31b-308].~~

985 (2) The division shall issue to an individual who qualifies under this chapter a license or  
 986 certification in the classification of:

987 ~~[(a) licensed practical nurse;]~~

988 ~~[(b) registered nurse apprentice;]~~

989 ~~[(c) registered nurse;]~~

990 ~~[(d) advanced practice registered nurse intern;]~~

991 ~~[(e) advanced practice registered nurse;]~~

992 ~~[(f) advanced practice registered nurse - CRNA without prescriptive practice; and]~~

993 ~~[(g) medication aide certified;]~~

994 (a) advanced practice registered nurse;

995 (b) advanced practice registered nurse - certified registered nurse anesthetist with  
 996 prescriptive authority;

997 (c) advanced practice registered nurse - without prescriptive practice license;

998 (d) advanced practice registered nurse intern;

999 (e) medication aide certified;

1000 (f) practical nurse;

1001 (g) registered nurse; or

1002 (h) registered nurse apprentice.

1003 (3)(a)(i) ~~[An individual] The division shall issue an advanced practice registered~~  
 1004 ~~nurse - without prescriptive practice license to an individual holding an advanced~~  
 1005 ~~practice registered nurse license as of July 1, 1998, and who cannot document the~~  
 1006 ~~successful completion of advanced course work in patient assessment, diagnosis~~  
 1007 ~~and treatment, and pharmacotherapeutics[, may not prescribe and shall be issued~~  
 1008 ~~an "APRN - without prescriptive practice" license].~~

1009 (ii) The division shall issue an advanced practice registered nurse - certified  
 1010 registered nurse anesthetist without prescriptive practice license to an individual  
 1011 holding an advanced practice registered nurse - certified registered nurse  
 1012 anesthetist without prescriptive practice license as of July 1, 1998, and who cannot  
 1013 document the successful completion of advanced course work in patient

1014 assessment, diagnosis and treatment, and pharmacotherapeutics.

1015 (b)(i) An individual who has an advanced practice registered nurse - without  
1016 prescriptive practice license may not prescribe medication.

1017 (ii) An individual who has an advanced practice registered nurse - CRNA without  
1018 prescriptive practice license may not prescribe medication.

1019 (4) The division shall grant an advanced practice registered nurse license to [any] a licensed  
1020 advanced practice registered nurse currently holding prescriptive authority under [any] a  
1021 predecessor act.

1022 [~~5) An individual holding a certified registered nurse anesthetist license as of July 1, 2007,~~  
1023 ~~shall be issued an "APRN - CRNA - without prescriptive practice" license.]~~

1024 Section 14. Section **58-31b-302** is repealed and reenacted to read:

1025 **58-31b-302 (Effective 05/06/26). Qualifications for licensure -- Scope of practice**  
1026 **-- Criminal background checks.**

1027 (1)(a) Each applicant for licensure under this chapter, except an applicant under  
1028 Subsection 58-31b-301(2)(e), shall:

1029 (i) consent to, and complete, a criminal background check, described in Section  
1030 58-1-301.5;

1031 (ii) meet the standards that the division makes by rule in accordance with Title 63G,  
1032 Chapter 3, Utah Administrative Rulemaking Act, related to the criminal  
1033 background check described in Section 58-1-301.5; and

1034 (iii) disclose the criminal history the division requests on a form the division  
1035 approves.

1036 (b) If an individual has been charged with a violent felony, as defined in Subsection  
1037 76-3-203.5(1)(c), and, as a result, the individual has been convicted, entered a plea of  
1038 guilty or nolo contendere, or entered a plea of guilty or nolo contendere held in  
1039 abeyance pending the successful completion of probation, the division shall act upon  
1040 the license as required under Section 58-1-401.

1041 (c) If an individual has been charged with a felony other than a violent felony, as defined  
1042 in Subsection 76-3-203.5(1)(c), and, as a result, the individual has been convicted,  
1043 entered a plea of guilty or nolo contendere, or entered a plea of guilty or nolo  
1044 contendere held in abeyance pending the successful completion of probation, the  
1045 division shall determine whether the felony disqualifies the individual for licensure  
1046 under this chapter and act upon the license, as required, in accordance with Section  
1047 58-1-401.

- 1048 (2)(a) An applicant for licensure as an advanced practice registered nurse shall:  
1049 (i) submit to the division an application on a form the division approves;  
1050 (ii) pay to the division a fee determined under Section 63J-1-504;  
1051 (iii) have the physical and mental health to safely perform the activities described in  
1052 Subsection (2)(c);  
1053 (iv)(A) receive a graduate degree from an approved education program in  
1054 advanced practice registered nursing or a related area of specialized knowledge  
1055 as the division determines appropriate by rule the division makes in  
1056 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
1057 Administrative Rulemaking Act; or  
1058 (B) have completed a nurse anesthesia program in accordance with Subsection  
1059 (2)(a)(v);  
1060 (v) have completed:  
1061 (A) course work in patient assessment, diagnosis and treatment, and  
1062 pharmacotherapeutics from an approved education program; or  
1063 (B) a nurse anesthesia program that is approved by the Council on Accreditation  
1064 of Nurse Anesthesia Educational Programs or another accrediting body the  
1065 division approves by rule made in collaboration with the board and in  
1066 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
1067 (vi) hold a current registered nurse license in good standing issued by the state or be  
1068 qualified as a registered nurse;  
1069 (vii) to practice within the psychiatric mental health nursing specialty, demonstrate,  
1070 as the division requires by rule the division makes in accordance with Title 63G,  
1071 Chapter 3, Utah Administrative Rulemaking Act, that the applicant is in the  
1072 process of completing the applicant's clinical practice requirements in psychiatric  
1073 mental health nursing, including psychotherapy;  
1074 (viii) have passed the examinations the division requires by rule the division makes in  
1075 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
1076 Administrative Rulemaking Act;  
1077 (ix) meet with the board, if the board requests, to determine the applicant's  
1078 qualifications for licensure.  
1079 (b) A licensed advanced practice registered nurse may:  
1080 (i) maintain and promote health and prevention of disease;  
1081 (ii) diagnose, treat, correct, consult, and provide a referral;

- 1082            (iii) prescribe or administer prescription drugs or devices, including:  
1083            (A) local anesthesia; and  
1084            (B) Schedule II-V controlled substances in accordance with Section 58-31b-803;  
1085            (iv) if a licensed advanced practice registered nurse - certified registered nurse  
1086            anesthetist, engage in the practice of nurse anesthesia;  
1087            (v) engage in other activities that are within the practice of advanced practice  
1088            registered nursing as the division defines by rule the division makes in accordance  
1089            with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:  
1090            (A) within the generally recognized scope and standards of advanced practice  
1091            registered nursing; and  
1092            (B) consistent with professionally recognized preparation and education standards  
1093            of an advanced practice registered nurse.  
1094            (c) Notwithstanding Sections 58-67-805 and 58-68-805, authorization to treat under this  
1095            section includes performing minor surgical procedures.  
1096            (d) The division may only define an activity as within the practice of advanced practice  
1097            registered nursing if:  
1098            (i) the activity is:  
1099            (A) within the generally recognized scope of practice for a licensed advanced  
1100            practice registered nurse; and  
1101            (B) consistent with professionally recognized standards; or  
1102            (ii) the inclusion of the activity is consistent with a recommendation from the Office  
1103            of Professional Licensure Review.  
1104            (3)(a) An applicant for certification as a medication aide certified shall:  
1105            (i) submit an application to the division on a form the division approves;  
1106            (ii) pay a fee to the division as determined under Section 63J-1-504;  
1107            (iii) have a high school diploma or the equivalent;  
1108            (iv) have a current certification as a nurse aide, in good standing, from the  
1109            Department of Health and Human Services;  
1110            (v) have a minimum of 2,000 hours of experience within the two years before the day  
1111            on which the applicant submits the application, working as a certified nurse aide  
1112            in a long-term care facility or another health care facility that the division  
1113            designates by rule the division makes in collaboration with the board and in  
1114            accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;  
1115            (vi) provide letters of recommendation from a health care facility administrator and a

- 1116 registered nurse familiar with the applicant's work practices as a certified nurse  
1117 aide;
- 1118 (vii) have the physical and mental health to safely perform the activities described in  
1119 Subsection (3)(b);
- 1120 (viii) have completed an approved education program for a medication aide certified  
1121 consisting of at least 60 hours of classroom training and 40 hours of practical  
1122 training in administering a routine medication to a patient or a resident of a  
1123 long-term care facility or an equivalent that the division determines by rule made  
1124 in collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
1125 Administrative Rulemaking Act;
- 1126 (ix) have passed the examinations the division requires by rule the division makes in  
1127 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
1128 Administrative Rulemaking Act; and
- 1129 (x) meet with the board, if requested, to determine the applicant's qualifications for  
1130 licensure.
- 1131 (b) While under the supervision of a licensed registered nurse, a medication aide  
1132 certified may:
- 1133 (i) provide routine patient care that requires minimal or limited specialized or general  
1134 knowledge, judgment, and skill, to a patient who:
- 1135 (A) is ill, injured, infirm, or is physically, mentally, developmentally, or  
1136 intellectually disabled; and
- 1137 (B) is in a regulated long-term care facility;
- 1138 (ii) administer a routine medication to a patient in accordance with a formulary and  
1139 protocol the division defines by rule the division makes in accordance with Title  
1140 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1141 (iii) engage in other activities that are within the practice of a medication aide  
1142 certified as the division defines by rule the division makes in accordance with  
1143 Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
- 1144 (A) within the generally recognized scope and standards of a medication aide  
1145 certified; and
- 1146 (B) consistent with professionally recognized preparation and education standards  
1147 of a medication aide certified.
- 1148 (c) The division may only define an activity as within the practice of a medication aide  
1149 certified if:

- 1150 (i) the activity is:
- 1151 (A) within the generally recognized scope of practice for a medication aide
- 1152 certified; and
- 1153 (B) consistent with professionally recognized standards; or
- 1154 (ii) the inclusion of the activity is consistent with a recommendation from the Office
- 1155 of Professional Licensure Review.
- 1156 (d) A medication aide certified may not assist a resident of a long-term care facility to
- 1157 self-administer a medication that the Department of Health and Human Services
- 1158 regulates by rule made in accordance with Title 63G, Chapter 3, Utah Administrative
- 1159 Rulemaking Act.
- 1160 (4)(a) An applicant for licensure as a licensed practical nurse shall:
- 1161 (i) submit to the division an application in a form the division approves;
- 1162 (ii) pay to the division a fee determined under Section 63J-1-504;
- 1163 (iii) have a high school diploma or the equivalent;
- 1164 (iv) have the physical and mental health to safely perform the activities described in
- 1165 Subsection (4)(b);
- 1166 (v) have completed an approved education program for practical nursing or an
- 1167 equivalent that the board approves;
- 1168 (vi) have passed the examinations the division requires by rule the division makes in
- 1169 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah
- 1170 Administrative Rulemaking Act; and
- 1171 (vii) meet with the board, if requested, to determine the applicant's qualifications for
- 1172 licensure.
- 1173 (b) A licensed practical nurse may, while under the direction of a licensed registered
- 1174 nurse, licensed physician, or other health care professional the division specifies by
- 1175 rule the division makes in accordance with Title 63G, Chapter 3, Utah Administrative
- 1176 Rulemaking Act:
- 1177 (i) contribute to the assessment of the health status of a patient;
- 1178 (ii) participate in the development and modification of the strategy of care;
- 1179 (iii) implement appropriate aspects of the strategy of care;
- 1180 (iv) maintain safe and effective nursing care rendered to a patient directly or
- 1181 indirectly;
- 1182 (v) participate in the evaluation of responses to interventions;
- 1183 (vi) perform other activities that are within the generally recognized scope of practice

- 1184 of a licensed practical nurse as the division defines by rule the division makes in  
1185 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and  
1186 (vii) engage in practice of practical nursing, as the division defines by rule the  
1187 division makes in accordance with Title 63G, Chapter 3, Utah Administrative  
1188 Rulemaking Act, that is:  
1189 (A) within the generally recognized scope and standards of practical nursing; and  
1190 (B) consistent with professionally recognized preparation and education standards  
1191 of a practical nurse.
- 1192 (c) The division may only define an activity as within the practice of practical nursing if:  
1193 (i) the activity is:  
1194 (A) within the generally recognized scope of practice for a licensed practical  
1195 nurse; and  
1196 (B) consistent with professionally recognized standards; or  
1197 (ii) the inclusion of the activity is consistent with a recommendation from the Office  
1198 of Professional Licensure Review.
- 1199 (5)(a) An applicant for licensure as a registered nurse shall:  
1200 (i) submit to the division an application form the division approves;  
1201 (ii) pay to the division a fee determined under Section 63J-1-504;  
1202 (iii) have a high school diploma or the equivalent;  
1203 (iv) have the physical and mental health to safely perform the activities described in  
1204 Subsection (5)(b);  
1205 (v) complete an approved education program for registered nursing that the division  
1206 approves;  
1207 (vi) have passed the examinations the division requires by rule the division makes in  
1208 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
1209 Administrative Rulemaking Act; and  
1210 (vii) meet with the board, if the board requests, to determine the applicant's  
1211 qualifications for licensure.
- 1212 (b) A licensed registered nurse may:  
1213 (i) assess the health status of a patient;  
1214 (ii) identify health care needs;  
1215 (iii) establish goals to meet identified health care needs;  
1216 (iv) plan a strategy of care;  
1217 (v) prescribe nursing interventions to implement the strategy of care;

- 1218 (vi) implement the strategy of care;  
1219 (vii) render safe and effective nursing care to a patient directly or indirectly;  
1220 (viii) evaluate responses to nursing interventions;  
1221 (ix) teach the theory and practice of nursing;  
1222 (x) manage and supervise the practice of nursing; and  
1223 (xi) engage in other activities that are within the practice of a licensed registered  
1224 nurse as the division defines by rule the division makes in accordance with Title  
1225 63G, Chapter 3, Utah Administrative Rulemaking Act, that is:  
1226 (A) within the generally recognized scope and standards of registered nursing; and  
1227 (B) consistent with professionally recognized preparation and education standards  
1228 of a registered nurse.
- 1229 (c) The division may only define an activity as within the practice of a licensed  
1230 registered nurse if:  
1231 (i) the activity is:  
1232 (A) within the generally recognized scope of practice for a licensed registered  
1233 nurse; and  
1234 (B) consistent with professionally recognized standards; or  
1235 (ii) the inclusion of the activity is consistent with a recommendation from the Office  
1236 of Professional Licensure Review.
- 1237 (6)(a) An applicant for licensure as a registered nurse apprentice shall:  
1238 (i) submit to the division an application form the division approves;  
1239 (ii) pay to the division a fee determined under Section 63J-1-504;  
1240 (iii) have a high school diploma or the equivalent;  
1241 (iv) have sufficient physical and mental health to safely perform the activities  
1242 described in Subsection (6)(b);  
1243 (v) as determined by an approved education program, be:  
1244 (A) in good standing with the approved education program; and  
1245 (B) in the last two semesters, quarters, or competency experiences of the program;  
1246 (vi) have written permission from the program in which the applicant is enrolled; and  
1247 (vii) meet with the board, if requested, to determine the applicant's qualifications for  
1248 licensure.
- 1249 (b) A licensed registered nurse apprentice may engage in the practice of a registered  
1250 nurse that:  
1251 (i) the division defines by rule the division makes that is:

- 1252                   (A) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
 1253                   Act;  
 1254                   (B) within the generally recognized scope and standards of registered nursing; and  
 1255                   (C) consistent with professionally recognized preparation and education standards  
 1256                   of a registered nurse; and  
 1257                   (ii) the registered nurse apprentice performs under the indirect supervision of an  
 1258                   individual licensed in accordance with:  
 1259                   (A) Subsection 58-31b-301(2)(a), (2)(b), (2)(c), or (2)(g);  
 1260                   (B) Chapter 67, Utah Medical Practice Act; or  
 1261                   (C) Chapter 68, Utah Osteopathic Medical Practice Act.

1262                   Section 15. Section **58-31b-303** is amended to read:

1263                   **58-31b-303 (Effective 05/06/26). Qualifications for licensure -- Graduates of**  
 1264                   **nonapproved nursing programs.**

1265                   An applicant for licensure as a practical nurse or registered nurse who is a graduate of a  
 1266                   nursing education program not approved by the division in collaboration with the board must  
 1267                   comply with the requirements of this section.

- 1268                   (1) An applicant for licensure as a licensed practical nurse shall:  
 1269                   (a) meet all requirements of Subsection [~~58-31b-302(2)~~] 58-31b-302(4), except  
 1270                   Subsection [~~58-31b-302(2)(e)~~] 58-31b-302(4)(v); and  
 1271                   (b) produce evidence acceptable to the division and the board that the nursing education  
 1272                   program completed by the applicant is equivalent to the minimum standards  
 1273                   established by the division in collaboration with the board for an approved licensed  
 1274                   practical nursing education program.
- 1275                   (2) An applicant for licensure as a registered nurse shall:  
 1276                   (a) meet all requirements of Subsection [~~58-31b-302(4)~~] 58-31b-302(5), except  
 1277                   Subsection [~~58-31b-302(4)(e)~~] 58-31b-302(5)(iii); and  
 1278                   (b)(i) pass the Commission on Graduates of Foreign Nursing Schools (CGFNS)  
 1279                   Examination; or  
 1280                   (ii) produce evidence acceptable to the division and the board that the applicant is  
 1281                   currently licensed as a registered nurse in one of the states, territories, or the  
 1282                   District of Columbia of the United States or in Canada and has passed the  
 1283                   NCLEX-RN examination in English.

1284                   Section 16. Section **58-31b-304** is amended to read:

1285                   **58-31b-304 (Effective 05/06/26). Qualifications for admission to the examinations.**

- 1286 (1) To be admitted to the examinations required for certification as a medication aide  
 1287 certified, an individual shall:
- 1288 (a) submit an application on a form [~~prescribed by the division~~] the division approves;
- 1289 (b) pay a fee as determined by the division under Section 63J-1-504; and
- 1290 (c) meet all requirements of Subsection [~~58-31b-302(1)~~] 58-31b-302(3)(a), except
- 1291 Subsection [~~(1)(i)~~] (3)(a)(ix).
- 1292 (2) To be admitted to the examinations required for licensure as a practical nurse, an  
 1293 individual shall:
- 1294 (a) [~~submit an application form prescribed by the division~~] submit an application on a  
 1295 form the division approves;
- 1296 (b) pay a fee as determined by the division under Section 63J-1-504; and
- 1297 (c) meet all requirements of Subsection [~~58-31b-302(2)~~] 58-31b-302(4)(a), except
- 1298 Subsection [~~(2)(f)~~] (4)(a)(vi).
- 1299 (3) To be admitted to the examinations required for licensure as a registered nurse, an  
 1300 individual shall:
- 1301 (a) [~~submit an application form prescribed by the division~~] submit an application on a  
 1302 form the division approves;
- 1303 (b) pay a fee as determined by the division under Section 63J-1-504; and
- 1304 (c) meet all the requirements of Subsection [~~58-31b-302(4)~~] 58-31b-302(5)(a), except
- 1305 Subsection[~~(4)(f)~~] (5)(a)(vi).
- 1306 Section 17. Section **58-31b-306.1** is amended to read:
- 1307 **58-31b-306.1 (Effective 05/06/26). Registered nurse apprentice license.**
- 1308 (1) The division shall issue a registered nurse apprentice license to an individual who meets  
 1309 the qualifications under Subsection [~~58-31b-302(3)~~] 58-31b-302(6).
- 1310 (2) Unless the division extends the license for a specified period of time by written  
 1311 notification provided to the individual, the license expires on the earlier of:
- 1312 (a) one year from the day on which the license is issued;
- 1313 (b) 75 days after the day on which the division receives notice from the examination  
 1314 agency that the individual failed to take or pass the examinations described in  
 1315 Subsection [~~58-31b-302(4)(f)~~] 58-31b-302(5)(a)(vi); or
- 1316 (c) the day on which the division issues the individual a license as a registered nurse.
- 1317 (3) A license described in Subsection (1) is:
- 1318 (a) valid only in Utah; and
- 1319 (b) not an eligible license under Chapter 31e, Nurse Licensure Compact - Revised.

1320 (4) The division may make rules to administer the license described in Subsection (1) in  
 1321 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

1322 Section 18. Section **58-31b-803** is amended to read:

1323 **58-31b-803 (Effective 05/06/26). Advanced practice registered nurse prescriptive**  
 1324 **authority.**

1325 (1) [~~Except as provided in-~~] Subject to Subsection (2), a licensed advanced practice  
 1326 registered nurse may prescribe or administer a prescription drug including, a Schedule II  
 1327 -V controlled substance.

1328 (2) [~~This section does not apply to an-~~] A licensed advanced practice registered nurse [  
 1329 specializing as a] - certified registered nurse anesthetist [under Subsection  
 1330 58-31b-102(1)(d).] in accordance with Subsection 58-31b-302(2) may prescribe only as  
 1331 follows:

1332 (a) up to a five-day supply of prescription drugs including, Schedule II-V controlled  
 1333 substances immediately before a procedure performed in a health care facility, as that  
 1334 term is defined in Section 26B-2-201, a private physician office, or a dental office, if:

1335 (i) the prescribed drug is not ketamine;

1336 (ii) the licensed advanced practice registered nurse - certified registered nurse  
 1337 anesthetist will participate in the procedure;

1338 (iii) the licensed advanced practice registered nurse - certified registered nurse  
 1339 anesthetist has established a patient record for the patient receiving the  
 1340 prescription; and

1341 (iv) the prescribed drug is related to the procedure; or

1342 (b) up to a five-day supply of prescription drugs including, Schedule II-V controlled  
 1343 substances immediately following a procedure performed in a health care facility, as  
 1344 that term is defined in Section 26B-2-201, a private physician office, or a dental  
 1345 office, if:

1346 (i) the prescribed drug is not ketamine;

1347 (ii) the licensed advanced practice registered nurse - certified registered nurse  
 1348 anesthetist participated in the procedure;

1349 (iii) the licensed advanced practice registered nurse - certified registered nurse  
 1350 anesthetist has established a patient record for the patient receiving the  
 1351 prescription; and

1352 (iv) the prescribed drug is related to the procedure.

1353 Section 19. Section **58-31d-102** is amended to read:

1354 **58-31d-102 (Effective 05/06/26). Division rulemaking.**

- 1355 (1) The division shall make rules in accordance with Title 63G, Chapter 3, Utah  
 1356 Administrative Rulemaking Act, to implement Section 58-31d-101.
- 1357 (2) For purposes of Section 58-31d-101, "role" as defined in Article II(17) includes an  
 1358 individual who is:
- 1359 (a) licensed to practice under [~~Subsection 58-31b-301(2)(d) or (e)~~] Subsections  
 1360 58-31b-301(2)(a) through (c); or
- 1361 (b) licensed to practice under Section 58-44a-301.
- 1362 (3) Notwithstanding any provision in Section 58-31d-101, Section 58-31d-101 does not  
 1363 supersede state law related to an individual's scope of practice under this title.
- 1364 (4) Once the compact comes into effect as described in Section 58-31d-101, Article X(1),  
 1365 the division shall provide a notice that the compact is in effect:
- 1366 (a) to an individual licensed under:
- 1367 (i) Subsection 58-31b-301(2)(d) or (e);
- 1368 (ii) Section 58-44a-301; and
- 1369 (b) to the Health and Human Services Interim Committee; and
- 1370 (c) on the division's website with information for potential applicants.

1371 Section 20. Section **58-40a-102** is amended to read:

1372 **58-40a-102 (Effective 05/06/26). Definitions.**

1373 [~~In addition to the definitions in Section 58-1-102, as~~] As used in this chapter:

- 1374 (1) "Adequate records" means legible records that contain, at a minimum:
- 1375 (a) the athletic training service plan or protocol;
- 1376 (b) an evaluation of objective findings;
- 1377 (c) the plan of care and the treatment records; [~~or~~] and
- 1378 (d) written orders.
- 1379 (2) "Athlete" means an individual[~~, referee, coach, or athletic staff member~~] who  
 1380 participates [~~in exercises, sports, or games requiring~~] in or performs an exercise, a sport,  
 1381 an occupational activity, or a game that requires physical strength, agility, flexibility,  
 1382 range of motion, speed, or stamina, and the [~~exercises, sports, or games are~~] exercise,  
 1383 sport, occupational activity, or game is of a type generally conducted in association with  
 1384 an educational institution or professional, amateur, or recreational sports club or  
 1385 organization.
- 1386 (3) "Athletic injury" means:
- 1387 (a) an injury [~~sustained by~~]an athlete sustains that affects the [~~individual's~~] athlete's

- 1388 participation or performance in [~~sports, games, recreation, or exercise~~] an exercise, a  
 1389 sport, a game, or an occupational activity; or
- 1390 (b) a condition that is within the scope of practice [~~of an athletic trainer identified by a~~  
 1391 ~~directing physician or~~] for athletic training that a licensed physician, a licensed nurse  
 1392 practitioner, a licensed physician's assistant, or a licensed physical therapist identifies  
 1393 as benefitting from an athletic training [services] service.
- 1394 (4) "Athletic trainer" means an individual who is licensed under this chapter and [~~carries~~  
 1395 ~~out the practice of~~] performs within the scope of practice for athletic training.
- 1396 (5) "Board" means the Athletic Trainers Licensing Board created in Section 58-40a-201.
- 1397 (6) [~~"Directing physician"~~] "Collaborating physician" means a licensed physician who  
 1398 works in collaboration with an athletic trainer and is:
- 1399 (a) a physician and surgeon licensed under Section 58-67-301[;];  
 1400 (b) an osteopathic physician and surgeon licensed under Section 58-68-301[;];  
 1401 (c) a chiropractic physician licensed under Chapter 73, Chiropractic Physician Practice  
 1402 Act[;];  
 1403 (d) a naturopathic physician licensed under Chapter 71, Naturopathic Physician Practice  
 1404 Act[;]; or  
 1405 (e) a dentist licensed under Section 58-69-301 who, within the licensee's scope of  
 1406 practice and individual competency, is responsible for the athletic training services  
 1407 provided by the athletic trainer and oversees the practice of athletic training by the  
 1408 athletic trainer, as [~~established by board rule~~] the board requires by rule made in  
 1409 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 1410 (7) "Collaboration" means the consultation, correspondence, direction by order, or referral  
 1411 between a licensed athletic trainer and a collaborating physician working within the  
 1412 collaborating physician's scope of practice and individual competency.
- 1413 [(7)] (8) [~~The "practice of athletic training" means the application by a licensed and certified~~  
 1414 ~~athletic trainer~~] [~~of principles and methods of~~] "Practice of athletic training" means a  
 1415 licensed athletic trainer applying principles and methods of:
- 1416 (a) prevention of athletic injuries;  
 1417 (b) recognition, evaluation, and assessment of athletic injuries and conditions;  
 1418 (c) immediate care of athletic injuries, including common emergency medical situations;  
 1419 (d) rehabilitation and reconditioning of athletic injuries;  
 1420 (e) athletic training services administration and organization; and  
 1421 (f) education of athletes.

1422 Section 21. Section **58-40a-201** is amended to read:

1423 **58-40a-201 (Effective 05/06/26). Board composition -- Duties and responsibilities.**

1424 (1) There is created the Athletic Trainers Licensing Board consisting of:

1425 (a) four licensed athletic trainers[;] ;

1426 (b) one member representative of the [~~directing~~] collaborating physicians referred to in  
1427 Subsection 58-40a-102(6)[;] ; and

1428 (c) one member of the general public who has never been authorized to practice a  
1429 healing art and never had a substantial personal, business, professional, or pecuniary  
1430 connection with a healing art or with a medical education or health care facility,  
1431 except as a client or potential client.

1432 (2) The board shall be appointed and serve in accordance with Section 58-1-201.

1433 (3) The board shall carry out the duties and responsibilities in Sections 58-1-202 and  
1434 58-1-203[;] and shall designate one of [its] the board's members on a permanent or  
1435 rotating basis to:

1436 (a) assist the division in reviewing complaints concerning the unlawful or unprofessional  
1437 conduct of a licensee under this chapter; and

1438 (b) advise the division [~~of its~~] in the division's investigation of these complaints.

1439 (4) A board member who has, under Subsection (3), reviewed a complaint or advised in [its]  
1440 the complaint's investigation may be disqualified from participating with the board when  
1441 the board serves as a presiding officer in an adjudicative proceeding concerning the  
1442 complaint.

1443 Section 22. Section **58-40a-302** is amended to read:

1444 **58-40a-302 (Effective 05/06/26). Qualifications for licensure.**

1445 The division shall issue a license to practice as an athletic trainer to an applicant who:

1446 (1) has obtained a bachelor's or advanced degree from an accredited four-year college or  
1447 university and meets the minimum athletic training curriculum requirement established  
1448 by the board by rule;

1449 (2) has successfully completed the certification examination administered by the Board of  
1450 Certification Inc. or equivalent examination approved or recognized by the board;

1451 (3)(a) is in good standing with and provides documentation of current certification by  
1452 the Board of Certification Inc. or a nationally recognized credentialing agency [  
1453 ~~approved by the board~~] that the board approves; and

1454 (b) provides documentation of emergency cardiac care certification that includes the  
1455 following:

- 1456            (i) adult and pediatric cardiopulmonary resuscitation;  
 1457            (ii) airway obstruction;  
 1458            (iii) second rescuer cardiopulmonary resuscitation;  
 1459            (iv) automated external defibrillator;  
 1460            (v) barrier devices; and  
 1461            (vi) in-person or virtual demonstration of skills;  
 1462            (4) submits an application to the division on a form prescribed by the division; and  
 1463            (5) pays the required licensing fee as determined by the department under Section 63J-1-504.

1464            Section 23. Section **58-40a-303** is amended to read:

1465            **58-40a-303 (Effective 05/06/26). Scope of practice.**

1466            (1) An athletic trainer may:

1467            [(+)] (a) prevent injuries by:

1468            [(a)] (i) designing and implementing physical conditioning programs, which may  
 1469            include:

1470            [(+)] (A) strength and range of motion testing;

1471            [(+)] (B) nutritional advisement; and

1472            [(+)] (C) psychosocial intervention and referral;

1473            [(b)] (ii) performing preparticipation screening;

1474            [(e)] (iii) fitting protective equipment;

1475            [(d)] (iv) designing and constructing protective products; and

1476            [(e)] (v) continuously monitoring changes in the environment;

1477            [(2)] (b) recognize and evaluate injuries by:

1478            [(a)] (i) obtaining a history of the injury;

1479            [(b)] (ii) inspecting an injured body part and associated structures;

1480            [(e)] (iii) palpating bony landmarks and soft tissue structures; and

1481            [(d)] (iv) performing clinical tests to determine the extent of an injury;

1482            [(3)] (c) provide immediate care of injuries by:

1483            [(a)] (i) initiating cardiopulmonary resuscitation;

1484            [(b)] (ii) administering basic or advanced first aid;

1485            [(e)] (iii) removing athletic equipment; and

1486            [(d)] (iv) immobilizing and transporting an injured athlete;

1487            [(4)] (d) determine whether an athlete may return to participation or, if the injury requires  
 1488            further definitive care, refer the athlete to the appropriate ~~directing~~ licensed  
 1489            physician;

1490 [(5)] (e) rehabilitate and recondition an injury by administering therapeutic exercise and  
 1491 therapeutic and physical modalities, including cryotherapy, thermotherapy, and  
 1492 intermittent compression, electrical stimulation, ultra sound, traction devices, or  
 1493 mechanical devices~~[-as directed by established, written athletic training service plans  
 1494 or protocols or upon the order of a directing physician];~~

1495 [(6)] (f) provide athletic training services administration, including:  
 1496 [(a)] (i) implementing athletic training service plans or protocols;  
 1497 [(b)] (ii) writing organizational policies and procedures;  
 1498 [(c)] (iii) complying with governmental and institutional standards; and  
 1499 [(d)] (iv) maintaining records to document services rendered; and

1500 [(7)] (g) educate athletes to facilitate physical conditioning and reconditioning by  
 1501 designing and implementing appropriate programs to minimize the risk of injury.

1502 (2) A licensed athletic trainer shall collaborate with a licensed physician when treating an  
 1503 athletic injury that:

1504 (a) is beyond the athletic trainer's scope of practice or expertise;  
 1505 (b) is a suspected head or traumatic brain injury, including a concussion; and  
 1506 (c) is unresponsive to treatment.

1507 (3) An athletic trainer shall record collaboration with a physician regarding an athlete or  
 1508 athletic injury.

1509 (4) Nothing in this section prevents a physician from employing, directing, supervising,  
 1510 establishing protocols for, or assisting an athletic trainer in performing within the scope  
 1511 of practice for athletic training consistent with the scope of practice and professional  
 1512 standards of each practitioner.

1513 Section 24. Section **58-42a-102** is amended to read:

1514 **58-42a-102 (Effective 05/06/26). Definitions.**

1515 As used in this chapter:

1516 (1) "Board" means the Physical Therapies Licensing Board created in Section 58-24b-201.

1517 (2)(a) "Individual treatment plan" means a written record ~~[composed for each client by  
 1518 the individual licensed under this chapter to engage]~~ an individual engaging in the  
 1519 practice of occupational therapy composes for each client.

1520 (b) "Individual treatment plan" includes:

1521 (i) planning and directing specific exercises and programs to improve sensory  
 1522 integration and motor functioning at the level of performance neurologically  
 1523 appropriate for the ~~[individual's]~~ client's stage of development;

- 1524 (ii) establishing a program of instruction to teach a client skills, behaviors, and  
 1525 attitudes necessary for the client's independent productive, emotional, and social  
 1526 functioning;
- 1527 (iii) analyzing, selecting, and adapting functional exercises to achieve and maintain  
 1528 the client's optimal functioning in activities of daily living and to prevent further  
 1529 disability; and
- 1530 (iv) planning and directing specific programs to evaluate and enhance a client's  
 1531 perceptual, motor, and cognitive skills.
- 1532 (3) "Occupational therapist" means an individual licensed under this chapter to practice  
 1533 occupational therapy.
- 1534 (4) "Occupational therapy aide" means an individual who is not licensed under this chapter [  
 1535 ~~but who~~] but provides supportive services under the supervision of an occupational  
 1536 therapist or occupational therapy assistant.
- 1537 (5) "Occupational therapy assistant" means an individual licensed under this chapter to  
 1538 practice occupational therapy under the supervision of an occupational therapist as  
 1539 described in Sections 58-42a-305 and 58-42a-306.
- 1540 (6)(a) "Practice of occupational therapy" means the therapeutic use of everyday life  
 1541 activities with [~~an individual~~] a client who:
- 1542 (i) [~~that~~]has or is at risk of developing an illness, injury, disease, disorder, condition,  
 1543 impairment, disability, activity limitation, or participation restriction; and
- 1544 (ii) [~~to develop or restore the individual's~~] needs assistance developing or restoring the  
 1545 ability to engage in everyday life activities by addressing physical, cognitive,  
 1546 mental wellness, psychosocial, sensory, or other aspects of the [~~individual's~~]  
 1547 client's performance.
- 1548 (b) "Practice of occupational therapy" includes:
- 1549 (i) establishing, remediating, or restoring an undeveloped or impaired skill or ability  
 1550 of [~~an individual~~] a client;
- 1551 (ii) modifying or adapting an activity or environment to enhance [~~an individual's~~] a  
 1552 client's performance;
- 1553 (iii) maintaining and improving [~~an individual's~~] a client's capabilities to avoid  
 1554 declining performance in everyday life activities;
- 1555 (iv) promoting health and wellness to develop or improve [~~an individual's~~] a client's  
 1556 performance in everyday life activities;
- 1557 (v) performance-barrier prevention for [~~an individual~~] a client, including [~~disability~~

- 1558 ~~prevention]~~ preventing a disability;
- 1559 (vi) evaluating factors that affect ~~[an individual's]~~ a client's activities of daily living in
- 1560 educational, work, play, leisure, and social situations, including:
- 1561 (A) body functions and structures;
- 1562 (B) habits, routines, roles, and behavioral patterns;
- 1563 (C) cultural, physical, environmental, social, virtual, and spiritual contexts and
- 1564 activity demands that affect performance; and
- 1565 (D) motor, process, communication, interaction, and other performance skills;
- 1566 (vii) providing interventions and procedures to promote or enhance ~~[an individual's]~~ a
- 1567 client's safety and performance in activities of daily living in educational, work,
- 1568 and social situations, including:
- 1569 (A) ~~[the therapeutic use of]~~ using therapeutic occupations and exercises;
- 1570 (B) training in self-care, self-management, home-management, and community
- 1571 and work reintegration;
- 1572 (C) ~~[the development, remediation, or compensation of]~~ developing, remediating,
- 1573 or compensating behavioral skills and physical, cognitive, neuromuscular, and
- 1574 sensory functions;
- 1575 (D) ~~[the education]~~ educating and training of ~~[an individual's]~~ a client's family
- 1576 members and caregivers;
- 1577 (E) ~~[care coordination]~~ coordinating care, case management, and transition
- 1578 services;
- 1579 (F) providing a consulting ~~[services to groups, programs, organizations, or~~
- 1580 ~~communities;]~~ service to a group, a program, an organization, or a community;
- 1581 (G) modifying the environment and adapting ~~[processes]~~ a process, including the
- 1582 application of ergonomic principles;
- 1583 (H) assessing, designing, fabricating, applying, fitting, and providing training in
- 1584 assistive technology, adaptive devices, orthotic devices, and prosthetic devices;
- 1585 (I) prescribing durable medical equipment or an adaptive device to a patient with
- 1586 or without requesting a prescription from a licensed physician;
- 1587 ~~(J)~~ (J) assessing, recommending, and training ~~[an individual]~~ a client in [
- 1588 techniques] a technique to enhance functional mobility, including wheelchair
- 1589 management;
- 1590 ~~(K)~~ (K) providing driver rehabilitation and community mobility;
- 1591 ~~(L)~~ (L) enhancing eating and feeding performance;

1592 ~~(L)~~ (M) applying a physical agent ~~[modalities]~~ modality, managing wound care,  
 1593 dry needling, ~~[and]~~ or using a manual therapy ~~[techniques]~~ technique to enhance [  
 1594 ~~an individual's]~~ a client's performance skills, if the occupational therapist has  
 1595 received the necessary training as ~~[determined by]~~ the division determines by  
 1596 rule made in collaboration with the board and in accordance with Title 63G,  
 1597 Chapter 3, Utah Administrative Rulemaking Act; or

1598 ~~(M)~~ (N) applying dry needling to enhance ~~[an individual's]~~ a client's occupational  
 1599 performance if the occupational therapy practitioner has received the necessary  
 1600 training ~~[as determined by]~~ as the division determines by rule the division  
 1601 makes in collaboration with the board and in accordance with Title 63G,  
 1602 Chapter 3, Utah Administrative Rulemaking Act.

1603 (7) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501 and  
 1604 58-42a-501.

1605 (8) "Unprofessional conduct" means the same as that term is defined in Sections 58-1-501  
 1606 and 58-42a-502.

1607 Section 25. Section **58-42a-306** is amended to read:

1608 **58-42a-306 (Effective 05/06/26). Supervision requirements.**

1609 An occupational therapist who is supervising an occupational therapy assistant shall:

- 1610 (1) write or contribute to an individual treatment plan before referring a client to [~~a~~  
 1611 ~~supervised]~~ the occupational therapy assistant for treatment;
- 1612 (2) approve and cosign on all modifications to the individual treatment plan;
- 1613 (3) meet face to face with the ~~[supervised-]~~occupational therapy assistant as often as  
 1614 necessary but at least once every two weeks in person or by video conference, and at  
 1615 least one time every month in person, to adequately provide consultation, advice,  
 1616 training, and direction to the occupational therapy assistant;
- 1617 (4) meet with each client who has been referred to [~~a supervised]~~ the occupational therapy  
 1618 assistant at least once each month, to further assess the patient, evaluate the treatment,  
 1619 and modify the individual's treatment plan, except that if the interval of client care  
 1620 occurs one time per month or less, the occupational therapist shall meet with the client at  
 1621 least once every four visits;
- 1622 (5) ~~[supervise no more than two full-time occupational therapy assistants at one time, or~~  
 1623 ~~four part-time occupational therapy assistants if the combined work hours of the~~  
 1624 ~~assistants do not exceed 40 hours per week, unless otherwise approved by the division in~~  
 1625 ~~collaboration with the board]~~ supervise occupational therapy assistants in accordance

1626 with rules the division makes in collaboration with the board and in accordance with  
1627 Title 63G, Chapter 3, Utah Administrative Rulemaking Act;

1628 (6) remain responsible for client treatment provided by the occupational therapy assistant;  
1629 and

1630 (7) fulfill any other supervisory responsibilities as determined by division rule.

1631 Section 26. Section **58-42a-307** is amended to read:

1632 **58-42a-307 (Effective 05/06/26). Dry needling -- Experience required --**

1633 **Registration.**

1634 (1) An occupational therapist may practice [~~trigger point~~]dry needling if the occupational  
1635 therapist:

1636 (a) has a valid license to practice occupational therapy under this chapter;

1637 (b) has successfully completed a course in [~~trigger point~~]dry needling that is:

1638 (i) approved by the division; and

1639 (ii) at least 304 total course hours, including a minimum of:

1640 (A) 54 hours of in-person instruction; and

1641 (B) 250 supervised patient treatment hours;

1642 (c) files a certificate of completion of the course described in Subsection (1)(b) with the  
1643 division;

1644 (d) registers with the division as a [~~trigger point~~]dry needling practitioner; and

1645 (e) meets any other requirement to practice [~~trigger point~~]dry needling established by  
1646 the division.

1647 (2) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah  
1648 Administrative Rulemaking Act, that establish:

1649 (a) the criteria for approving a course described in Subsection (1)(b); and

1650 (b) the requirements described in Subsection (1)(e).

1651 (3) The division may charge, in accordance with Section 63J-1-504, a fee for the  
1652 registration described in Subsection (1)(d).

1653 Section 27. Section **58-44a-302** is amended to read:

1654 **58-44a-302 (Effective 05/06/26). Qualifications for licensure.**

1655 (1) An applicant for licensure as a nurse midwife shall:

1656 (a) submit an application in a form the division approves;

1657 (b) pay a fee as determined by the department under Section 63J-1-504;

1658 (c) at the time of application for licensure hold a license in good standing as a registered  
1659 nurse in Utah, or be at that time qualified for a license as a registered nurse under

- 1660 Title 58, Chapter 31b, Nurse Practice Act;
- 1661 (d) have completed:
- 1662 (i) a certified nurse midwifery education program accredited by the Accreditation
- 1663 Commission for Midwifery Education [~~and approved by the division~~] or another
- 1664 accrediting body the division approves by rule made in collaboration with the
- 1665 board and in accordance with Title 63G, Chapter 3, Utah Administrative
- 1666 Rulemaking Act; or
- 1667 (ii) a nurse midwifery education program located outside of the United States which
- 1668 is approved by the division and is equivalent to a program accredited by the
- 1669 Accreditation Commission for Midwifery Education, as demonstrated by a
- 1670 graduate's being accepted to sit for the national certifying examination
- 1671 administered by the Accreditation Commission for Midwifery Education or its
- 1672 designee;
- 1673 (e) have passed examinations established by the division rule in collaboration with the
- 1674 board within two years after completion of the approved education program required
- 1675 under Subsection (1)(d); and
- 1676 (f)(i) consent to, and complete, a criminal background check, described in Section
- 1677 58-1-301.5;
- 1678 (ii) meet any other standard related to the criminal background check described in
- 1679 Subsection (1)(f)(i), that the division establishes by rule in accordance with Title
- 1680 63G, Chapter 3, Utah Administrative Rulemaking Act; and
- 1681 (iii) disclose any criminal history the division requests on a form the division
- 1682 approves.
- 1683 (2) For purposes of Subsection (1)(d), as of January 1, 2010, an applicant shall have
- 1684 completed a graduate degree, including post-master's certificate, in nurse midwifery
- 1685 from the accredited education program or the accredited education program's equivalent.
- 1686 Section 28. Section **58-47b-201** is amended to read:
- 1687 **58-47b-201 (Effective 05/06/26) (Repealed 07/01/34). Board.**
- 1688 (1) There is created the Board of Massage Therapy and Acupuncture consisting of:
- 1689 (a) four massage therapists;
- 1690 (b) two [~~licensed acupuncturists as defined in Section 58-72-102~~] licensed acupuncturists
- 1691 as defined in Section 58-72-102; and
- 1692 (c) one member of the general public.
- 1693 (2) The board shall be appointed and serve in accordance with Section 58-1-201.

- 1694 (3)(a) The board shall perform the duties and responsibilities described in Sections  
1695 58-1-202 and 58-1-203 with respect to this chapter and Chapter 72, Acupuncture  
1696 Licensing Act.
- 1697 (b) In addition, the board shall designate one of [its] the board's members on a permanent  
1698 or rotating basis to:
- 1699 (i) assist the division in reviewing complaints concerning the conduct of an  
1700 individual licensed under this chapter or Chapter 72, Acupuncture Licensing Act;  
1701 and
- 1702 (ii) advise the division in [its] the division's investigation of these complaints.
- 1703 (4) A board member who has, under Subsection (3), reviewed a complaint or advised in [its]  
1704 the complaint's investigation may be disqualified from participating with the board when  
1705 the board serves as a presiding officer in an adjudicative proceeding concerning the  
1706 complaint.
- 1707 Section 29. Section **58-54-303** is amended to read:
- 1708 **58-54-303 (Effective 05/06/26). Supervision and prescription required -- Imaging**  
1709 **ordered by a licensed physical therapist.**
- 1710 [~~(1) The practice of radiologic technology by a radiologic technologist licensed under this~~  
1711 ~~chapter shall be under the general supervision of a radiologist or radiology practitioner~~  
1712 ~~and may be performed only upon the order of a radiologist or radiology practitioner~~  
1713 ~~acting within the scope of the radiologist's or radiology practitioner's license and~~  
1714 ~~experience within the scope of practice of a radiology practitioner.]~~
- 1715 (1) A radiologic technologist certified under this chapter may practice radiologic  
1716 technology only:
- 1717 (a) under the general supervision of a radiologist or radiology practitioner; and  
1718 (b) upon the order of a radiologist or radiology practitioner acting within the scope of  
1719 the radiologist's or radiology practitioner's license and experience.
- 1720 (2)(a) Notwithstanding Subsection (1), a physical therapist licensed under Chapter 24b,  
1721 Physical Therapy Practice Act, acting within the scope of the physical therapist's  
1722 license and experience may order [~~plain radiographs and magnetic resonance-~~]  
1723 imaging if:
- 1724 (i) the licensed physical therapist designates a physician to receive the results of the [  
1725 ~~plain radiographs or magnetic resonance-~~]imaging; and
- 1726 (ii) the physician designated in Subsection (2)(a)(i) agrees to receive the results of the [  
1727 ~~plain radiographs or magnetic resonance-~~]imaging.

- 1728 (b) A licensed physical therapist who orders [~~plain radiographs or magnetic resonance-~~  
 1729 imaging under Subsection (2)(a) shall:
- 1730 (i) communicate with the patient's physician to ensure coordination of care; and
- 1731 (ii) refer a patient to an appropriate provider when the findings of the imaging [~~that~~  
 1732 ~~was-~~ordered by the licensed physical therapist indicate that the needed services [~~that~~  
 1733 ~~are needed-~~]exceed the licensed physical therapist's experience [~~and~~] or scope  
 1734 of practice.
- 1735 (c) A licensed physical therapist is not subject to Subsection (2)(b)(i) if:
- 1736 (i) a radiologist has read the image and has not identified a significant finding;
- 1737 (ii) the patient does not have a primary care physician; and
- 1738 (iii) the patient was not referred to the licensed physical therapist for health care  
 1739 services by another health care provider.

1740 Section 30. Section **58-57-101**, which is renumbered from Section 58-57-2 is renumbered  
 1741 and amended to read:

1742 **[58-57-2] 58-57-101 (Effective 05/06/26). Definitions.**

1743 [~~In addition to the definitions in Section 58-1-102, as] As used in this chapter:~~

- 1744 (1) "Board" means the Respiratory Care Licensing Board created in Section [~~58-57-3]~~  
 1745 ~~58-57-102.~~
- 1746 (2)(a) "Health care facility" means [~~any~~] a facility or institution in which health care  
 1747 services are performed or furnished[~~and~~] .
- 1748 (b) "Health care facility" includes a hospital, a clinic, [~~or~~] and an emergency care center.
- 1749 (3)(a) "Limited practice of respiratory care" means the practice of respiratory care on a  
 1750 non-critical care patient.
- 1751 (b) "Limited practice of respiratory care" does not include:
- 1752 (i) invasive and noninvasive mechanical ventilation;
- 1753 (ii) arterial line placement; or
- 1754 (iii) high-risk procedures the division defines by rule the division makes in  
 1755 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
 1756 Administrative Rulemaking Act.
- 1757 (4) "Non-critical care patient" means a patient who is not receiving a service from an  
 1758 intensive care unit, an emergency department of a hospital, or an ambulance as that term  
 1759 is defined in Section 53-2d-101.
- 1760 [~~(3)~~] (5)(a) "Practice of respiratory care"[:]  
 1761 [~~(a)~~] \_means the treatment, operation of equipment, management, diagnostic testing, and

1762 care of ~~[any]~~ a human disease, deficiency, pain, injury, or other physical condition  
 1763 associated with the cardiopulmonary system under the qualified medical direction or  
 1764 supervision of a practitioner who has training and knowledge in the diagnosis,  
 1765 treatment, and assessment of respiratory problems[;] .

1766 (b) "Practice of respiratory care" includes:

- 1767 (i) accepting and carrying out a practitioner's written, verbal, or telephonic  
 1768 prescription or order specifically relating to respiratory care in a hospital or other  
 1769 health care setting and ~~[includes-]~~ in consultation with ~~[licensed nurses]~~ a licensed  
 1770 nurse, as appropriate;
- 1771 (ii) administering respiratory care during transportation of a patient and under other  
 1772 circumstances where an emergency requires immediate respiratory care;
- 1773 (iii) serving as a resource to other health care professionals and hospital  
 1774 administrators in relation to the technical aspects of, and the safe and effective  
 1775 methods for, administering respiratory care;
- 1776 (iv) functioning in situations of patient contact requiring individual judgment in  
 1777 administering respiratory care under the general supervision of a qualified  
 1778 practitioner; and
- 1779 (v) supervising, directing, or teaching personnel in the performance of respiratory  
 1780 care modalities as part of ~~[a respiratory care]~~ an approved education program~~[-and]~~  
 1781 for respiratory care.

1782 (c) "Practice of respiratory care" does not include:

- 1783 (i) ~~[a person who delivers, installs, or maintains]~~ the delivery, installation, or  
 1784 maintenance of respiratory related durable medical equipment~~[-and]~~ ; or
- 1785 (ii) ~~[who gives]~~ giving instructions regarding the use of ~~[that equipment as long as~~  
 1786 ~~that person]~~ respiratory related durable medical equipment if the individual giving  
 1787 the instruction does not perform clinical evaluation or treatment of the patient.

1788 [(4)] (6) "Practitioner" means an individual currently licensed, registered, or otherwise  
 1789 authorized by the appropriate jurisdiction to prescribe and administer drugs and order  
 1790 respiratory care in the course of professional practice.

1791 [(5) "Respiratory care practitioner" means any person licensed to practice respiratory care  
 1792 under this chapter.]

1793 [(6)] (7) "Respiratory related durable medical equipment" means:

- 1794 (a) medical grade oxygen;
- 1795 (b) equipment and supplies related to medical gases;

- 1796 (c) apnea monitors;
- 1797 (d) oximeters;
- 1798 (e) noninvasive positive pressure generators, except those with back-up respiratory rate  
1799 or when used invasively;
- 1800 (f) bilirubin lights;
- 1801 (g) suctioning equipment;
- 1802 (h) large volume nebulizers with compressors, except when used invasively in  
1803 conjunction with an artificial airway;
- 1804 (i) medication nebulizers;
- 1805 (j) enteral nutrition equipment; and
- 1806 (k) other respiratory related equipment intended for use in the home as ~~[defined by the~~  
1807 ~~division by rule]~~ the division defines by rule the division makes in accordance with  
1808 Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 1809 ~~[(7)]~~ (8) "Unlawful conduct" ~~[is defined in]~~ means the same as that term is defined in  
1810 Sections 58-1-501 and ~~[58-57-14]~~ 58-57-110.
- 1811 ~~[(8)]~~ (9)(a) "Unprofessional conduct" ~~[as defined in]~~ means the same as that term is  
1812 defined in Section 58-1-501 and as ~~[may be further defined by rule]~~ the division may  
1813 define by rule the division makes in accordance with Title 63G, Chapter 3, Utah  
1814 Administrative Rulemaking Act.
- 1815 (b) "Unprofessional conduct" includes:
- 1816 ~~[(a)]~~ (i) acting contrary to the instructions of the practitioner responsible for  
1817 supervising the licensee;
- 1818 ~~[(b)]~~ (ii) knowingly operating ~~[any]~~ respiratory care equipment that is unsafe or not in  
1819 compliance with standards of condition or operation consistent with the patient's  
1820 safety;
- 1821 ~~[(c)]~~ (iii) permitting ~~[any person]~~ an individual to operate respiratory care equipment  
1822 who is not competent or not allowed to operate the equipment;
- 1823 ~~[(d)]~~ (iv) revealing to ~~[any unauthorized person]~~ an unauthorized individual  
1824 confidential or privileged information about a patient;
- 1825 ~~[(e)]~~ (v) using ~~[any]~~ a controlled substance, unless a practitioner prescribes the  
1826 controlled substance ~~[is prescribed by a practitioner and used]~~ and the respiratory  
1827 care practitioner uses the controlled substance in accordance with the practitioner's  
1828 instructions; and
- 1829 ~~[(f)]~~ (vi) making ~~[any]~~ a statement that is incorrect due to negligence, willfulness, or

1830 intent to provide false information or entry on [any] a patient record or other  
 1831 record that is used for payment of respiratory care services.

1832 Section 31. Section **58-57-102**, which is renumbered from Section 58-57-3 is renumbered  
 1833 and amended to read:

1834 **[58-57-3] 58-57-102 (Effective 05/06/26). Board created -- Membership -- Duties.**

1835 (1) There is created a five-member Respiratory Care Licensing Board consisting of the  
 1836 following [persons] individuals:

1837 (a) one physician who is a member of either the American Society of Anesthesiologists,  
 1838 the American College of Chest Physicians, the American Thoracic Society, or the  
 1839 American Academy of Pediatrics;

1840 (b) three licensed respiratory care practitioners who have practiced respiratory care for a  
 1841 period of not less than three years immediately [~~preceeding their~~] before appointment  
 1842 to the board; and

1843 (c) one member from the general public.

1844 [~~(2) The board shall be appointed and serve in accordance with Section 58-1-201.~~]

1845 (2) The executive director shall appoint the members of the board and the members shall  
 1846 serve in accordance with Section 58-1-201.

1847 [~~(3) The duties and responsibilities of the board shall be in accordance with Sections~~  
 1848 ~~58-1-202 and 58-1-203.~~]

1849 (3) The board shall perform the board's duties and responsibilities as provided in Sections  
 1850 58-1-202 and 58-1-203.

1851 Section 32. Section **58-57-103**, which is renumbered from Section 58-57-4 is renumbered  
 1852 and amended to read:

1853 **[58-57-4] 58-57-103 (Effective 05/06/26). Qualifications for a license -- Scope of**  
 1854 **practice.**

1855 (1) [~~The division shall issue a respiratory care practitioner license to an applicant who~~  
 1856 ~~meets the requirements specified in this section.~~] The division shall issue to an individual  
 1857 who meets the requirements specified in this section a license in the classification of:

1858 (a) respiratory care practitioner; or

1859 (b) respiratory care apprentice.

1860 (2)(a) An applicant seeking licensure as a respiratory care practitioner shall:

1861 [(a) (i) [~~submit an application on a form prescribed by the division~~] submit to the  
 1862 division an application on a form the division approves;

1863 [(b) (ii) [~~pay a fee as determined by the department pursuant to Section 63J-1-504~~]

1864 pay to the division a fee determined in accordance with Section 63J-1-504;  
 1865 [(e)] (iii) ~~[possess a]~~ have a high school education or [its] the equivalent, as [  
 1866 ~~determined by the division in]~~ the division determines by rule the division makes in  
 1867 collaboration with the board and in accordance with Title 63G, Chapter 3, Utah  
 1868 Administrative Rulemaking Act;  
 1869 [(d)] (iv) ~~[have completed]~~ complete a respiratory care practitioner educational  
 1870 program that is accredited by a nationally accredited organization acceptable to  
 1871 the division as defined by rule the division makes in accordance with Title 63G,  
 1872 Chapter 3, Utah Administrative Rulemaking Act; and  
 1873 [(e)] (v) subject to Section 58-57-104, pass an examination ~~[approved by]~~ the division  
 1874 approves in collaboration with the board.

1875 (b) A respiratory care practitioner may engage in the practice of respiratory care.

1876 (3)(a) An applicant seeking licensure as a respiratory care apprentice shall:

1877 (i) submit to the division an application on a form the division approves;  
 1878 (ii) pay to the division a fee determined under Section 63J-1-504;  
 1879 (iii) have a high school education or the equivalent, as the division determines by rule  
 1880 the division makes in collaboration with the board and in accordance with Title  
 1881 63G, Chapter 3, Utah Administrative Rulemaking Act;  
 1882 (iv) submit to the division evidence that the applicant is:  
 1883 (A) in good standing with an approved education program that the division  
 1884 approves by rule the division makes in accordance with Title 63G, Chapter 3,  
 1885 Utah Administrative Rulemaking Act;  
 1886 (B) in the final year with the approved education program; and  
 1887 (C) has written permission from the education program in which the applicant is  
 1888 enrolled to apply for licensure.

1889 (b) A respiratory care apprentice may perform a service in the limited practice of  
 1890 respiratory care if the respiratory care apprentice has documented evidence of  
 1891 training for the service.

1892 (c) A respiratory care apprentice shall be under the indirect supervision of a licensed  
 1893 respiratory care practitioner when engaging in the limited practice of respiratory care.

1894 Section 33. Section **58-57-104**, which is renumbered from Section 58-57-5 is renumbered  
 1895 and amended to read:

1896 **[58-57-5] 58-57-104 (Effective 05/06/26). Licensure by endorsement.**

1897 ~~[If an applicant has completed a respiratory care practitioner education program that is~~

approved by the board and accredited by a nationally accredited organization acceptable to the division, as defined by rule, the board may recommend that the division issue a license without examination to any applicant currently licensed by another state as a respiratory care practitioner or its equivalent, if the requirements for licensing in that state are at least as stringent as the requirements under this chapter.] Licensure by endorsement shall be in accordance with Section 58-1-302.

Section 34. Section **58-57-105**, which is renumbered from Section 58-57-6 is renumbered and amended to read:

**[58-57-6] 58-57-105 (Effective 05/06/26). Term of license -- Expiration -- Renewal.**

(1)(a) ~~[Each license issued under this chapter shall be issued]~~ The division shall issue a respiratory care practitioner license in accordance with a two-year renewal cycle [ established by rule] the division makes by rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(b) ~~[A] The division may extend or shorten a renewal period [may be extended or shortened]~~ by as much as one year to maintain established renewal cycles or to change [an established] a renewal cycle.

(2) ~~[Each license]~~ A respiratory care practitioner license automatically expires on the expiration date shown on the license[unless renewed by the licensee in accordance with Section 58-1-308].

(3)(a) A respiratory care apprentice license shall expire on the day of the earliest of the following events:

(i) the issuance of a respiratory care practitioner license;

(ii) the denial of a respiratory care practitioner license application; or

(iii) the termination of enrollment at an accredited respiratory care practitioner program.

(b) Notwithstanding Subsection (3)(a)(iii), a respiratory care apprentice license is valid for 60 days after the day on which a respiratory care apprentice graduates from an accredited respiratory care practitioner program.

Section 35. Section **58-57-106**, which is renumbered from Section 58-57-7 is renumbered and amended to read:

**[58-57-7] 58-57-106 (Effective 05/06/26). Exemptions from licensure.**

(1)(a) For purposes of Subsection (2)(b), "qualified" means an individual who is a registered polysomnographic technologist or a Diplomate certified by the American

- 1932 Board of Sleep Medicine.
- 1933 (b) For purposes of Subsections (2)(f) and (g), "supervision" means one of the following
- 1934 will be immediately available for consultation in person or by phone:
- 1935 (i) a practitioner;
- 1936 (ii) a respiratory therapist;
- 1937 (iii) a Diplomate of the American Board of Sleep Medicine; or
- 1938 (iv) a registered polysomnographic technologist.
- 1939 (2) In addition to the exemptions from licensure in Section 58-1-307, the following [~~persons~~]
- 1940 individuals may engage in the practice of respiratory therapy subject to the stated
- 1941 circumstances and limitations without being licensed under this chapter:
- 1942 (a) [~~any person~~] an individual who provides gratuitous care for [~~a member of his~~
- 1943 ~~immediate family~~] an immediate family member without representing [~~himself as~~] that
- 1944 the individual is a licensed respiratory care practitioner;
- 1945 (b) [~~any person~~] an individual who is a licensed or a qualified member of another health
- 1946 care profession, if this practice is consistent with the accepted standards of the
- 1947 profession and if the [~~person~~] individual does not represent [~~himself as~~] that the
- 1948 individual is a respiratory care practitioner;
- 1949 (c) [~~any person~~] an individual who serves in the Armed Forces of the United States or [
- 1950 ~~any other~~] another agency of the federal government and is [~~engaged in the~~
- 1951 ~~performance of his~~] performing official duties;
- 1952 (d) [~~any person~~] an individual who acts under a certification issued [~~pursuant to~~] in
- 1953 accordance with Title 53, Chapter 2d, Emergency Medical Services Act, while
- 1954 providing emergency medical services;
- 1955 (e) [~~any person~~] except as provided in Subsection (3), an individual who delivers,
- 1956 installs, or maintains respiratory related durable medical equipment [~~and~~] or who
- 1957 gives instructions regarding the use of that equipment [~~in accordance with~~
- 1958 ~~Subsections 58-57-2(3) and (6), except that this exemption does not include any~~
- 1959 ~~clinical evaluation or treatment of the patient~~];
- 1960 (f) [~~any person~~] an individual who [~~is working~~] works in a practitioner's office, acting
- 1961 under supervision; and
- 1962 (g) a polysomnographic technician or trainee, acting under supervision, as long as the
- 1963 technician or trainee administers the following only in a sleep lab, sleep center, or
- 1964 sleep facility:
- 1965 (i) oxygen titration; and

1966 (ii) positive airway pressure that does not include mechanical ventilation.

1967 (3) Subsection (2)(e) does not allow an individual to engage in clinical evaluation or  
 1968 treatment of a patient.

1969 [(3)] (4) Nothing in this chapter permits a respiratory care practitioner to engage in the  
 1970 unauthorized practice of other health disciplines.

1971 Section 36. Section **58-57-107**, which is renumbered from Section 58-57-8 is renumbered  
 1972 and amended to read:

1973 **[58-57-8] 58-57-107 (Effective 05/06/26). Grounds for denial of license --**  
 1974 **Disciplinary proceedings.**

1975 [~~Grounds for refusal to issue a license to an applicant, for refusal to renew the~~  
 -1976 ~~license of a licensee, to revoke, suspend, restrict, or place on probation the license of a~~  
 -1977 ~~licensee, to issue a public or private reprimand to a licensee, and to issue cease and desist~~  
 -1978 ~~orders shall be in accordance with Section 58-1-401.]~~

1979 (1) The division may:

1980 (a) refuse to issue a license to an applicant;

1981 (b) refuse to renew a license;

1982 (c) revoke, suspend, restrict, or place a license on probation;

1983 (d) issue a public or private reprimand to a licensee; or

1984 (e) issue a cease and desist order.

1985 (2) The division shall perform an act listed in Subsection (1) in accordance with Section  
 1986 58-1-401.

1987 Section 37. Section **58-57-108**, which is renumbered from Section 58-57-10 is renumbered  
 1988 and amended to read:

1989 **[58-57-10] 58-57-108 (Effective 05/06/26). Use of title or designation.**

1990 (1) Only a respiratory care practitioner may use the following titles or designations[~~in this~~  
 1991 state]:

1992 (a) respiratory care practitioner;

1993 (b) respiratory therapist; or

1994 (c) respiratory technician.

1995 (2) Only a respiratory care apprentice may use the following titles or designations:

1996 (a) respiratory care apprentice; or

1997 (b) respiratory therapy apprentice.

1998 [(2)] (3) ~~[Any person]~~ An individual who violates this section is guilty of a class A  
 1999 misdemeanor.

2000 Section 38. Section **58-57-109**, which is renumbered from Section 58-57-12 is renumbered  
2001 and amended to read:

2002 **[58-57-12] 58-57-109 (Effective 05/06/26). Independent practice prohibited.**

2003 A respiratory care practitioner may not:

- 2004 (1) practice independently of a practitioner or of a health care facility while under the  
2005 supervision of a practitioner; or  
2006 (2) charge a fee~~[for his services]~~ independently of a practitioner or health care facility.

2007 Section 39. Section **58-57-110**, which is renumbered from Section 58-57-14 is renumbered  
2008 and amended to read:

2009 **[58-57-14] 58-57-110 (Effective 05/06/26). Unlawful conduct -- Penalty.**

2010 (1) ~~[Beginning January 1, 2007, "unlawful]~~ As used in this section, "unlawful conduct"  
2011 includes:

2012 (a) using the following titles~~[, names,]~~ or initials~~[,]~~ for the following titles if the user is  
2013 not properly licensed~~[under this chapter]:~~

2014 (i) respiratory care practitioner;

2015 (ii) respiratory therapist;~~[and]~~

2016 (iii) respiratory technician;~~[and]~~

2017 (iv) respiratory care apprentice; and

2018 (v) respiratory therapy apprentice; and

2019 (b) using ~~[any other]~~ a name, title, or initials that would cause a reasonable person to  
2020 believe the user is licensed under this chapter if the user is not properly licensed  
2021 under this chapter.

2022 (2) ~~[Any person who]~~ A person that violates ~~[the unlawful conduct provision specifically~~  
2023 ~~defined in ]~~Subsection 58-1-501(1)(a) is guilty of a third degree felony.

2024 ~~[(3) Any person who violates any of the unlawful conduct provisions specifically defined in~~  
2025 ~~Subsections 58-1-501(1)(b) through (f) and Subsection (1) of this section is guilty of a~~  
2026 ~~class A misdemeanor.]~~

2027 ~~[(4) After a proceeding pursuant to Title 63G, Chapter 4, Administrative Procedures Act,~~  
2028 ~~and Title 58, Chapter 1, Division of Professional Licensing Act, the division may assess~~  
2029 ~~administrative penalties for acts of unprofessional or unlawful conduct or any other~~  
2030 ~~appropriate administrative action.]~~

2031 Section 40. Section **58-70a-302** is amended to read:

2032 **58-70a-302 (Effective 05/06/26). Qualifications for licensure.**

2033 Each applicant for licensure as a physician assistant shall:

- 2034 (1) submit an application in a form the division approves;
- 2035 (2) pay a fee determined by the department under Section 63J-1-504;
- 2036 (3) have successfully completed a physician assistant program accredited by:
- 2037 (a) the Accreditation Review Commission on Education for the Physician Assistant; or
- 2038 (b) another accrediting body the division approves by rule made in collaboration with
- 2039 the board and in accordance with Title 63G, Chapter 3, Utah Administrative
- 2040 Rulemaking Act;
- 2041 [~~(b) if before January 1, 2001, either the:~~]
- 2042 [~~(i) Committee on Accreditation of Allied Health Education Programs; or]~~
- 2043 [~~(ii) Committee on Allied Health Education and Accreditation;]~~
- 2044 (4) have passed the licensing examinations required by division rule made in collaboration
- 2045 with the board;
- 2046 (5) meet with the board and representatives of the division, if requested, for the purpose of
- 2047 evaluating the applicant's qualifications for licensure; and
- 2048 (6)(a) consent to, and complete, a criminal background check, described in Section
- 2049 58-1-301.5;
- 2050 (b) meet any other standard related to the criminal background check described in
- 2051 Subsection (6)(a), that the division establishes by rule in accordance with Title 63G,
- 2052 Chapter 3, Utah Administrative Rulemaking Act; and
- 2053 (c) disclose any criminal history the division requests on a form the division provides.
- 2054 Section 41. Section **58-70a-307** is amended to read:
- 2055 **58-70a-307 (Effective 05/06/26). Collaboration requirements -- Clinical practice**
- 2056 **experience -- Requirements for independent practice in a new specialty.**
- 2057 (1) As used in this section, "collaboration" means the interaction and relationship that a
- 2058 physician assistant has with [~~one or more physicians~~] a physician in which:
- 2059 (a) the physician assistant and physician are cognizant of the physician assistant's
- 2060 qualifications and limitations in caring for [~~patients~~] a patient;
- 2061 (b) the physician assistant, while responsible for care that the physician assistant
- 2062 provides, consults with the physician [~~or physicians~~] regarding patient care; and
- 2063 (c) the physician [~~or physicians give~~] gives direction and guidance to the physician
- 2064 assistant.
- 2065 (2) A physician assistant with less than [~~40,000~~] 8,500 hours of post-graduate clinical
- 2066 practice experience shall:
- 2067 (a) practice under written policies and procedures established at a practice level that:

- 2068 (i) describe how collaboration will occur in accordance with this section and  
 2069 Subsections 58-70a-501(2) and (3); and
- 2070 (ii) describe methods for evaluating the physician assistant's competency, knowledge,  
 2071 and skills;
- 2072 (b) provide a copy of the written policies and procedures and documentation of  
 2073 compliance with this Subsection (2) to the board upon the board's request; and
- 2074 (c) except as provided in Subsection 58-70a-501.1(4)(d) for a physician assistant  
 2075 specializing in mental health care, engage in collaboration with a physician for the  
 2076 first 4,000 hours of the physician assistant's post-graduate clinical practice experience.
- 2077 (3)(a) Except as provided in Subsection 58-70a-501.1(4)(d) for a physician assistant  
 2078 specializing in mental health care, a physician assistant who has more than 4,000  
 2079 hours of practice experience and less than [~~40,000~~] 8,500 hours of practice experience  
 2080 shall enter into a written collaborative agreement with:
- 2081 (i) a physician; or
- 2082 (ii) a licensed physician assistant with more than [~~40,000~~] 8,500 hours of practice  
 2083 experience in the same specialty as the physician assistant.
- 2084 (b) The collaborative agreement described in Subsection (3)(a) shall:
- 2085 (i) describe how collaboration under this section and Subsections 58-70a-501(2) and  
 2086 (3) will occur;
- 2087 (ii) be kept on file at the physician assistant's practice location; and
- 2088 (iii) be provided by the physician assistant to the board upon the board's request.
- 2089 (4) A physician assistant who wishes to change specialties to another specialty in which the [  
 2090 ~~PA~~] physician assistant has less than 4,000 hours of experience shall engage in  
 2091 collaboration for a minimum of 4,000 hours with a physician who is trained and  
 2092 experienced in the specialty to which the physician assistant is changing.
- 2093 Section 42. Section **58-70a-501** is amended to read:
- 2094 **58-70a-501 (Effective 05/06/26). Scope of practice.**
- 2095 (1)(a) A physician assistant may provide any medical services that are not specifically  
 2096 prohibited under this chapter or rules adopted under this chapter, and that are within  
 2097 the physician assistant's skills and scope of competence.
- 2098 (b) Notwithstanding Sections 58-67-805 and 58-68-805, authorization to provide  
 2099 medical services under Subsection (1) includes performing minor surgical procedures.
- 2100 (2) A physician assistant shall consult, collaborate with, and refer to appropriate members  
 2101 of the health care team:

- 2102 (a) as indicated by the patient's condition;
- 2103 (b) based on the physician assistant's education, experience, and competencies;
- 2104 (c) the applicable standard of care; and
- 2105 (d) if applicable, in accordance with the requirements described in Section 58-70a-307.
- 2106 (3) Subject to Section 58-70a-307, the degree of collaboration under Subsection (2):
- 2107 (a) shall be determined at the physician assistant's practice, including decisions made by
- 2108 the physician assistant's:
- 2109 (i) employer;
- 2110 (ii) group;
- 2111 (iii) hospital service; or
- 2112 (iv) health care facility credentialing and privileging system; and
- 2113 (b) may also be determined by a managed care organization with whom the physician
- 2114 assistant is a network provider.
- 2115 (4) A physician assistant may only provide health\_care services:
- 2116 (a) for which the physician assistant has been trained and credentialed, privileged, or
- 2117 authorized to perform; and
- 2118 (b) that are within the physician assistant's practice specialty.
- 2119 (5) A physician assistant may authenticate through a signature, certification, stamp,
- 2120 verification, affidavit, or endorsement any document that may be authenticated by a
- 2121 physician and that is within the physician assistant's scope of practice.
- 2122 (6) A physician assistant is responsible for the care that the physician assistant provides.
- 2123 (7)(a) As used in this Subsection (7):
- 2124 (i) "ALS/ACLS certification" means a certification:
- 2125 (A) in advanced life support by the American Red Cross;
- 2126 (B) in advanced cardiac life support by the American Heart Association; or
- 2127 (C) that is equivalent to a certification described in Subsection (7)(a)(i)(A) or (B).
- 2128 (ii) "Minimal sedation anxiolysis" means creating a drug induced state:
- 2129 (A) during which a patient responds normally to verbal commands;
- 2130 (B) which may impair cognitive function and physical coordination; and
- 2131 (C) which does not affect airway, reflexes, or ventilatory and cardiovascular
- 2132 function.
- 2133 (b) Except as provided in Subsections [(e)] (7)(c) through (e), a physician assistant may
- 2134 not administer general anesthetics.
- 2135 (c) A physician assistant may perform minimal sedation anxiolysis if the procedure is

- 2136 within the physician assistant's scope of practice.
- 2137 (d) A physician assistant may perform rapid sequence induction for intubation of a  
2138 patient if:
- 2139 (i) the procedure is within the physician assistant's scope of practice;
- 2140 (ii) the physician assistant holds a valid ALS/ACLS certification and is credentialed  
2141 and privileged at the hospital where the procedure is performed; and
- 2142 (iii)(A) a qualified physician is not available and able to perform the procedure; or  
2143 (B) the procedure is performed by the physician assistant under supervision of or  
2144 delegation by a physician.
- 2145 (e) Subsection (7)(b) does not apply to anesthetics administered by a physician assistant:
- 2146 (i) in an intensive care unit of a hospital;
- 2147 (ii) for the purpose of enabling a patient to tolerate ventilator support or intubation;  
2148 and
- 2149 (iii) under supervision of or delegation by a physician whose usual scope of practice  
2150 includes the procedure.
- 2151 (8)(a) A physician assistant may prescribe or administer an appropriate controlled  
2152 substance that is within the physician assistant's scope of practice if the physician  
2153 assistant holds a Utah controlled substance license and a [DEA] Drug Enforcement  
2154 Administration registration.
- 2155 (b) A physician assistant may prescribe, order, administer, and procure a drug or medical  
2156 device that is within the physician assistant's scope of practice.
- 2157 (c) A physician assistant may dispense a drug if dispensing the drug:
- 2158 (i) is permitted under Title 58, Chapter 17b, Pharmacy Practice Act; and  
2159 (ii) is within the physician assistant's scope of practice.
- 2160 (9) A physician assistant may not perform or induce an abortion in violation of the  
2161 requirements of Section 76-7-302 or Section 76-7a-201, regardless of whether the  
2162 physician assistant is found guilty of a crime in connection with the violation.
- 2163 (10) A physician assistant practicing independently may only perform or provide a health  
2164 care service that:
- 2165 (a) is appropriate to perform or provide outside of a health care facility; and  
2166 (b) the physician assistant has been trained and credentialed or authorized to provide or  
2167 perform independently without physician supervision.
- 2168 (11) A physician assistant, while practicing as a physician assistant:
- 2169 (a) shall wear an identification badge showing the physician assistant's license

- 2170 classification as a physician assistant;
- 2171 (b) shall identify themselves to a patient as a physician assistant; and
- 2172 (c) may not identify themselves to any person in connection with activities allowed
- 2173 under this chapter other than as a physician assistant or PA.

2174 Section 43. Section **58-72-102** is amended to read:

2175 **58-72-102 (Effective 05/06/26). Acupuncture licensing -- Definitions.**

2176 [~~In addition to the definitions in Section 58-1-102, as]~~ As used in this chapter:

2177 (1) "Acupuncture aide" means:

2178 (a) an individual who is not licensed under this chapter but provides a supportive service

2179 under the indirect supervision of a licensed acupuncturist who is physically present

2180 and available during the performance of a delegated supportive service; and

2181 (b)(i) an individual who holds a certification in clean needle technique from the

2182 Council of Colleges of Acupuncture and Herbal Medicine;

2183 (ii) an individual who completes a course using the Council of Colleges of

2184 Acupuncture and Herbal Medicine clean needle technique that the division

2185 approves by rule; or

2186 (iii) meets the qualifications the division makes by rule.

2187 (2) "Board" means the Board of Massage Therapy and Acupuncture created in Section

2188 58-47b-201.

2189 [~~(2)~~] (3)(a) "Injection therapy" means the use of a hypodermic needle, by a licensed

2190 acupuncturist [~~who has obtained a clean needle technique certificate from the~~

2191 National Commission for the Certification of Acupuncture and Oriental Medicine

2192 (NCCAOM);] who satisfies the coursework and supervised experience requirements

2193 that the division makes by rule to inject any of the following sterile substances in

2194 liquid form into acupuncture points on the body subcutaneously or intramuscularly:

2195 (i) a nutritional substance;

2196 (ii) a local anesthetic;

2197 (iii) autologous blood, if the licensee holds a current phlebotomy certification to draw

2198 blood;

2199 (iv) sterile water;

2200 (v) dextrose;

2201 (vi) sodium bicarbonate;[~~and~~]

2202 (vii) sterile saline[:] ; and

2203 (viii) other substances as defined by the division in rule.

- 2204 (b) "Injection therapy" includes using ultrasound guidance to ensure that an injection is  
 2205 only a subcutaneous injection or an intramuscular injection.
- 2206 (c) "Injection therapy" does not include injecting a substance into a vein, [~~joint,~~]artery,  
 2207 blood vessel, nerve, [~~tendon,~~]deep organ, or the spine.
- 2208 [~~(d) "Injection therapy" may not be performed on a pregnant woman or a child under the~~  
 2209 ~~age of eight.]~~
- 2210 [~~(3) "Licensed acupuncturist," designated as "L.Ac.," means a person who has been~~  
 2211 ~~licensed under this chapter to practice acupuncture.]~~
- 2212 (4) "Moxibustion" means a heat therapy that uses the herb moxa to heat acupuncture points  
 2213 of the body.
- 2214 (5)(a) "Practice of acupuncture" means the insertion of acupuncture needles, the use of  
 2215 injection therapy, and the application of moxibustion to specific areas of the body  
 2216 based on traditional oriental medical diagnosis and modern research as a primary  
 2217 mode of therapy.
- 2218 (b) [~~Adjunctive therapies within the scope of the practice]~~ "Practice of acupuncture" may  
 2219 include the following adjunctive therapies:
- 2220 (i) applying manual, mechanical, thermal, electrical, light, and electromagnetic  
 2221 treatments based on traditional oriental medical diagnosis and modern research;
- 2222 (ii) [~~the recommendation, administration, or provision of]~~ recommending,  
 2223 administering, or provisioning dietary guidelines, herbs, supplements,  
 2224 homeopathics, and therapeutic exercise based on traditional oriental medical  
 2225 diagnosis and modern research according to practitioner training; [~~and]~~
- 2226 (iii) [~~the practice]~~ performing a practice described in Subsections (5)(a) and [~~(b)~~] (5)(b)  
 2227 on an animal to the extent permitted by:
- 2228 (A) Subsection 58-28-307(12);
- 2229 (B) the provisions of this chapter; and
- 2230 (C) division rule[-] ; and
- 2231 (iv) delegating a task to an acupuncture aide and supervising the performance of the  
 2232 task.
- 2233 (c) "Practice of acupuncture" does not include:
- 2234 (i) the manual manipulation or adjustment of the joints of the body beyond the elastic  
 2235 barrier; or
- 2236 (ii) the "manipulation of the articulation of the spinal column" as defined in Section  
 2237 58-73-102.

2238 (6)(a) "Supportive services" means the acts that the division defines in rule for which the  
 2239 acupuncture aide is trained.

2240 (b) "Supportive services" does not include providing:

2241 (i) a diagnosis;

2242 (ii) point location;

2243 (iii) needle insertion;

2244 (iv) electrical stimulation;

2245 (v) advice to a patient; or

2246 (vi) a procedure requiring a similar degree of judgment or skill, or an additional act  
 2247 the department defines by rule.

2248 [~~(6)~~] (7) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-72-503, and as [  
 2249 ~~may be further defined by division]~~ the division may define by rule.

2250 Section 44. Section **58-72-302** is amended to read:

2251 **58-72-302 (Effective 05/06/26). Qualifications for licensure.**

2252 An applicant for licensure as [~~a licensed~~] an acupuncturist shall:

2253 (1) [~~submit an application in a form prescribed by the division]~~ submit an application to the  
 2254 division on a form the division approves;

2255 (2) [~~pay a fee determined by the department under Section 63J-1-504]~~ pay a fee to the  
 2256 division as determined under Section 63J-1-504;

2257 (3) meet the requirements for current active certification in acupuncture under guidelines [  
 2258 ~~established by the National Commission for the Certification of Acupuncture and~~  
 2259 ~~Oriental Medicine (NCCAOM)] the National Certification Board for Acupuncture and  
 2260 Herbal Medicine establishes as demonstrated through a current certificate or other  
 2261 appropriate documentation;~~

2262 (4) pass the examination [~~required by the division]~~ the division requires by rule;

2263 (5) establish procedures, as [~~defined]~~ the division defines by rule, which shall enable  
 2264 patients to give informed consent to treatment; and

2265 (6) meet with the board, if requested, for the purpose of evaluating the applicant's  
 2266 qualifications for licensure.

2267 Section 45. Section **58-72-501** is amended to read:

2268 **58-72-501 (Effective 05/06/26). Acupuncture licensee -- Restriction on titles used.**

2269 (1)(a) [~~A person practicing as a]~~ A licensed acupuncturist may not display or [~~in any way~~  
 2270 ~~use any]~~ use a title, [words] a word, or an insignia in conjunction with the [~~person's~~  
 2271 licensed acupuncturist's name or practice except [~~the words-~~]"licensed acupuncturist"

- 2272 or "L.Ac."[-]
- 2273 (b) Only an acupuncturist licensed under this chapter may use the title "licensed
- 2274 acupuncturist" or "L.Ac."
- 2275 [(b)] (c) When used in conjunction with the [person's] licensed acupuncturist's practice,
- 2276 the term "licensed acupuncturist" or "L.Ac." shall be displayed next to the name of
- 2277 the licensed acupuncturist.
- 2278 (2)(a) A licensed acupuncturist may not use the term "physician," "physician or
- 2279 surgeon," or "doctor" in conjunction with the acupuncturist's name or practice.
- 2280 (b) A licensed acupuncturist may use the terms "Doctor of acupuncture["], "Doctor of
- 2281 Oriental Medicine," "Doctor of Acupuncture and Oriental Medicine," "D.O.M.,"
- 2282 "D.A.O.M.," or "oriental medical doctor" [may be used]if the term is commensurate
- 2283 with the degree in acupuncture [received by the practitioner] the practitioner holds.
- 2284 (3)(a) [~~Medical doctors or chiropractic physicians who choose to practice acupuncture~~
- 2285 ~~shall represent themselves as medical doctors or chiropractic physicians practicing~~
- 2286 ~~acupuncture and not as licensed acupuncturists.] A medical doctor or a chiropractic~~
- 2287 physician who chooses to practice acupuncture shall provide acupuncture as a
- 2288 medical doctor or chiropractic physician practicing acupuncture.
- 2289 (b) A medical doctor or a chiropractic physician who chooses to practice acupuncture
- 2290 may not represent that the medical doctor or a chiropractic physician is a licensed
- 2291 acupuncturist.
- 2292 Section 46. Section **58-72-701** is amended to read:
- 2293 **58-72-701 (Effective 05/06/26). Procurement and administration authority.**
- 2294 (1)(a) A licensee who has received the necessary training, the division requires by rule
- 2295 the division makes in accordance with Title 63G, Chapter 3, Utah Administrative
- 2296 Rulemaking Act, to practice injection therapy[-, including having obtained a clean
- 2297 needle technique certificate from the National Commission for the Certification of
- 2298 Acupuncture and Oriental Medicine (NCCAOM):] as defined in Section 58-72-102:
- 2299 [(a)] (i) has authority to procure and administer prescriptive substances described in
- 2300 Subsections [~~58-72-102(2)(a) and (b)] 58-72-102(3)(a) and (b) for in-office~~
- 2301 administration only; and
- 2302 [(b)] (ii) may obtain substances described in Subsection [~~58-72-102(2)]~~
- 2303 58-72-102(3)(a) from a registered prescription drug outlet, registered
- 2304 manufacturer, or registered wholesaler.
- 2305 (b) A licensee who has received the necessary training to practice injection therapy as

2306 defined in Section 58-72-102, may not perform injection therapy on a pregnant  
2307 woman or a child under eight years old.

2308 (2) An entity that provides any substance to a licensee in accordance with this chapter, and  
2309 relies in good faith on license information provided by the licensee, is not liable for  
2310 providing the substance.

2311 Section 47. Section **58-88-201** is amended to read:

2312 **58-88-201 (Effective 05/06/26). Definitions.**

2313 As used in this part:

2314 (1)(a) "Dispense" means the delivery by a prescriber of a prescription drug or device to a  
2315 patient, including the packaging, labeling, and security necessary to prepare and  
2316 safeguard the drug or device for supplying to a patient.

2317 (b) "Dispense" does not include:

2318 (i) prescribing or administering a drug or device; or

2319 (ii) delivering to a patient a sample packaged for individual use by a licensed  
2320 manufacturer or re-packager of a drug or device.

2321 (2) "Dispensing practitioner" means an individual who:

2322 (a) is currently licensed as:

2323 (i) a physician and surgeon under Chapter 67, Utah Medical Practice Act;

2324 (ii) an osteopathic physician and surgeon under Chapter 68, Utah Osteopathic  
2325 Medical Practice Act;

2326 (iii) an advanced practice registered nurse under [~~Subsection 58-31b-301(2)(d)~~]  
2327 Subsections 58-31b-301(2)(a) through (b);

2328 (iv) a physician assistant under Chapter 70a, Utah Physician Assistant Act; or

2329 (v) a dentist under Chapter 69, Dentist and Dental Hygienist Practice Act;

2330 (b) is authorized by state law to prescribe and administer drugs in the course of  
2331 professional practice; and

2332 (c) practices at a licensed dispensing practice.

2333 (3) "Drug" means the same as that term is defined in Section 58-17b-102.

2334 (4) "Health care practice" means:

2335 (a) a health care facility as defined in Section 26B-2-201; or

2336 (b) the offices of one or more private prescribers, whether for individual or group  
2337 practice.

2338 (5) "Licensed dispensing practice" means a health care practice that is licensed as a  
2339 dispensing practice under Section 58-88-202.

2340 Section 48. Section **63I-2-258** is amended to read:

2341 **63I-2-258 (Effective 05/06/26). Repeal dates: Title 58.**

2342 [Reserved]

2343 (1) Subsection 58-31b-302(2)(c), regarding a licensed advanced practice registered nurse's  
2344 authority to perform minor surgical procedures, is repealed July 1, 2028.

2345 (2) Subsection 58-70a-501(1)(b), regarding a licensed physician assistant's authority to  
2346 perform minor surgical procedures, is repealed July 1, 2028.

2347 Section 49. **Repealer.**

2348 This bill repeals:

2349 Section **58-40a-103, Duties of directing physician.**

2350 Section **58-41-1, Title of chapter.**

2351 Section **58-41-3, Scope of licenses -- Practicing without license prohibited.**

2352 Section **58-57-1, Short title.**

2353 Section **58-57-11, Provision for current practitioners.**

2354 Section **58-72-601, Acupuncture license not authorizing medical practice -- Insurance**  
2355 **payments.**

2356 Section 50. **Effective Date.**

2357 This bill takes effect on May 6, 2026.