

Nicholeen P. Peck proposes the following substitute bill:

**Opiate Information Amendments**

2026 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Nicholeen P. Peck**

Senate Sponsor:

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**LONG TITLE**

**General Description:**

This bill addresses opiate abuse prevention pamphlets.

**Highlighted Provisions:**

This bill:

▸ requires a pharmacy to provide patients with an informational pamphlet regarding opiate abuse prevention created by the Department of Health and Human Services.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26B-4-514**, as renumbered and amended by Laws of Utah 2023, Chapter 307

**58-37-7**, as last amended by Laws of Utah 2024, Chapter 381

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

Section 1. Section **26B-4-514** is amended to read:

**26B-4-514 . Opiate abuse prevention pamphlet.**

(1) [~~As funding is available, the~~] The department shall [~~produce and distribute~~] create and make available online, in conjunction with the Office of Substance Use and Mental Health, a pamphlet about opiates that includes information regarding:

- (a) the risk of dependency and addiction;
- (b) methods for proper storage and disposal;
- (c) alternative options for pain management;
- (d) the benefits of and ways to obtain naloxone; and
- (e) resources if the patient believes that the patient has a substance use disorder.

- 30 (2) The pamphlet described in Subsection (1) shall be:
- 31 (a) evaluated periodically for effectiveness at conveying necessary information and
- 32 revised accordingly;
- 33 (b) written in simple and understandable language; and
- 34 (c) available in English and other languages that the department determines to be
- 35 appropriate and necessary.

36 Section 2. Section **58-37-7** is amended to read:

37 **58-37-7 . Labeling and packaging controlled substance -- Informational**  
38 **pamphlet for opiates -- Naloxone education and offer to dispense.**

- 39 (1) A person licensed pursuant to this act may not distribute a controlled substance unless it
- 40 is packaged and labeled in compliance with the requirements of Section 305 of the
- 41 Federal Comprehensive Drug Abuse Prevention and Control Act of 1970.
- 42 (2) No person except a pharmacist for the purpose of filling a prescription shall alter,
- 43 deface, or remove any label affixed by the manufacturer.
- 44 (3) Whenever a pharmacy sells or dispenses any controlled substance on a prescription
- 45 issued by a practitioner, the pharmacy shall affix to the container in which the substance
- 46 is sold or dispensed:
- 47 (a) a label showing the:
- 48 (i) pharmacy name and address;
- 49 (ii) serial number; and
- 50 (iii) date of initial filling;
- 51 (b) the prescription number, the name of the patient, or if the patient is an animal, the
- 52 name of the owner of the animal and the species of the animal;
- 53 (c) the name of the practitioner by whom the prescription was written;
- 54 (d) any directions stated on the prescription; and
- 55 (e) any directions required by rules and regulations promulgated by the department.
- 56 (4) Whenever a pharmacy sells or dispenses a Schedule II or Schedule III controlled
- 57 substance that is an opiate, the pharmacy shall:
- 58 (a) affix a warning to the container or the lid for the container in which the substance is
- 59 sold or dispensed that contains the following text:
- 60 (i) "Caution: Opioid. Risk of overdose and addiction"; or
- 61 (ii) any other language that is approved by the Department of Health and Human
- 62 Services;
- 63 (b) beginning January 1, 2024:

- 64 (i) offer to counsel the patient or the patient's representative on the use and  
65 availability of an opiate antagonist as defined in Section 26B-4-501; and  
66 (ii) offer to dispense an opiate antagonist as defined in Section 26B-4-501 to the  
67 patient or the patient's representative, under a prescription from a practitioner or  
68 under Section 26B-4-510, if the patient:
- 69 (A) receives a single prescription for 50 morphine milligram equivalents or more  
70 per day, calculated in accordance with guidelines developed by the United  
71 States Centers for Disease Control and Prevention;
  - 72 (B) is being dispensed an opioid and the pharmacy dispensed a benzodiazepine to  
73 the patient in the previous 30 day period; or
  - 74 (C) is being dispensed a benzodiazepine and the pharmacy dispensed an opioid to  
75 the patient in the previous 30 day period.

76 (5)(a) A pharmacy who sells or dispenses a Schedule II or Schedule III controlled  
77 substance that is an opiate shall~~[-if available from the Department of Health and~~  
78 ~~Human Services,-] print and prominently display at the point of sale the informational~~  
79 pamphlet ~~[developed]~~ created by the Department of Health and Human Services  
80 under Section 26B-4-514.

81 (b) The board and the Department of Health and Human Services shall encourage  
82 pharmacies to use the informational pamphlet to engage in patient counseling  
83 regarding the risks associated with taking opiates.

84 ~~[(e) The requirement in Subsection (5)(a) does not apply to a pharmacy if the pharmacy~~  
85 ~~is unable to obtain the informational pamphlet from the Department of Health and~~  
86 ~~Human Services for any reason.]~~

87 (6) A person may not alter the face or remove any label so long as any of the original  
88 contents remain.

89 (7)(a) An individual to whom or for whose use any controlled substance has been  
90 prescribed, sold, or dispensed by a practitioner and the owner of any animal for  
91 which any controlled substance has been prescribed, sold, or dispensed by a  
92 veterinarian may lawfully possess it only in the container in which it was delivered to  
93 the individual by the person selling or dispensing it.

94 (b) It is a defense to a prosecution under this subsection that the person being prosecuted  
95 produces in court a valid prescription for the controlled substance or the original  
96 container with the label attached.

97 Section 3. **Effective Date.**

98      This bill takes effect on May 6, 2026.