

Jake Fitisemanu proposes the following substitute bill:

Traditional Healing Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jake Fitisemanu

Senate Sponsor:

LONG TITLE

General Description:

This bill addresses traditional healing

Highlighted Provisions:

This bill:

- clarifies that a traditional healing provider that is providing traditional healing services is not required to be licensed; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-1-307, as last amended by Laws of Utah 2025, Chapter 438

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

Section 1. Section **58-1-307** is amended to read:

58-1-307 . Exemptions from licensure.

(1) Except as otherwise provided by statute or rule, the following individuals may engage in the practice of their occupation or profession, subject to the stated circumstances and limitations, without being licensed under this title:

(a) an individual serving in the armed forces of the United States, the United States

Public Health Service, the United States Department of Veterans Affairs, or other federal agencies while engaged in activities regulated under this chapter as a part of employment with that federal agency if the individual holds a valid license to practice a regulated occupation or profession issued by any other state or jurisdiction

30 recognized by the division;

- (b) a student engaged in activities constituting the practice of a regulated occupation or profession while in training in a recognized school approved by the division to the extent the activities are supervised by qualified faculty, staff, or designee and the activities are a defined part of the training program;
- (c) an individual engaged in an internship, residency, preceptorship, postceptorship, fellowship, apprenticeship, or on-the-job training program approved by the division while under the supervision of qualified individuals;
- (d) an individual residing in another state and licensed to practice a regulated occupation or profession in that state, who is called in for a consultation by an individual licensed in this state, and the services provided are limited to that consultation;
- (e) an individual who is invited by a recognized school, association, society, or other body approved by the division to conduct a lecture, clinic, or demonstration of the practice of a regulated occupation or profession if the individual does not establish a place of business or regularly engage in the practice of the regulated occupation or profession in this state;
- (f) an individual licensed under the laws of this state, other than under this title, to practice or engage in an occupation or profession, while engaged in the lawful, professional, and competent practice of that occupation or profession;
- (g) an individual licensed in a health care profession in another state who performs that profession while attending to the immediate needs of a patient for a reasonable period during which the patient is being transported from outside of this state, into this state, or through this state;
- (h) an individual licensed in another state or country who is in this state temporarily to attend to the needs of an athletic team or group, except that the practitioner may only attend to the needs of the athletic team or group, including all individuals who travel with the team or group in any capacity except as a spectator;
- (i) an individual licensed and in good standing in another state, who is in this state:
 - (i) temporarily, under the invitation and control of a sponsoring entity;
 - (ii) for a reason associated with a special purpose event, based upon needs that may exceed the ability of this state to address through its licensees, as determined by the division; and
 - (iii) for a limited period of time not to exceed the duration of that event, together with any necessary preparatory and conclusionary periods;[-and]

64 (j) the spouse of an individual serving in the armed forces of the United States or the
65 spouse of a DOD civilian while the individual or DOD civilian is stationed within
66 this state, provided:
67 (i) the spouse holds a valid license to practice a regulated occupation or profession
68 issued by any other state or jurisdiction recognized by the division; and
69 (ii) the license is current and the spouse is in good standing in the state of licensure[.] ;
70 and

71 (k) a traditional healing provider engaging in the practice of traditional healing services,
72 as those terms are defined in Section 26B-3-230 and as established by rule by the
73 division, in consultation with Utah Native American tribes and indigenous
74 communities, in accordance with Title 63G, Chapter 3, Utah Administrative
75 Rulemaking Act.

76 (2)(a) A practitioner temporarily in this state who is exempted from licensure under
77 Subsection (1) shall comply with each requirement of the licensing jurisdiction from
78 which the practitioner derives authority to practice.
79 (b) Violation of a limitation imposed by this section constitutes grounds for removal of
80 exempt status, denial of license, or other disciplinary proceedings.
81 (3) An individual who is licensed under a specific chapter of this title to practice or engage
82 in an occupation or profession may engage in the lawful, professional, and competent
83 practice of that occupation or profession without additional licensure under other
84 chapters of this title, except as otherwise provided by this title.
85 (4) Upon the declaration of a national, state, or local emergency, a public health emergency
86 as defined in Section 26B-7-301, or a declaration by the president of the United States or
87 other federal official requesting public health-related activities, the division in
88 collaboration with the relevant board may:
89 (a) suspend the requirements for permanent or temporary licensure of individuals who
90 are licensed in another state for the duration of the emergency while engaged in the
91 scope of practice for which they are licensed in the other state;
92 (b) modify, under the circumstances described in this Subsection (4) and Subsection (5),
93 the scope of practice restrictions under this title for individuals who are licensed
94 under this title as:
95 (i) a physician under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah
96 Osteopathic Medical Practice Act;
97 (ii) a nurse under Chapter 31b, Nurse Practice Act, or Chapter 31e, Nurse Licensure

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- (iii) a certified nurse midwife under Chapter 44a, Nurse Midwife Practice Act;
- (iv) a pharmacist, pharmacy technician, or pharmacy intern under Chapter 17b, Pharmacy Practice Act;
- (v) a respiratory therapist under Chapter 57, Respiratory Care Practices Act;
- (vi) a dentist and dental hygienist under Chapter 69, Dentist and Dental Hygienist Practice Act; and
- (vii) a physician assistant under Chapter 70a, Utah Physician Assistant Act;

(c) suspend the requirements for licensure under this title and modify the scope of practice in the circumstances described in this Subsection (4) and Subsection (5) for medical services personnel or paramedics required to be licensed under Section 53-2d-402;

(d) suspend requirements in Subsections 58-17b-620(3) through (6) which require certain prescriptive procedures;

(e) exempt or modify the requirement for licensure of an individual who is activated as a member of a medical reserve corps during a time of emergency as provided in Section 26A-1-126;

(f) exempt or modify the requirement for licensure of an individual who is registered as a volunteer health practitioner as provided in Title 26B, Chapter 4, Part 8, Uniform Emergency Volunteer Health Practitioners Act; and

(g) in accordance with rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, exempt or modify the requirements for licensure of an individual engaged in one or more of the construction trades described in Chapter 55, Utah Construction Trades Licensing Act.

(5) Individuals exempt under Subsection (4)(c) and individuals operating under modified scope of practice provisions under Subsection (4)(b):

- (a) are exempt from licensure or subject to modified scope of practice for the duration of the emergency;
- (b) [must] shall be engaged in the distribution of medicines or medical devices in response to the emergency or declaration; and
- (c) [must] shall be employed by or volunteering for:
 - (i) a local or state department of health; or
 - (ii) a host entity as defined in Section 26B-4-801.

(6) In accordance with the protocols established under Subsection (8), upon the declaration

132 of a national, state, or local emergency, the Department of Health and Human Services
133 or a local health department shall coordinate with public safety authorities as defined in
134 Subsection 26B-7-323(1) and may:

135 (a) use a vaccine, antiviral, antibiotic, or other prescription medication that is not a
136 controlled substance to prevent or treat a disease or condition that gave rise to, or was
137 a consequence of, the emergency; or

138 (b) distribute a vaccine, antiviral, antibiotic, or other prescription medication that is not a
139 controlled substance:

140 (i) if necessary, to replenish a commercial pharmacy [in the event that] if the
141 commercial pharmacy's normal source of the vaccine, antiviral, antibiotic, or other
142 prescription medication is exhausted; or

143 (ii) for dispensing or direct administration to treat the disease or condition that gave
144 rise to, or was a consequence of, the emergency by:

145 (A) a pharmacy;

146 (B) a prescribing practitioner;

147 (C) a licensed health care facility;

148 (D) a federally qualified community health clinic; or

149 (E) a governmental entity for use by a community more than 50 miles from a
150 person described in Subsections (6)(b)(ii)(A) through (D).

151 (7) In accordance with protocols established under Subsection (8), upon the declaration of a
152 national, state, or local emergency, the Department of Health and Human Services shall
153 coordinate the distribution of medications:

154 (a) received from the strategic national stockpile to local health departments; and

155 (b) from local health departments to emergency personnel within the local health
156 departments' geographic region.

157 (8) The Department of Health and Human Services shall establish by rule, made in
158 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, protocols
159 for administering, dispensing, and distributing a vaccine, an antiviral, an antibiotic, or
160 other prescription medication that is not a controlled substance [in the event of] if there is
161 a declaration of a national, state, or local emergency. The protocol shall establish
162 procedures for the Department of Health and Human Services or a local health
163 department to:

164 (a) coordinate the distribution of:

165 (i) a vaccine, an antiviral, an antibiotic, or other prescription medication that is not a

166 controlled substance received by the Department of Health and Human Services
167 from the strategic national stockpile to local health departments; and
168 (ii) a vaccine, an antiviral, an antibiotic, or other non-controlled prescription
169 medication received by a local health department to emergency personnel within
170 the local health department's geographic region;

171 (b) authorize the dispensing, administration, or distribution of a vaccine, an antiviral, an
172 antibiotic, or other prescription medication that is not a controlled substance to the
173 contact of a patient without a patient-practitioner relationship, if the contact's
174 condition is the same as that of the physician's or physician assistant's patient; and
175 (c) authorize the administration, distribution, or dispensing of a vaccine, an antiviral, an
176 antibiotic, or other non-controlled prescription medication to an individual who:
177 (i) is working in a triage situation;
178 (ii) is receiving preventative or medical treatment in a triage situation;
179 (iii) does not have coverage for the prescription in the individual's health insurance
180 plan;
181 (iv) is involved in the delivery of medical or other emergency services in response to
182 the declared national, state, or local emergency; or
183 (v) otherwise has a direct impact on public health.

184 (9) The Department of Health and Human Services shall give notice to the division upon
185 implementation of the protocol established under Subsection (8).

186 **Section 2. Effective Date.**

187 This bill takes effect on May 6, 2026.