

Jen Plumb proposes the following substitute bill:

Opioid Terminology Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor: Jennifer Dailey-Provost

LONG TITLE

General Description:

This bill addresses terminology related to opioids.

Highlighted Provisions:

This bill:

▸ makes the following changes throughout the code and makes related, conforming changes:

- changes the defined term "opiate" to "opioid-like substance";
- changes the defined term "opiate antagonist" to "opioid antagonist"; and
- changes the defined term "opiate-related drug overdose event" to "opioid-related drug

overdose event";

▸ changes the term "opiate" to "substance" in the description of certain controlled substances;

▸ includes coordination clauses to coordinate changes in this bill and H.B. 301, Drug Recodification, S.B. 87 Naloxone Amendments, and S.B. 98 Substance Use Rehabilitation Amendments;

▸ defines terms; and

▸ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides coordination clauses.

Utah Code Sections Affected:

AMENDS:

17-72-101 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025, First Special Session, Chapter 13

17-72-408 (Effective 05/06/26), as renumbered and amended by Laws of Utah 2025,

29 First Special Session, Chapter 13
30 **26B-4-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 173,
31 340 and 470
32 **26B-4-508 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
33 Chapter 307
34 **26B-4-509 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
35 Chapter 307
36 **26B-4-510 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
37 Chapter 307
38 **26B-4-511 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
39 Chapter 307
40 **26B-4-512 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
41 Session, Chapter 9
42 **26B-4-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 507
43 **26B-4-514 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
44 Chapter 307
45 **26B-7-110 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
46 Chapter 308
47 **26B-7-117 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 243
48 **53G-9-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 122
49 **58-17b-309 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328
50 **58-17b-507 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328
51 **58-31b-703 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
52 **58-37-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 396
53 **58-37-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 216
54 **58-37-6 (Effective 05/06/26) (Partially Repealed 07/01/32)**, as last amended by Laws of
55 Utah 2022, Chapter 415
56 **58-37-7 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 381
57 **58-37-8.2 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
58 Chapters 173, 173
59 **58-37-19 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 381
60 **58-67-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
61 **58-68-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
62 **58-69-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

63 **58-70a-505 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 64 **63I-1-258 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 236
 65 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws
 66 of Utah 2025, First Special Session, Chapter 17
 67 **64-13-45 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245, 341
 68 **Utah Code Sections affected by Coordination Clause:**
 69 **26B-4-509 (05/06/26)**, as renumbered and amended by Laws of Utah 2023, Chapter 307
 70 **26B-4-510 (05/06/26)**, as renumbered and amended by Laws of Utah 2023, Chapter 307
 71 **26B-4-511 (05/06/26)**, as renumbered and amended by Laws of Utah 2023, Chapter 307
 72 **26B-7-126 (05/06/26)**, as enacted by S.B. 98 (2026)
 73 **58-17b-507 (05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328
 74 **58-31b-703 (05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 75 **58-37-304 (05/06/26)**, as enacted by H.B. 301 (2026)
 76 **58-37-305 (05/06/26)**, as enacted by H.B. 301 (2026)
 77 **58-67-702 (05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 78 **58-68-702 (05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 79 **58-69-702 (05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 80 **58-70a-505 (05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

81

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

83 Section 1. Section **17-72-101** is amended to read:

84 **17-72-101 (Effective 05/06/26). Definitions.**

85 As used in this chapter:

- 86 (1) "Commissary account" means an account from which a prisoner may withdraw money,
 87 deposited by the prisoner or another individual, to purchase discretionary items for sale
 88 by a correctional facility.
- 89 (2) "Commissary purchase" means a transaction initiated by a prisoner by which the
 90 prisoner obtains an item or items offered for sale by the correctional facility in exchange
 91 for money withdrawn from the prisoner's commissary account.
- 92 (3) "Commission" means the State Commission on Criminal and Juvenile Justice created in
 93 Section 63M-7-201.
- 94 (4) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 95 (5) "County inmate" means an inmate who is sentenced to a county jail.
- 96 (6) "Cross-sex hormone treatment" means the same as that term is defined in Section

- 97 26B-4-1001.[281-12(6)]
- 98 (7)(a) "In-custody death" means a prisoner death that occurs while the prisoner is in the
99 custody of a county jail.
- 100 (b) "In-custody death" includes a prisoner death that occurs while the prisoner is:
- 101 (i) being transported for health care; or
- 102 (ii) receiving health care outside of a county jail.
- 103 (8) "Inmate" means a prisoner who is in the custody of a correctional facility following a
104 criminal conviction.
- 105 (9) "Medication assisted treatment plan" means a prescription plan to use prescribed
106 medication approved by the Food and Drug Administration, such as buprenorphine,
107 methadone, or naltrexone to treat substance use withdrawal symptoms or an opioid use
108 disorder.
- 109 (10) "Notice" means all papers and orders, except process, required to be served in any
110 proceeding before any court, board, commission, or officer, or when required by law to
111 be served independently of a court proceeding.
- 112 (11) "[~~Opiate~~] Opioid-like substance" means the same as that term is defined in Section
113 58-37-2.
- 114 (12) "Primary sex characteristic surgical procedure" means the same as that term is defined
115 in Section 26B-4-1001.
- 116 (13) "Prisoner" means an individual who is:
- 117 (a) in custody of a peace officer in accordance with a lawful arrest; or
- 118 (b) confined in a county jail.
- 119 (14) "Police interlocal entity" means the same as that term is defined in Sections 17-76-201
120 and 17-76-301.
- 121 (15) "Police special district" means the same as that term is defined in Section 17-76-201.
- 122 (16) "Probationer" means an individual on probation under the supervision of the county
123 sheriff.
- 124 (17) "Process" means all writs, warrants, summonses and orders of the courts of justice or
125 judicial officers.
- 126 (18)(a) "Qualifying domestic violence offense" means the same as that term is defined in
127 Section 77-36-1.1.
- 128 (b) "Qualifying domestic violence offense" does not include criminal mischief as that
129 term is defined in Section 76-6-106.
- 130 [~~(19) "State inmate" means an inmate who is sentenced to the Department of Corrections,~~

- 131 ~~created in Section 64-13-2, even if the inmate is in the custody of a county jail.]~~
132 [(20)] (19) "Secondary sex characteristic surgical procedure" means the same as that term is
133 defined in Section 26B-4-1001.
- 134 (20) "State inmate" means an inmate who is sentenced to the Department of Corrections,
135 created in Section 64-13-2, even if the inmate is in the custody of a county jail.
- 136 (21) "Violent felony" means the same as that term is defined in Section 76-3-203.5.
- 137 Section 2. Section **17-72-408** is amended to read:
- 138 **17-72-408 (Effective 05/06/26). County jail reporting requirements.**
- 139 (1) Each county jail shall submit a report to the commission before June 15 of each year
140 that includes, for the preceding calendar year:
- 141 (a) the average daily prisoner population each month;
- 142 (b) the number of prisoners in the county jail on the last day of each month who identify
143 as each race or ethnicity included in the Standards for Transmitting Race and
144 Ethnicity published by the United States Federal Bureau of Investigation;
- 145 (c) the number of prisoners booked into the county jail;
- 146 (d) the number of prisoners held in the county jail each month on behalf of each of the
147 following entities:
- 148 (i) the Bureau of Indian Affairs;
- 149 (ii) a state prison;
- 150 (iii) a federal prison;
- 151 (iv) the United States Immigration and Customs Enforcement; and
- 152 (v) any other entity with which a county jail has entered a contract to house inmates
153 on the entity's behalf;
- 154 (e) the number of prisoners that are denied pretrial release and held in the custody of the
155 county jail while the prisoner awaited final disposition of the prisoner's criminal
156 charges;
- 157 (f) for each prisoner booked into the county jail:
- 158 (i) the name of the agency that arrested the prisoner;
- 159 (ii) the date and time the prisoner was booked into and released from the custody of
160 the county jail;
- 161 (iii) if the prisoner was released from the custody of the county jail, the reason the
162 inmate was released from the custody of the county jail;
- 163 (iv) if the prisoner was released from the custody of the county jail on a financial
164 condition, whether the financial condition was set by a county sheriff or a court;

- 165 (v) the number of days the prisoner was held in the custody of the county jail before
166 disposition of the prisoner's criminal charges;
- 167 (vi) whether the prisoner was released from the custody of the county jail before final
168 disposition of the prisoner's criminal charges; and
- 169 (vii) the prisoner's state identification number;
- 170 (g) the number of in-custody deaths that occurred at the county jail;
- 171 (h) for each in-custody death:
- 172 (i) the deceased's name, gender, race, ethnicity, age, and known or suspected medical
173 diagnosis or disability, if any;
- 174 (ii) the date, time, and location of death;
- 175 (iii) the law enforcement agency that detained, arrested, or was in the process of
176 arresting the deceased; and
- 177 (iv) a brief description of the circumstances surrounding the death;
- 178 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors of
179 each of the in-custody deaths described in Subsection (2)(g);
- 180 (j) the county jail's policy for notifying an inmate's next of kin after the prisoner's
181 in-custody death;
- 182 (k) the county jail policies, procedures, and protocols:
- 183 (i) for treatment of a prisoner experiencing withdrawal from alcohol or substance use,
184 including use of [opiates] opioid-like substances;
- 185 (ii) that relate to the county jail's provision, or lack of provision, of medications used
186 to treat, mitigate, or address a prisoner's symptoms of withdrawal, including
187 methadone and all forms of buprenorphine and naltrexone; and
- 188 (iii) that relate to screening, assessment, and treatment of a prisoner for a substance
189 use or mental health disorder, including the policies, procedures, and protocols
190 that implement the requirements described in Section 17-72-501;
- 191 (l)(i) the number of prisoners whose screening described in Section 17-72-501
192 indicated the presence of a substance use disorder; and
- 193 (ii) of the prisoners whose screening indicated the presence of a substance use
194 disorder, the number of prisoners who received medication under a medication
195 assisted treatment plan; and
- 196 (m) any report the county jail provides or is required to provide under federal law or
197 regulation relating to prisoner deaths.
- 198 (2)(a) Subsection (1) does not apply to a county jail if the county jail:

- 199 (i) collects and stores the data described in Subsection (1); and
200 (ii) enters into a memorandum of understanding with the commission that allows the
201 commission to access the data described in Subsection (1).
- 202 (b) The memorandum of understanding described in Subsection (2)(a)(ii) shall include a
203 provision to protect any information related to an ongoing investigation and comply
204 with all applicable federal and state laws.
- 205 (c) If the commission accesses data from a county jail in accordance with Subsection
206 (2)(a), the commission may not release a report prepared from that data, unless:
- 207 (i) the commission provides the report for review to:
- 208 (A) the county jail; and
209 (B) any arresting agency that is named in the report; and
- 210 (ii)(A) the county jail approves the report for release;
211 (B) the county jail reviews the report and prepares a response to the report to be
212 published with the report; or
- 213 (C) the county jail fails to provide a response to the report within four weeks after
214 the day on which the commission provides the report to the county jail.
- 215 (3) The commission shall:
- 216 (a) compile the information from the reports described in Subsection (1);
217 (b) omit or redact any identifying information of an inmate in the compilation to the
218 extent omission or redaction is necessary to comply with state and federal law;
219 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
220 Committee and the Utah Substance Use and Mental Health Advisory Committee
221 before November 1 of each year; and
- 222 (d) submit the compilation to the protection and advocacy agency designated by the
223 governor before November 1 of each year.
- 224 (4) The commission may not provide access to or use a county jail's policies, procedures, or
225 protocols submitted under this section in a manner or for a purpose not described in this
226 section.
- 227 (5) Upon request, a county jail shall make a report, including only the names and causes of
228 death of deceased inmates and the facility in which the deceased inmates were being
229 held in custody, available to the public.

230 Section 3. Section **26B-4-501** is amended to read:

231 **26B-4-501 (Effective 05/06/26). Definitions.**

232 As used in this part:

- 233 (1) "Controlled substance" means the same as that term is defined in Title 58, Chapter 37,
234 Utah Controlled Substances Act.
- 235 (2) "Critical access hospital" means a critical access hospital that meets the criteria of 42
236 U.S.C. Sec. 1395i-4(c)(2).
- 237 (3) "Designated facility" means:
238 (a) a freestanding urgent care center;
239 (b) a general acute hospital; or
240 (c) a critical access hospital.
- 241 (4) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 242 (5) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- 243 (6) "Emergency contraception" means the use of a substance, approved by the United States
244 Food and Drug Administration, to prevent pregnancy after sexual intercourse.
- 245 (7) "Freestanding urgent care center" means the same as that term is defined in Section
246 59-12-801.
- 247 (8) "General acute hospital" means the same as that term is defined in Section 26B-2-201.
- 248 (9) "Health care facility" means a hospital, a hospice inpatient residence, a nursing facility,
249 a dialysis treatment facility, an assisted living residence, an entity that provides home-
250 and community-based services, a hospice or home health care agency, or another facility
251 that provides or contracts to provide health care services, which facility is licensed under
252 Chapter 2, Part 2, Health Care Facility Licensing and Inspection.
- 253 (10) "Health care provider" means:
254 (a) a physician, as defined in Section 58-67-102;
255 (b) an advanced practice registered nurse, as defined in Section 58-31b-102;
256 (c) a physician assistant, as defined in Section 58-70a-102; or
257 (d) an individual licensed to engage in the practice of dentistry, as defined in Section
258 58-69-102.
- 259 (11) "Increased risk" means risk exceeding the risk typically experienced by an individual
260 who is not using, and is not likely to use, an [Opiate] opioid-like substance.
- 261 (12) "[Opiate] Opioid-like substance" means the same as that term is defined in Section
262 58-37-2.
- 263 (13) "[Opiate] Opioid antagonist" means naloxone hydrochloride or any similarly acting
264 drug that is not a controlled substance and that is approved by the federal Food and Drug
265 Administration for the diagnosis or treatment of an [Opiate-related] opioid-related drug
266 overdose.

- 267 (14) "~~Opiate-related~~ Opioid-related drug overdose event" means an acute condition,
268 including a decreased level of consciousness or respiratory depression resulting from the
269 consumption or use of a controlled substance, or another substance with which a
270 controlled substance was combined, and that a person would reasonably believe to
271 require medical assistance.
- 272 (15) "Overdose outreach provider" means:
- 273 (a) a law enforcement agency;
- 274 (b) a fire department;
- 275 (c) an emergency medical service provider, as defined in Section 53-2d-101;
- 276 (d) emergency medical service personnel, as defined in Section 53-2d-101;
- 277 (e) an organization providing treatment or recovery services for drug or alcohol use;
- 278 (f) an organization providing support services for an individual, or a family of an
279 individual, with a substance use disorder;
- 280 (g) a certified peer support specialist, as defined in Section 26B-5-610;
- 281 (h) an organization providing substance use or mental health services under contract
282 with a local substance abuse authority, as defined in Section 26B-5-101, or a local
283 mental health authority, as defined in Section 26B-5-101;
- 284 (i) an organization providing services to the homeless;
- 285 (j) a local health department;
- 286 (k) an individual licensed to practice under:
- 287 (i) Title 58, Chapter 17b, Pharmacy Practice Act;
- 288 (ii) Title 58, Chapter 60, Part 2, Social Worker Licensing Act; or
- 289 (iii) Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act; or
- 290 (l) an individual.
- 291 (16) "Patient counseling" means the same as that term is defined in Section 58-17b-102.
- 292 (17) "Pharmacist" means the same as that term is defined in Section 58-17b-102.
- 293 (18) "Pharmacy intern" means the same as that term is defined in Section 58-17b-102.
- 294 (19) "Physician" means the same as that term is defined in Section 58-67-102.
- 295 (20) "Practitioner" means:
- 296 (a) a physician; or
- 297 (b) any other person who is permitted by law to prescribe emergency contraception.
- 298 (21) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 299 (22)(a) "Self-administered hormonal contraceptive" means a self-administered hormonal
300 contraceptive that is approved by the United States Food and Drug Administration to

301 prevent pregnancy.

302 (b) "Self-administered hormonal contraceptive" includes an oral hormonal contraceptive,
303 a hormonal vaginal ring, and a hormonal contraceptive patch.

304 (c) "Self-administered hormonal contraceptive" does not include any drug intended to
305 induce an abortion, as that term is defined in Section 76-7-301.

306 (23)(a) "Sexual assault" means any criminal conduct described in Title 76, Chapter 5,
307 Part 4, Sexual Offenses, that may result in a pregnancy.

308 (b) "Sexual assault" does not include criminal conduct described in:

309 (i) Section 76-5-417, enticing a minor;

310 (ii) Section 76-5-418, sexual battery;

311 (iii) Section 76-5-419, lewdness; or

312 (iv) Section 76-5-420, lewdness involving a child.

313 (24) "Victim of sexual assault" means any person who presents to receive, or receives,
314 medical care in consequence of being subjected to sexual assault.

315 Section 4. Section **26B-4-508** is amended to read:

316 **26B-4-508 (Effective 05/06/26). Voluntary participation.**

317 Sections 26B-4-509 through 26B-4-514 do not create a duty or standard of care for a
318 person to prescribe or administer an [~~opiate~~] opioid antagonist.

319 *The following section is affected by a coordination clause at the end of this bill.*

320 Section 5. Section **26B-4-509** is amended to read:

321 **26B-4-509 (Effective 05/06/26). Prescribing, dispensing, and administering an**
322 **opioid antagonist -- Immunity from liability.**

323 (1)(a)(i) For purposes of Subsection (1)(a)(ii), "a person other than a health care

324 facility or health care provider" includes the following, regardless of whether the

325 person has received funds from the department through the [~~Opiate~~] Opioid

326 Overdose Outreach Pilot Program created in Section 26B-4-512:

327 (A) a person described in Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F);
328 or

329 (B) an organization, defined by department rule made under Subsection

330 26B-4-512(7)(e), that is in a position to assist an individual who is at increased

331 risk of experiencing an [~~opiate-related~~] opioid-related drug overdose event.

332 (ii) Except as provided in Subsection (1)(b), the following persons are not liable for

333 any civil damages for acts or omissions made as a result of administering an [

334 ~~opiate~~] opioid antagonist when the person acts in good faith to administer the [

- 335 ~~opiate~~] opioid antagonist to an individual whom the person believes to be
336 experiencing an [~~opiate-related~~] opioid-related drug overdose event:
- 337 (A) an overdose outreach provider; or
338 (B) a person other than a health care facility or health care provider.
- 339 (b) A health care provider:
- 340 (i) is not immune from liability under Subsection (1)(a) when the health care provider
341 is acting within the scope of the health care provider's responsibilities or duty of
342 care; and
343 (ii) is immune from liability under Subsection (1)(a) if the health care provider is
344 under no legal duty to respond and otherwise complies with Subsection (1)(a).
- 345 (2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502, a health care provider
346 who is licensed to prescribe an [~~opiate~~] opioid antagonist may prescribe, including by a
347 standing prescription drug order issued in accordance with Subsection 26B-4-510(2), or
348 dispense an [~~opiate~~] opioid antagonist:
- 349 (a)(i) to an individual who is at increased risk of experiencing an [~~opiate-related~~]
350 opioid-related drug overdose event;
- 351 (ii) for an individual described in Subsection (2)(a)(i), to a family member, friend, or
352 other person, including a person described in Subsections 26B-4-512(1)(a)(i)(A)
353 through (1)(a)(i)(F), that is in a position to assist the individual; or
354 (iii) to an overdose outreach provider for:
- 355 (A) furnishing the [~~opiate~~] opioid antagonist to an individual described in
356 Subsection (2)(a)(i) or (ii), as provided in Section 26B-4-511; or
357 (B) administering to an individual experiencing an [~~opiate-related~~] opioid-related
358 drug overdose event;
- 359 (b) without a prescriber-patient relationship; and
360 (c) without liability for any civil damages for acts or omissions made as a result of
361 prescribing or dispensing the [~~opiate~~] opioid antagonist in good faith.
- 362 (3) A health care provider who dispenses an [~~opiate~~] opioid antagonist to an individual or an
363 overdose outreach provider under Subsection (2)(a) shall provide education to the
364 individual or overdose outreach provider that includes written instruction on how to:
- 365 (a) recognize an [~~opiate-related~~] opioid-related drug overdose event; and
366 (b) respond appropriately to an [~~opiate-related~~] opioid-related drug overdose event,
367 including how to:
- 368 (i) administer an [~~opiate~~] opioid antagonist; and

369 (ii) ensure that an individual to whom an [~~opiate~~] opioid antagonist has been
370 administered receives, as soon as possible, additional medical care and a medical
371 evaluation.

372 *The following section is affected by a coordination clause at the end of this bill.*

373 Section 6. Section **26B-4-510** is amended to read:

374 **26B-4-510 (Effective 05/06/26). Standing prescription drug orders for an opioid**
375 **antagonist.**

376 (1) Notwithstanding Title 58, Chapter 17b, Pharmacy Practice Act, a person licensed under
377 Title 58, Chapter 17b, Pharmacy Practice Act, to dispense an [~~opiate~~] opioid antagonist
378 may dispense the [~~opiate~~] opioid antagonist:

379 (a) pursuant to a standing prescription drug order made in accordance with Subsection
380 (2); and

381 (b) without any other prescription drug order from a person licensed to prescribe an [~~opiate~~]
382 opioid antagonist.

383 (2) A physician who is licensed to prescribe an [~~opiate~~] opioid antagonist, including a
384 physician acting in the physician's capacity as an employee of the department, or a
385 medical director of a local health department, as defined in Section [~~26B-4-512~~]
386 26A-1-102, may issue a standing prescription drug order authorizing the dispensing of
387 the [~~opiate~~] opioid antagonist under Subsection (1) in accordance with a protocol that:

388 (a) limits dispensing of the [~~opiate~~] opioid antagonist to:

389 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
390 opioid-related drug overdose event;

391 (ii) a family member of, friend of, or other person, including a person described in
392 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
393 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
394 opioid-related drug overdose event; or

395 (iii) an overdose outreach provider for:

396 (A) furnishing to an individual who is at increased risk of experiencing an [~~opiate-related~~]
397 opioid-related drug overdose event, or to a family member of,
398 friend of, or other individual who is in a position to assist an individual who is
399 at increased risk of experiencing an [~~opiate-related~~] opioid-related drug
400 overdose event, as provided in Section 26B-4-511; or

401 (B) administering to an individual experiencing an [~~opiate-related~~] opioid-related
402 drug overdose event;

- 403 (b) requires the physician to specify the persons, by professional license number,
404 authorized to dispense the [opiate] opioid antagonist;
- 405 (c) requires the physician to review at least annually the dispensing practices of those
406 authorized by the physician to dispense the [opiate] opioid antagonist;
- 407 (d) requires those authorized by the physician to dispense the [opiate] opioid antagonist
408 to make and retain a record of each person to whom the [opiate] opioid antagonist is
409 dispensed, which shall include:
- 410 (i) the name of the person;
- 411 (ii) the drug dispensed; and
- 412 (iii) other relevant information; and
- 413 (e) is approved by the Division of Professional Licensing within the Department of
414 Commerce by administrative rule made in accordance with Title 63G, Chapter 3,
415 Utah Administrative Rulemaking Act.

416 *The following section is affected by a coordination clause at the end of this bill.*

417 Section 7. Section **26B-4-511** is amended to read:

418 **26B-4-511 (Effective 05/06/26). Overdose outreach providers.**

419 Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502:

- 420 (1) an overdose outreach provider may:
- 421 (a) obtain an [opiate] opioid antagonist dispensed on prescription by:
- 422 (i) a health care provider, in accordance with Subsections 26B-4-509(2) and (3); or
- 423 (ii) a pharmacist or pharmacy intern, as otherwise authorized by Title 58, Chapter
424 17b, Pharmacy Practice Act;
- 425 (b) store the [opiate] opioid antagonist; and
- 426 (c) furnish the [opiate] opioid antagonist:
- 427 (i)(A) to an individual who is at increased risk of experiencing an [opiate-related]
428 opioid-related drug overdose event; or
- 429 (B) to a family member, friend, overdose outreach provider, or other individual
430 who is in a position to assist an individual who is at increased risk of
431 experiencing an [opiate-related] opioid-related drug overdose event; and
- 432 (ii) without liability for any civil damages for acts or omissions made as a result of
433 furnishing the [opiate] opioid antagonist in good faith; and
- 434 (2) when furnishing an [opiate] opioid antagonist under Subsection (1), an overdose
435 outreach provider:
- 436 (a) shall also furnish to the recipient of the [opiate] opioid antagonist:

- 437 (i) the written instruction under Subsection [~~26B-4-504(3)~~] 26B-4-509(3) received by
 438 the overdose outreach provider from the health care provider at the time the [~~opiate~~]
 439 opioid antagonist was dispensed to the overdose outreach provider; or
 440 (ii) if the [~~opiate~~] opioid antagonist was dispensed to the overdose outreach provider
 441 by a pharmacist or pharmacy intern, any written patient counseling under Section
 442 58-17b-613 received by the overdose outreach provider at the time of dispensing;
 443 and
 444 (b) may provide additional instruction on how to recognize and respond appropriately to
 445 an [~~opiate-related~~] opioid-related drug overdose event.

446 Section 8. Section **26B-4-512** is amended to read:

447 **26B-4-512 (Effective 05/06/26). Opioid Overdose Outreach Pilot Program --**
 448 **Grants -- Annual reporting by grantees -- Rulemaking -- Annual reporting by**
 449 **department.**

450 (1) As used in this section:

451 (a) "Persons that are in a position to assist an individual who is at increased risk of
 452 experiencing an [~~opiate-related~~] opioid-related drug overdose event":

453 (i) means the following organizations:

454 (A) a law enforcement agency;

455 (B) the department or a local health department, as defined in Section 26A-1-102;

456 (C) an organization that provides drug or alcohol treatment services;

457 (D) an organization that provides services to the homeless;

458 (E) an organization that provides training on the proper administration of an [

459 ~~opiate~~] opioid antagonist in response to an [~~opiate-related~~] opioid-related drug
 460 overdose event;

461 (F) a school; or

462 (G) except as provided in Subsection (1)(a)(ii), any other organization, as defined

463 by department rule made under Subsection (7)(e), that is in a position to assist

464 an individual who is at increased risk of experiencing an [~~opiate-related~~]

465 opioid-related drug overdose event; and

466 (ii) does not mean:

467 (A) a person licensed under Title 58, Chapter 17b, Pharmacy Practice Act;

468 (B) a health care facility; or

469 (C) an individual.

470 (b) "School" means:

- 471 (i) a public school:
- 472 (A) for elementary or secondary education, including a charter school; or
- 473 (B) for other purposes;
- 474 (ii) a private school:
- 475 (A) for elementary or secondary education; or
- 476 (B) accredited for other purposes, including higher education or specialty training;
- 477 or
- 478 (iii) an institution of higher education, listed in Section 53H-1-102.
- 479 (2) There is created within the department the [~~Opiate~~] "Opioid Overdose Outreach Pilot
- 480 Program."
- 481 (3) The department may use funds appropriated for the program to:
- 482 (a) provide grants under Subsection (4);
- 483 (b) promote public awareness of the signs, symptoms, and risks of opioid misuse and
- 484 overdose;
- 485 (c) increase the availability of educational materials and other resources designed to
- 486 assist individuals at increased risk of opioid overdose, their families, and others in a
- 487 position to help prevent or respond to an overdose event;
- 488 (d) increase public awareness of, access to, and use of [~~opiate~~] an opioid antagonist;
- 489 (e) update the department's Utah Clinical Guidelines on Prescribing Opioids for
- 490 Treatment of Pain and promote its use by prescribers and dispensers of opioids;
- 491 (f) develop a directory of substance misuse treatment programs and promote its
- 492 dissemination to and use by opioid prescribers, dispensers, and others in a position to
- 493 assist individuals at increased risk of opioid overdose;
- 494 (g) coordinate a multi-agency coalition to address opioid misuse and overdose; and
- 495 (h) maintain department data collection efforts designed to guide the development of
- 496 opioid overdose interventions and track their effectiveness.
- 497 (4) No later than September 1, 2016, and with available funding, the department shall grant
- 498 funds through the program to persons that are in a position to assist an individual who is
- 499 at increased risk of experiencing an [~~opiate-related~~] opioid-related drug overdose event.
- 500 (5) Funds granted by the program:
- 501 (a) may be used by a grantee to:
- 502 (i) pay for the purchase by the grantee of an [~~opiate~~] opioid antagonist; or
- 503 (ii) pay for the grantee's cost of providing training on the proper administration of an [~~opiate~~]
- 504 opioid antagonist in response to an [~~opiate-related~~] opioid-related drug

- 505 overdose event; and
- 506 (b) may not be used:
- 507 (i) to pay for costs associated with the storage or dispensing of an [~~opiate~~] opioid
- 508 antagonist; or
- 509 (ii) for any other purposes.
- 510 (6) Grantees shall report annually to the department on the use of granted funds in
- 511 accordance with department rules made under Subsection (7)(d).
- 512 (7) No later than July 1, 2016, the department shall, in accordance with Title 63G, Chapter
- 513 3, Utah Administrative Rulemaking Act, make rules specifying:
- 514 (a) how to apply for a grant from the program;
- 515 (b) the criteria used by the department to determine whether a grant request is approved,
- 516 including criteria providing that:
- 517 (i) grants are awarded to areas of the state, including rural areas, that would benefit
- 518 most from the grant; and
- 519 (ii) no more than 15% of the total amount granted by the program is used to pay for
- 520 grantees' costs of providing training on the proper administration of an [~~opiate~~]
- 521 opioid antagonist in response to an [~~opiate-related~~] opioid-related drug overdose
- 522 event;
- 523 (c) the criteria used by the department to determine the amount of a grant;
- 524 (d) the information a grantee shall report annually to the department under Subsection (6),
- 525 including:
- 526 (i) the amount of [~~opiate~~] opioid antagonist purchased and dispensed by the grantee
- 527 during the reporting period;
- 528 (ii) the number of individuals to whom the [~~opiate~~] opioid antagonist was dispensed
- 529 by the grantee;
- 530 (iii) the number of lives known to have been saved during the reporting period as a
- 531 result of [~~opiate~~] an opioid antagonist dispensed by the grantee; and
- 532 (iv) the manner in which the grantee shall record, preserve, and make available for
- 533 audit by the department the information described in Subsections (7)(d)(i) through
- 534 (7)(d)(iii); and
- 535 (e) as required by Subsection (1)(a)(i)(G), any other organization that is in a position to
- 536 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 537 opioid-related drug overdose event.

538 Section 9. Section **26B-4-513** is amended to read:

539 **26B-4-513 (Effective 05/06/26). Coprescription guidelines.**

540 (1) As used in this section:

541 (a) "Controlled substance prescriber" means the same as that term is defined in Section
542 58-37-6.5.

543 (b) "Coprescribe" means to issue a prescription for an [opiate] opioid antagonist with a
544 prescription for an [opiate] opioid-like substance.

545 (2) The department shall, in consultation with the Medical Licensing Board created in
546 Section 58-67-201, and the Division of Professional Licensing created in Section
547 58-1-103, establish by rule, made in accordance with Title 63G, Chapter 3, Utah
548 Administrative Rulemaking Act, scientifically based guidelines for controlled substance
549 prescribers to coprescribe an [opiate] opioid antagonist to a patient.

550 Section 10. Section **26B-4-514** is amended to read:

551 **26B-4-514 (Effective 05/06/26). Opioid-like substance abuse prevention**
552 **pamphlet.**

553 (1) As funding is available, the department shall produce and distribute, in conjunction with
554 the Office of Substance Use and Mental Health, a pamphlet about [opiates] opioid-like
555 substances that includes information regarding:

556 (a) the risk of dependency and addiction;

557 (b) methods for proper storage and disposal;

558 (c) alternative options for pain management;

559 (d) the benefits of and ways to obtain naloxone; and

560 (e) resources if the patient believes that the patient has a substance use disorder.

561 (2) The pamphlet described in Subsection (1) shall be:

562 (a) evaluated periodically for effectiveness at conveying necessary information and
563 revised accordingly;

564 (b) written in simple and understandable language; and

565 (c) available in English and other languages that the department determines to be
566 appropriate and necessary.

567 Section 11. Section **26B-7-110** is amended to read:

568 **26B-7-110 (Effective 05/06/26). Duty to establish program to reduce deaths and**
569 **other harm from prescription opioid-like substances used for chronic noncancer pain.**

570 (1) As used in this section, "[opiate] opioid-like substance" means any drug or other
571 substance having an addiction-forming or addiction-sustaining liability similar to
572 morphine or being capable of conversion into a drug having addiction-forming or

573 addiction-sustaining liability.

574 (2) In addition to the duties listed in Section 26B-1-202, the department shall develop and
575 implement a two-year program in coordination with the Division of Professional
576 Licensing, the Utah Labor Commission, and the Utah attorney general, to:

577 (a) investigate the causes of and risk factors for death and nonfatal complications of
578 prescription [opioid] opioid-like substance use and misuse in Utah for chronic pain by
579 utilizing the Utah Controlled Substance Database created in Section 58-37f-201;

580 (b) study the risks, warning signs, and solutions to the risks associated with prescription [opioid]
581 opioid-like substance medications for chronic pain, including risks and
582 prevention of misuse and diversion of those medications;

583 (c) provide education to health care providers, patients, insurers, and the general public
584 on the appropriate management of chronic pain, including the effective use of
585 medical treatment and quality care guidelines that are scientifically based and peer
586 reviewed; and

587 (d) educate the public regarding:

588 (i) the purpose of the Controlled Substance Database established in Section
589 58-37f-201; and

590 (ii) the requirement that a person's name and prescription information be recorded on
591 the database when the person fills a prescription for a schedule II, III, IV, or V
592 controlled substance.

593 Section 12. Section **26B-7-117** is amended to read:

594 **26B-7-117 (Effective 05/06/26). Syringe exchange and education.**

595 (1) The following may operate a syringe exchange program in the state to prevent the
596 transmission of disease, reduce morbidity and mortality, and facilitate access to
597 treatment and recovery services among individuals who inject drugs, and those
598 individuals' contacts:

599 (a) a government entity, including:

600 (i) the department;

601 (ii) a local health department; or

602 (iii) a local substance abuse authority, as defined in Section 26B-5-101;

603 (b) a nongovernment entity, including:

604 (i) a nonprofit organization; or

605 (ii) a for-profit organization; or

606 (c) any other entity that complies with Subsections (2) and (4).

- 607 (2) An entity operating a syringe exchange program in the state shall:
- 608 (a) facilitate the exchange of an individual's used syringe for one or more new syringes
- 609 in sealed sterile packages;
- 610 (b) ensure that a recipient of a new syringe is given verbal and written instruction on:
- 611 (i) methods for preventing the transmission of blood-borne diseases, including
- 612 hepatitis C and human immunodeficiency virus; and
- 613 (ii) options for obtaining:
- 614 (A) services for the treatment of a substance use disorder;
- 615 (B) testing for a blood-borne disease; and
- 616 (C) an [opiate] opioid antagonist, as that term is defined in Section 26B-4-501; and
- 617 (c) report annually to the department the following information about the program's
- 618 activities:
- 619 (i) the number of individuals who have exchanged syringes;
- 620 (ii) the number of used syringes exchanged for new syringes;
- 621 (iii) the number of new syringes provided in exchange for used syringes;
- 622 (iv) information the program provided to individuals about recovery and treatment
- 623 resources; and
- 624 (v) of the individuals who have exchanged syringes, the number of individuals who
- 625 received services for the treatment of a substance use disorder within 12 months
- 626 of exchanging syringes.
- 627 (3) A person that is licensed by the department to provide residential treatment for a
- 628 substance use disorder shall include as part of the person's admissions materials a
- 629 question asking whether the individual seeking treatment has ever received services
- 630 from a syringe exchange program.
- 631 (4) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah
- 632 Administrative Rulemaking Act, as necessary or advisable to implement the provisions
- 633 of this section, including rules:
- 634 (a) specifying requirements for:
- 635 (i) syringe distribution;
- 636 (ii) data collection; and
- 637 (iii) the evaluation of an entity operating a syringe exchange program to ensure
- 638 compliance with applicable statutes and rules; and
- 639 (b) specifying how and when an entity operating a syringe exchange program shall make
- 640 the report required by Subsection (2)(c).

641 (5) An entity operating a syringe exchange program may not facilitate the exchange of
 642 syringes at a homeless shelter, as that term is defined in Section 35A-16-501, or
 643 permanent supportive housing.

644 (6)(a) The use of state funds to operate a syringe exchange program is prohibited.

645 (b) Nothing in this section should be construed to prohibit the use or distribution of
 646 municipal, county, or federal funds in operating or financing a syringe exchange
 647 program under this section.

648 Section 13. Section **53G-9-502** is amended to read:

649 **53G-9-502 (Effective 05/06/26). Administration of medication to students --**
 650 **Prerequisites -- Immunity from liability -- Applicability.**

651 (1) A public or private school that holds any classes in grades kindergarten through 12 may
 652 provide for the administration of medication, including epinephrine nasal spray as that
 653 term is defined in Section 26B-4-401, to any student during periods when the student is
 654 under the control of the school, subject to the following conditions:

655 (a) the local school board, charter school governing board, or the private equivalent,
 656 after consultation with the Department of Health and Human Services and school
 657 nurses shall adopt policies that provide for:

658 (i) the designation of volunteer employees who may administer medication;

659 (ii) proper identification and safekeeping of medication;

660 (iii) the training of designated volunteer employees by the school nurse;

661 (iv) maintenance of records of administration; and

662 (v) notification to the school nurse of medication that will be administered to
 663 students; and

664 (b) medication may only be administered to a student if:

665 (i) the student's parent has provided a current written and signed request that
 666 medication be administered during regular school hours to the student; and

667 (ii) the student's licensed health care provider has prescribed the medication and
 668 provides documentation as to the method, amount, and time schedule for
 669 administration, and a statement that administration of medication by school
 670 employees during periods when the student is under the control of the school is
 671 medically necessary.

672 (2) Authorization for administration of medication by school personnel may be withdrawn
 673 by the school at any time following actual notice to the student's parent.

674 (3) School personnel who provide assistance under Subsection (1) in substantial compliance

675 with the licensed health care provider's written prescription and the employers of these
676 school personnel are not liable, civilly or criminally, for:

677 (a) any adverse reaction suffered by the student as a result of taking the medication; and
678 (b) discontinuing the administration of the medication under Subsection (2).

679 (4) Subsections (1) through (3) do not apply to:

680 (a) the administration of glucagon in accordance with Section 53G-9-504;

681 (b) the administration of a seizure rescue medication in accordance with Section
682 53G-9-505;

683 (c) the administration of an [~~opiate~~] opioid antagonist in accordance with Title 26B,
684 Chapter 4, Part 5, Treatment Access; or

685 (d) the administration of an adrenal insufficiency medication in accordance with Section
686 53G-9-507.

687 Section 14. Section **58-17b-309** is amended to read:

688 **58-17b-309 (Effective 05/06/26). Exemptions from licensure.**

689 In addition to the exemptions from licensure in Section 58-1-307, the following
690 individuals may engage in the acts or practices described in this section without being licensed
691 under this chapter:

692 (1) a person selling or providing contact lenses in accordance with Section 58-16a-801;

693 (2) an animal shelter that:

694 (a) under the indirect supervision of a veterinarian, stores, handles, or administers a drug
695 used for euthanising an animal; and

696 (b) under the indirect supervision of a veterinarian who is under contract with the animal
697 shelter, stores, handles, or administers a rabies vaccine;

698 (3) an overdose outreach provider, as defined in Section 26B-4-501, that obtains, stores, or
699 furnishes an [~~opiate~~] opioid antagonist in accordance with Title 26B, Chapter 4, Part 5,
700 Treatment Access; and

701 (4) a dispensing practitioner, as defined in Section 58-88-201, dispensing a drug under
702 Chapter 88, Part 2, Dispensing Practice.

703 *The following section is affected by a coordination clause at the end of this bill.*

704 Section 15. Section **58-17b-507** is amended to read:

705 **58-17b-507 (Effective 05/06/26). Opioid antagonist -- Immunity from liability --**

706 **Exclusion from unlawful or unprofessional conduct.**

707 (1) As used in this section:

708 (a) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section

- 709 26B-4-501.
- 710 (b) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
711 defined in Section 26B-4-501.
- 712 (2) A person licensed under this chapter that dispenses an [~~opiate~~] opioid antagonist to an
713 individual with a prescription for an [~~opiate~~] opioid antagonist, to an overdose outreach
714 provider with a prescription for an [~~opiate~~] opioid antagonist, or pursuant to a standing
715 prescription drug order issued in accordance with Subsection 26B-4-510(2) is not liable
716 for any civil damages resulting from the outcomes of the eventual administration of the [
717 ~~opiate~~] opioid antagonist to an individual who another individual believes is experiencing
718 an [~~opiate-related~~] opioid-related drug overdose event.
- 719 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
720 not establish a duty or standard of care in the prescribing, dispensing, or administration
721 of an [~~opiate~~] opioid antagonist.
- 722 (4) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to
723 dispense an [~~opiate~~] opioid antagonist to a person, including a person described in
724 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), on behalf of an individual if the
725 person obtaining the [~~opiate~~] opioid antagonist has a prescription for the [~~opiate~~] opioid
726 antagonist from a licensed prescriber or the [~~opiate~~] opioid antagonist is dispensed
727 pursuant to a standing prescription drug order issued in accordance with Subsection
728 26B-4-510(2).
- 729 (5) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to
730 dispense an [~~opiate~~] opioid antagonist to an overdose outreach provider if the overdose
731 outreach provider has a prescription for the [~~opiate~~] opioid antagonist from a licensed
732 prescriber issued pursuant to Subsection 26B-4-509(2)(a)(iii).

733 *The following section is affected by a coordination clause at the end of this bill.*

734 Section 16. Section **58-31b-703** is amended to read:

735 **58-31b-703 (Effective 05/06/26). Opioid antagonist -- Exclusion from**
736 **unprofessional or unlawful conduct.**

- 737 (1) As used in this section:
- 738 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 739 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 740 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
741 26B-4-501.
- 742 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is

743 defined in Section 26B-4-501.

744 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

745 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
746 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
747 the [~~opiate~~] opioid antagonist:

748 (a) in a good faith effort to assist:

749 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
750 opioid-related drug overdose event; or

751 (ii) a family member of, friend of, or other person, including a person described in
752 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
753 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
754 opioid-related drug overdose event; or

755 (b) to an overdose outreach provider pursuant to Section 26B-4-509.

756 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
757 not establish a duty or standard of care in the prescribing, dispensing, or administration
758 of an [~~opiate~~] opioid antagonist.

759 Section 17. Section **58-37-2** is amended to read:

760 **58-37-2 (Effective 05/06/26). Definitions.**

761 (1) As used in this chapter:

762 (a) "Administer" means the direct application of a controlled substance, whether by
763 injection, inhalation, ingestion, or any other means, to the body of a patient or
764 research subject by:

765 (i) a practitioner or, in the practitioner's presence, by the practitioner's authorized
766 agent; or

767 (ii) the patient or research subject at the direction and in the presence of the
768 practitioner.

769 (b) "Agent" means an authorized person who acts on behalf of or at the direction of a
770 manufacturer, distributor, or practitioner but does not include a motor carrier, public
771 warehouseman, or employee of any of them.

772 (c) "Consumption" means ingesting or having any measurable amount of a controlled
773 substance in a person's body, but this Subsection (1)(c) does not include the
774 metabolite of a controlled substance.

775 (d) "Continuing criminal enterprise" means any individual, sole proprietorship,
776 partnership, corporation, business trust, association, or other legal entity, and any

777 union or groups of individuals associated in fact although not a legal entity, and
778 includes illicit as well as licit entities created or maintained for the purpose of
779 engaging in conduct which constitutes the commission of episodes of activity made
780 unlawful by this chapter, Chapter 37a, Utah Drug Paraphernalia Act, Chapter 37b,
781 Imitation Controlled Substances Act, Chapter 37c, Utah Controlled Substance
782 Precursor Act, or Chapter 37d, Clandestine Drug Lab Act, which episodes are not
783 isolated, but have the same or similar purposes, results, participants, victims, methods
784 of commission, or otherwise are interrelated by distinguishing characteristics. Taken
785 together, the episodes shall demonstrate continuing unlawful conduct and be related
786 either to each other or to the enterprise.

787 (e) "Control" means to add, remove, or change the placement of a drug, substance, or
788 immediate precursor under Section 58-37-3.

789 (f)(i) "Controlled substance" means a drug or substance:

790 (A) included in Schedules I, II, III, IV, or V of Section 58-37-4;

791 (B) included in Schedules I, II, III, IV, or V of the federal Controlled Substances
792 Act, Title II, P.L. 91-513;

793 (C) that is a controlled substance analog; or

794 (D) listed in Section 58-37-4.2.

795 (ii) "Controlled substance" does not include:

796 (A) distilled spirits, wine, or malt beverages, as those terms are defined in Title
797 32B, Alcoholic Beverage Control Act;

798 (B) any drug intended for lawful use in the diagnosis, cure, mitigation, treatment,
799 or prevention of disease in human or other animals, which contains ephedrine,
800 pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if the drug is
801 lawfully purchased, sold, transferred, or furnished as an over-the-counter
802 medication without prescription; or

803 (C) dietary supplements, vitamins, minerals, herbs, or other similar substances
804 including concentrates or extracts, which:

805 (I) are not otherwise regulated by law; and

806 (II) may contain naturally occurring amounts of chemical or substances listed
807 in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah
808 Administrative Rulemaking Act.

809 (g)(i) "Controlled substance analog" means:

810 (A) a substance the chemical structure of which is substantially similar to the

- 811 chemical structure of a controlled substance listed in Schedules I and II of
812 Section 58-37-4, a substance listed in Section 58-37-4.2, or in Schedules I and
813 II of the federal Controlled Substances Act, Title II, P.L. 91-513;
- 814 (B) a substance that has a stimulant, depressant, or hallucinogenic effect on the
815 central nervous system substantially similar to the stimulant, depressant, or
816 hallucinogenic effect on the central nervous system of controlled substances
817 listed in Schedules I and II of Section 58-37-4, substances listed in Section
818 58-37-4.2, or substances listed in Schedules I and II of the federal Controlled
819 Substances Act, Title II, P.L. 91-513; or
- 820 (C) [A] a substance that, with respect to a particular individual, is represented or
821 intended to have a stimulant, depressant, or hallucinogenic effect on the central
822 nervous system substantially similar to the stimulant, depressant, or
823 hallucinogenic effect on the central nervous system of controlled substances
824 listed in Schedules I and II of Section 58-37-4, substances listed in Section
825 58-37-4.2, or substances listed in Schedules I and II of the federal Controlled
826 Substances Act, Title II, P.L. 91-513.
- 827 (ii) "Controlled substance analog" does not include:
- 828 (A) a controlled substance currently scheduled in Schedules I through V of
829 Section 58-37-4;
- 830 (B) a substance for which there is an approved new drug application;
- 831 (C) a substance with respect to which an exemption is in effect for investigational
832 use by a particular person under Section 505 of the Food, Drug, and Cosmetic
833 Act, 21 U.S.C. Sec. 355, to the extent the conduct with respect to the substance
834 is permitted by the exemption;
- 835 (D) any substance to the extent not intended for human consumption before an
836 exemption takes effect with respect to the substance;
- 837 (E) any drug intended for lawful use in the diagnosis, cure, mitigation, treatment,
838 or prevention of disease in man or other animals, which contains ephedrine,
839 pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if the drug is
840 lawfully purchased, sold, transferred, or furnished as an over-the-counter
841 medication without prescription; or
- 842 (F) dietary supplements, vitamins, minerals, herbs, or other similar substances
843 including concentrates or extracts, which are not otherwise regulated by law,
844 which may contain naturally occurring amounts of chemical or substances

845 listed in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah
846 Administrative Rulemaking Act.

847 (h)(i) "Conviction" means a determination of guilt by verdict, whether jury or bench,
848 or plea, whether guilty or no contest, for any offense proscribed by:

849 (A) this chapter;

850 (B) Chapter 37a, Utah Drug Paraphernalia Act;

851 (C) Chapter 37b, Imitation Controlled Substances Act;

852 (D) Chapter 37c, Utah Controlled Substance Precursor Act; or

853 (E) Chapter 37d, Clandestine Drug Lab Act; or

854 (ii) for any offense under the laws of the United States and any other state which, if
855 committed in this state, would be an offense under:

856 (A) this chapter;

857 (B) Chapter 37a, Utah Drug Paraphernalia Act;

858 (C) Chapter 37b, Imitation Controlled Substances Act;

859 (D) Chapter 37c, Utah Controlled Substance Precursor Act; or

860 (E) Chapter 37d, Clandestine Drug Lab Act.

861 (i) "Counterfeit substance" means:

862 (i) any controlled substance or container or labeling of any controlled substance that:

863 (A) without authorization bears the trademark, trade name, or other identifying
864 mark, imprint, number, device, or any likeness of them, of a manufacturer,
865 distributor, or dispenser other than the person or persons who in fact
866 manufactured, distributed, or dispensed the substance which falsely purports to
867 be a controlled substance distributed by any other manufacturer, distributor, or
868 dispenser; and

869 (B) a reasonable person would believe to be a controlled substance distributed by
870 an authorized manufacturer, distributor, or dispenser based on the appearance
871 of the substance as described under Subsection (1)(i)(i)(A) or the appearance of
872 the container of that controlled substance; or

873 (ii) any substance other than under Subsection (1)(i)(i) that:

874 (A) is falsely represented to be any legally or illegally manufactured controlled
875 substance; and

876 (B) a reasonable person would believe to be a legal or illegal controlled substance.

877 (j) "Deliver" or "delivery" means the actual, constructive, or attempted transfer of a
878 controlled substance or a listed chemical, whether or not an agency relationship exists.

- 879 (k) "Department" means the Department of Commerce.
- 880 (l) "Depressant or stimulant substance" means:
- 881 (i) a drug which contains any quantity of barbituric acid or any of the salts of
- 882 barbituric acid;
- 883 (ii) a drug which contains any quantity of:
- 884 (A) amphetamine or any of its optical isomers;
- 885 (B) any salt of amphetamine or any salt of an optical isomer of amphetamine; or
- 886 (C) any substance which the Secretary of Health and Human Services or the
- 887 Attorney General of the United States after investigation has found and by
- 888 regulation designated habit-forming because of its stimulant effect on the
- 889 central nervous system;
- 890 (iii) lysergic acid diethylamide; or
- 891 (iv) any drug which contains any quantity of a substance which the Secretary of
- 892 Health and Human Services or the Attorney General of the United States after
- 893 investigation has found to have, and by regulation designated as having, a
- 894 potential for abuse because of its depressant or stimulant effect on the central
- 895 nervous system or its hallucinogenic effect.
- 896 (m) "Dispense" means the delivery of a controlled substance by a pharmacist to an
- 897 ultimate user pursuant to the lawful order or prescription of a practitioner, and
- 898 includes distributing to, leaving with, giving away, or disposing of that substance as
- 899 well as the packaging, labeling, or compounding necessary to prepare the substance
- 900 for delivery.
- 901 (n) "Dispenser" means a pharmacist who dispenses a controlled substance.
- 902 (o) "Distribute" means to deliver other than by administering or dispensing a controlled
- 903 substance or a listed chemical.
- 904 (p) "Distributor" means a person who distributes controlled substances.
- 905 (q) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- 906 (r)(i) "Drug" means:
- 907 (A) a substance recognized in the official United States Pharmacopoeia, Official
- 908 Homeopathic Pharmacopoeia of the United States, or Official National
- 909 Formulary, or any supplement to any of them, intended for use in the
- 910 diagnosis, cure, mitigation, treatment, or prevention of disease in humans or
- 911 animals;
- 912 (B) a substance that is required by any applicable federal or state law or rule to be

- 913 dispensed by prescription only or is restricted to administration by practitioners
914 only;
- 915 (C) a substance other than food intended to affect the structure or any function of
916 the body of humans or other animals; and
- 917 (D) substances intended for use as a component of any substance specified in
918 Subsections (1)(r)(i)(A), (B), and (C).
- 919 (ii) "Drug" does not include dietary supplements.
- 920 (iii) "Drug" includes a food intended for human consumption that intentionally
921 contains a vaccine or vaccine material as provided in Section 4-5-107.
- 922 (s) "Drug dependent person" means any individual who unlawfully and habitually uses
923 any controlled substance to endanger the public morals, health, safety, or welfare, or
924 who is so dependent upon the use of controlled substances as to have lost the power
925 of self-control with reference to the individual's dependency.
- 926 (t)(i) "Food" means:
- 927 (A) any nutrient or substance of plant, mineral, or animal origin other than a drug
928 as specified in this chapter, and normally ingested by human beings; and
- 929 (B) foods for special dietary uses as exist by reason of a physical, physiological,
930 pathological, or other condition including the conditions of disease,
931 convalescence, pregnancy, lactation, allergy, hypersensitivity to food,
932 underweight, and overweight; uses for supplying a particular dietary need
933 which exist by reason of age including the ages of infancy and childbirth, and
934 also uses for supplementing and for fortifying the ordinary or unusual diet with
935 any vitamin, mineral, or other dietary property for use of a food.
- 936 (ii) Any particular use of a food is a special dietary use regardless of the nutritional
937 purposes.
- 938 (u) "Immediate precursor" means a substance which the Attorney General of the United
939 States has found to be, and by regulation designated as being, the principal compound
940 used or produced primarily for use in the manufacture of a controlled substance, or
941 which is an immediate chemical intermediary used or likely to be used in the
942 manufacture of a controlled substance, the control of which is necessary to prevent,
943 curtail, or limit the manufacture of the controlled substance.
- 944 (v) "Indian" means a member of an Indian tribe.
- 945 (w) "Indian religion" means a religion:
- 946 (i) the origin and interpretation of which is from within a traditional Indian culture or

- 947 community; and
- 948 (ii) that is practiced by Indians.
- 949 (x) "Indian tribe" means any tribe, band, nation, pueblo, or other organized group or
- 950 community of Indians, including any Alaska Native village, which is legally
- 951 recognized as eligible for and is consistent with the special programs, services, and
- 952 entitlements provided by the United States to Indians because of their status as
- 953 Indians.
- 954 (y) "Manufacture" means the production, preparation, propagation, compounding, or
- 955 processing of a controlled substance, either directly or indirectly by extraction from
- 956 substances of natural origin, or independently by means of chemical synthesis or by a
- 957 combination of extraction and chemical synthesis.
- 958 (z) "Manufacturer" includes any person who packages, repackages, or labels any
- 959 container of any controlled substance, except pharmacists who dispense or compound
- 960 prescription orders for delivery to the ultimate consumer.
- 961 (aa)(i) "Marijuana" means all species of the genus cannabis and all parts of the genus,
- 962 whether growing or not, including:
- 963 (A) seeds;
- 964 (B) resin extracted from any part of the plant, including the resin extracted from
- 965 the mature stalks;
- 966 (C) every compound, manufacture, salt, derivative, mixture, or preparation of the
- 967 plant, seeds, or resin;
- 968 (D) any synthetic equivalents of the substances contained in the plant cannabis
- 969 sativa or any other species of the genus cannabis which are chemically
- 970 indistinguishable and pharmacologically active; and
- 971 (E) any component part or cannabinoid extracted or isolated from the plant,
- 972 including extracted or isolated tetrahydrocannabinols.
- 973 (ii) "Marijuana" does not include:
- 974 (A) the mature stalks of the plant;
- 975 (B) fiber produced from the stalks;
- 976 (C) oil or cake made from the seeds of the plant;
- 977 (D) except as provided in Subsection (1)(aa)(i), any other compound,
- 978 manufacture, salt, derivative, mixture, or preparation of the mature stalks,
- 979 fiber, oil or cake;
- 980 (E) the sterilized seed of the plant which is incapable of germination;

- 981 (F) any compound, mixture, or preparation approved by the federal Food and
982 Drug Administration under the federal Food, Drug, and Cosmetic Act, 21
983 U.S.C. Sec. 301 et seq. that is not listed in a schedule of controlled substances
984 in Section 58-37-4 or in the federal Controlled Substances Act, Title II, P.L.
985 91-513; or
- 986 (G) transportable industrial hemp concentrate as that term is defined in Section
987 4-41-102.
- 988 (bb) "Money" means officially issued coin and currency of the United States or any
989 foreign country.
- 990 (cc) "Narcotic drug" means any of the following, whether produced directly or indirectly
991 by extraction from substances of vegetable origin, or independently by means of
992 chemical synthesis, or by a combination of extraction and chemical synthesis:
- 993 (i) opium, coca leaves, and [~~opiates~~] opioid-like substances;
- 994 (ii) a compound, manufacture, salt, derivative, or preparation of opium, coca leaves,
995 or [~~opiates~~] opioid-like substances;
- 996 (iii) opium poppy and poppy straw; or
- 997 (iv) a substance, and any compound, manufacture, salt, derivative, or preparation of
998 the substance, which is chemically identical with any of the substances referred to
999 in Subsection (1)(cc)(i), (ii), or (iii), except narcotic drug does not include
1000 decocainized coca leaves or extracts of coca leaves which do not contain cocaine
1001 or ecgonine.
- 1002 (dd) "Negotiable instrument" means documents, containing an unconditional promise to
1003 pay a sum of money, which are legally transferable to another party by endorsement
1004 or delivery.
- 1005 (ee) "[~~Opiate~~] Opioid-like substance" means any drug or other substance having an
1006 addiction-forming or addiction-sustaining liability similar to morphine or being
1007 capable of conversion into a drug having addiction-forming or addiction-sustaining
1008 liability.
- 1009 (ff) "Opium poppy" means the plant of the species *papaver somniferum* L., except the
1010 seeds of the plant.
- 1011 (gg) "Person" means any corporation, association, partnership, trust, other institution or
1012 entity or one or more individuals.
- 1013 (hh) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.
- 1014 (ii) "Possession" or "use" means the joint or individual ownership, control, occupancy,

1015 holding, retaining, belonging, maintaining, or the application, inhalation, swallowing,
1016 injection, or consumption, as distinguished from distribution, of controlled
1017 substances and includes individual, joint, or group possession or use of controlled
1018 substances. For a person to be a possessor or user of a controlled substance, it is not
1019 required that the person be shown to have individually possessed, used, or controlled
1020 the substance, but it is sufficient if it is shown that the person jointly participated with
1021 one or more persons in the use, possession, or control of any substances with
1022 knowledge that the activity was occurring, or the controlled substance is found in a
1023 place or under circumstances indicating that the person had the ability and the intent
1024 to exercise dominion and control over the controlled substance.

1025 (jj) "Practitioner" means a physician, dentist, naturopathic physician, veterinarian,
1026 pharmacist, scientific investigator, pharmacy, hospital, or other person licensed,
1027 registered, or otherwise permitted to distribute, dispense, conduct research with
1028 respect to, administer, or use in teaching or chemical analysis a controlled substance
1029 in the course of professional practice or research in this state.

1030 (kk) "Prescribe" means to issue a prescription:

1031 (i) orally or in writing; or

1032 (ii) by telephone, facsimile transmission, computer, or other electronic means of
1033 communication as defined by division rule.

1034 (ll) "Prescription" means an order issued:

1035 (i) by a licensed practitioner, in the course of that practitioner's professional practice
1036 or by collaborative pharmacy practice agreement; and

1037 (ii) for a controlled substance or other prescription drug or device for use by a patient
1038 or an animal.

1039 (mm) "Production" means the manufacture, planting, cultivation, growing, or harvesting
1040 of a controlled substance.

1041 (nn) "Securities" means any stocks, bonds, notes, or other evidences of debt or of
1042 property.

1043 (oo) "State" means the state of Utah.

1044 (pp) "Ultimate user" means any person who lawfully possesses a controlled substance
1045 for the person's own use, for the use of a member of the person's household, or for
1046 administration to an animal owned by the person or a member of the person's
1047 household.

1048 (2) If a term used in this chapter is not defined, the definition and terms of Title 76, Utah

1049 Criminal Code, shall apply.

1050 Section 18. Section **58-37-4** is amended to read:

1051 **58-37-4 (Effective 05/06/26). Schedules of controlled substances -- Schedules I**
1052 **through V -- Findings required -- Specific substances included in schedules.**

1053 (1) There are established five schedules of controlled substances known as Schedules I, II,
1054 III, IV, and V which consist of substances listed in this section.

1055 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by the
1056 official name, common or usual name, chemical name, or brand name designated:

1057 (a) Schedule I:

1058 (i) Unless specifically excepted or unless listed in another schedule, any of the
1059 following ~~[opiates]~~ substances, including their isomers, esters, ethers, salts, and
1060 salts of isomers, esters, and ethers, when the existence of the isomers, esters,
1061 ethers, and salts is possible within the specific chemical designation:

1062 (A) Acetyl-alpha-methylfentanyl

1063 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

1064 (B) Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

1065 (C) Acetylmethadol;

1066 (D) Acryl fentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacrylamide);

1067 (E) Allylprodine;

1068 (F) Alphacetylmethadol, except levo-alphacetylmethadol also known as
1069 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

1070 (G) Alphameprodine;

1071 (H) Alphamethadol;

1072 (I) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
1073 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

1074 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
1075 piperidinyl]-N-phenylpropanamide);

1076 (K) Benzylpiperazine;

1077 (L) Benzethidine;

1078 (M) Betacetylmethadol;

1079 (N) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
1080 piperidinyl]-N-phenylpropanamide);

1081 (O) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
1082 phenethyl)-3-methyl-4-piperidinyl]-N-phenylpropanamide;

- 1083 (P) Betameprodine;
- 1084 (Q) Betamethadol;
- 1085 (R) Betaprodine;
- 1086 (S) Butyryl fentanyl (N-(1-(2-phenylethyl)-4-piperidinyl)-N-phenylbutyramide);
- 1087 (T) Clonitazene;
- 1088 (U) Cyclopropyl fentanyl
(N-(1-Phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
- 1090 (V) Dextromoramide;
- 1091 (W) Diampromide;
- 1092 (X) Diethylthiambutene;
- 1093 (Y) Difenoxin;
- 1094 (Z) Dimenoxadol;
- 1095 (AA) Dimepheptanol;
- 1096 (BB) Dimethylthiambutene;
- 1097 (CC) Dioxaphetyl butyrate;
- 1098 (DD) Dipipanone;
- 1099 (EE) Ethylmethylthiambutene;
- 1100 (FF) Etizolam
(1-Methyl-6-o-chlorophenyl-8-ethyl-4H-s-triazolo[3,4-c]thieno[2,3-e]1,4-diazepine);
- 1102 (GG) Etonitazene;
- 1103 (HH) Etoxeridine;
- 1104 (II) Furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]
furan-2-carboxamide);
- 1106 (JJ) Furethidine;
- 1107 (KK) Hydroxypethidine;
- 1108 (LL) Ketobemidone;
- 1109 (MM) Levomoramide;
- 1110 (NN) Levophenacetylmorphan;
- 1111 (OO) Methoxyacetyl fentanyl
(2-Methoxy-N-(1-phenylethylpiperidinyl-4-yl)-N-acetamide);
- 1113 (PP) Morpheridine;
- 1114 (QQ) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 1115 (RR) Noracymethadol;
- 1116 (SS) Norlevorphanol;

- 1117 (TT) Normethadone;
- 1118 (UU) Norpipanone;
- 1119 (VV) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]
- 1120 propanamide);
- 1121 (WW) Para-fluoroisobutyryl fentanyl
- 1122 (N-(4-Fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
- 1123 (XX) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 1124 (YY) Phenadoxone;
- 1125 (ZZ) Phenampromide;
- 1126 (AAA) Phenibut;
- 1127 (BBB) Phenomorphan;
- 1128 (CCC) Phenoperidine;
- 1129 (DDD) Piritramide;
- 1130 (EEE) Proheptazine;
- 1131 (FFF) Properidine;
- 1132 (GGG) Propiram;
- 1133 (HHH) Racemoramide;
- 1134 (III) Tetrahydrofuran fentanyl
- 1135 (N-(1-Phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
- 1136 (JJJ) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;
- 1137 (KKK) Tianeptine;
- 1138 (LLL) Tilidine;
- 1139 (MMM) Trimeperidine;
- 1140 (NNN) 3-methylfentanyl, including the optical and geometric isomers
- 1141 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide);
- 1142 (OOO) 3-methylthiofentanyl
- 1143 (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- 1144 (PPP) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide also
- 1145 known as U-47700; and
- 1146 (QQQ) 4-cyano CUMYL-BUTINACA.
- 1147 (ii) Unless specifically excepted or unless listed in another schedule, any of the
- 1148 following opium derivatives, their salts, isomers, and salts of isomers when the
- 1149 existence of the salts, isomers, and salts of isomers is possible within the specific
- 1150 chemical designation:

- 1151 (A) Acetorphine;
- 1152 (B) Acetyldihydrocodeine;
- 1153 (C) Benzylmorphine;
- 1154 (D) Codeine methylbromide;
- 1155 (E) Codeine-N-Oxide;
- 1156 (F) Cyprenorphine;
- 1157 (G) Desomorphine;
- 1158 (H) Dihydromorphine;
- 1159 (I) Drotebanol;
- 1160 (J) Etorphine (except hydrochloride salt);
- 1161 (K) Heroin;
- 1162 (L) Hydromorphenol;
- 1163 (M) Methyldesorphine;
- 1164 (N) Methylhydromorphine;
- 1165 (O) Morphine methylbromide;
- 1166 (P) Morphine methylsulfonate;
- 1167 (Q) Morphine-N-Oxide;
- 1168 (R) Myrophine;
- 1169 (S) Nicocodeine;
- 1170 (T) Nicomorphine;
- 1171 (U) Normorphine;
- 1172 (V) Pholcodine; and
- 1173 (W) Thebacon.
- 1174 (iii) Unless specifically excepted or unless listed in another schedule, any material,
- 1175 compound, mixture, or preparation which contains any quantity of the following
- 1176 hallucinogenic substances, or which contains any of their salts, isomers, and salts
- 1177 of isomers when the existence of the salts, isomers, and salts of isomers is possible
- 1178 within the specific chemical designation; as used in this Subsection (2)(a)(iii)
- 1179 only, "isomer" includes the optical, position, and geometric isomers:
- 1180 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase; α
- 1181 -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
- 1182 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
- 1183 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
- 1184 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:

- 1185 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
 1186 2C-B, Nexus;
- 1187 (D) 2,5-dimethoxyamphetamine, some trade or other names: 2,5-dimethoxy- α
 1188 -methylphenethylamine; 2,5-DMA;
- 1189 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
- 1190 (F) 4-methoxyamphetamine, some trade or other names: 4-methoxy- α
 1191 -methylphenethylamine; paramethoxyamphetamine, PMA;
- 1192 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
- 1193 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
 1194 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
- 1195 (I) 3,4-methylenedioxy amphetamine;
- 1196 (J) 3,4-methylenedioxymethamphetamine (MDMA);
- 1197 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
 1198 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE,
 1199 MDEA;
- 1200 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
 1201 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy
 1202 MDA;
- 1203 (M) 3,4,5-trimethoxy amphetamine;
- 1204 (N) Bufotenine, some trade and other names: 3-(β
 1205 -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
 1206 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- 1207 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
- 1208 (P) Dimethyltryptamine, some trade or other names: DMT;
- 1209 (Q) Ibogaine, some trade and other names: 7-Ethyl-6,6 β
 1210 ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2]
 1211 azepino [5,4-b] indole; Tabernanthe iboga;
- 1212 (R) Lysergic acid diethylamide;
- 1213 (S) Marijuana;
- 1214 (T) Mescaline;
- 1215 (U) Parahexyl, some trade or other names:
 1216 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;
 1217 Synhexyl;
- 1218 (V) Peyote, meaning all parts of the plant presently classified botanically as

- 1219 Lophophora williamsii Lemaire, whether growing or not, the seeds thereof, any
1220 extract from any part of such plant, and every compound, manufacture, salts,
1221 derivative, mixture, or preparation of such plant, its seeds or extracts
1222 (Interprets 21 USC 812(c), Schedule I(c) (12));
- 1223 (W) N-ethyl-3-piperidyl benzilate;
- 1224 (X) N-methyl-3-piperidyl benzilate;
- 1225 (Y) Psilocybin;
- 1226 (Z) Psilocyn;
- 1227 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus Cannabis
1228 (cannabis plant), except for marijuana as defined in Subsection
1229 58-37-2(1)(aa)(i)(E), as well as synthetic equivalents of the substances
1230 contained in the cannabis plant, or in the resinous extractives of Cannabis, sp.
1231 and/or synthetic substances, derivatives, and their isomers with similar
1232 chemical structure and pharmacological activity to those substances contained
1233 in the plant, such as the following: Δ 1 cis or trans tetrahydrocannabinol, and
1234 their optical isomers Δ 6 cis or trans tetrahydrocannabinol, and their optical
1235 isomers Δ 3,4 cis or trans tetrahydrocannabinol, and its optical isomers, and since
1236 nomenclature of these substances is not internationally standardized,
1237 compounds of these structures, regardless of numerical designation of atomic
1238 positions covered;
- 1239 (BB) Ethylamine analog of phencyclidine, some trade or other names:
1240 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
1241 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;
- 1242 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:
1243 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 1244 (DD) Thiophene analog of phencyclidine, some trade or other names:
1245 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienylanalog of phencyclidine,
1246 TPCP, TCP; and
- 1247 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.
- 1248 (iv) Unless specifically excepted or unless listed in another schedule, any material
1249 compound, mixture, or preparation which contains any quantity of the following
1250 substances having a depressant effect on the central nervous system, including its
1251 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
1252 salts of isomers is possible within the specific chemical designation:

- 1253 (A) Mecloqualone; and
1254 (B) Methaqualone.
- 1255 (v) Any material, compound, mixture, or preparation containing any quantity of the
1256 following substances having a stimulant effect on the central nervous system,
1257 including their salts, isomers, and salts of isomers:
- 1258 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
1259 or 4,5-dihydro-5-phenyl-2-oxazolamine;
- 1260 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,
1261 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;
- 1262 (C) Fenethylamine;
- 1263 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
1264 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
1265 alpha-N-methylaminopropionophenone; monomethylpropion; ephedrone;
1266 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432,
1267 its salts, optical isomers, and salts of optical isomers;
- 1268 (E) (±)cis-4-methylaminorex ((±)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
- 1269 (F) N-ethylamphetamine; and
- 1270 (G) N,N-dimethylamphetamine, also known as
1271 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 1272 (vi) Any material, compound, mixture, or preparation which contains any quantity of
1273 the following substances, including their optical isomers, salts, and salts of
1274 isomers, subject to temporary emergency scheduling:
- 1275 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and
1276 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl).
- 1277 (vii) Unless specifically excepted or unless listed in another schedule, any material,
1278 compound, mixture, or preparation which contains any quantity of gamma
1279 hydroxy butyrate (gamma hydrobutyric acid), including its salts, isomers, and
1280 salts of isomers.
- 1281 (b) Schedule II:
- 1282 (i) Unless specifically excepted or unless listed in another schedule, any of the
1283 following substances whether produced directly or indirectly by extraction from
1284 substances of vegetable origin, or independently by means of chemical synthesis,
1285 or by a combination of extraction and chemical synthesis:
- 1286 (A) Opium and opiate, and any salt, compound, derivative, or preparation of

- 1287 opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmeffene,
1288 naloxone, and naltrexone, and their respective salts, but including:
- 1289 (I) Raw opium;
1290 (II) Opium extracts;
1291 (III) Opium fluid;
1292 (IV) Powdered opium;
1293 (V) Granulated opium;
1294 (VI) Tincture of opium;
1295 (VII) Codeine;
1296 (VIII) Ethylmorphine;
1297 (IX) Etorphine hydrochloride;
1298 (X) Hydrocodone;
1299 (XI) Hydromorphone;
1300 (XII) Metopon;
1301 (XIII) Morphine;
1302 (XIV) Oxycodone;
1303 (XV) Oxymorphone; and
1304 (XVI) Thebaine;
- 1305 (B) Any salt, compound, derivative, or preparation which is chemically equivalent
1306 or identical with any of the substances referred to in Subsection (2)(b)(i)(A),
1307 except that these substances may not include the isoquinoline alkaloids of
1308 opium;
- 1309 (C) Opium poppy and poppy straw;
- 1310 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves,
1311 and any salt, compound, derivative, or preparation which is chemically
1312 equivalent or identical with any of these substances, and includes cocaine and
1313 ecgonine, their salts, isomers, derivatives, and salts of isomers and derivatives,
1314 whether derived from the coca plant or synthetically produced, except the
1315 substances may not include decocainized coca leaves or extraction of coca
1316 leaves, which extractions do not contain cocaine or ecgonine; and
- 1317 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in
1318 either liquid, solid, or powder form which contains the phenanthrene alkaloids
1319 of the opium poppy.
- 1320 (ii) Unless specifically excepted or unless listed in another schedule, any of the

- 1321 following [opiates] substances, including their isomers, esters, ethers, salts, and
1322 salts of isomers, esters, and ethers, when the existence of the isomers, esters,
1323 ethers, and salts is possible within the specific chemical designation, except
1324 dextrophan and levopropoxyphene:
- 1325 (A) Alfentanil;
 - 1326 (B) Alphaprodine;
 - 1327 (C) Anileridine;
 - 1328 (D) Bezitramide;
 - 1329 (E) Bulk dextropropoxyphene (nondosage forms);
 - 1330 (F) Carfentanil;
 - 1331 (G) Dihydrocodeine;
 - 1332 (H) Diphenoxylate;
 - 1333 (I) Fentanyl;
 - 1334 (J) Isomethadone;
 - 1335 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,
1336 levomethadyl acetate, or LAAM;
 - 1337 (L) Levomethorphan;
 - 1338 (M) Levorphanol;
 - 1339 (N) Metazocine;
 - 1340 (O) Methadone;
 - 1341 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;
 - 1342 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
1343 1-diphenylpropane-carboxylic acid;
 - 1344 (R) Pethidine (meperidine);
 - 1345 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
 - 1346 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
 - 1347 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
 - 1348 (V) Phenazocine;
 - 1349 (W) Piminodine;
 - 1350 (X) Racemethorphan;
 - 1351 (Y) Racemorphan;
 - 1352 (Z) Remifentanil; and
 - 1353 (AA) Sufentanil.
- 1354 (iii) Unless specifically excepted or unless listed in another schedule, any material,

- 1355 compound, mixture, or preparation which contains any quantity of the following
1356 substances having a stimulant effect on the central nervous system:
- 1357 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
1358 (B) Methamphetamine, its salts, isomers, and salts of its isomers;
1359 (C) Phenmetrazine and its salts; and
1360 (D) Methylphenidate.
- 1361 (iv) Unless specifically excepted or unless listed in another schedule, any material,
1362 compound, mixture, or preparation which contains any quantity of the following
1363 substances having a depressant effect on the central nervous system, including its
1364 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
1365 salts of isomers is possible within the specific chemical designation:
- 1366 (A) Amobarbital;
1367 (B) Glutethimide;
1368 (C) Pentobarbital;
1369 (D) Phencyclidine;
1370 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
1371 1-piperidinocyclohexanecarbonitrile (PCC); and
1372 (F) Secobarbital.
- 1373 (v)(A) Unless specifically excepted or unless listed in another schedule, any
1374 material, compound, mixture, or preparation which contains any quantity of
1375 Phenylacetone.
1376 (B) Some of these substances may be known by trade or other names:
1377 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone.
- 1378 (vi) Nabilone, another name for nabilone: (\pm
1379 $\text{-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,}$
1380 $\text{6-dimethyl-9H-dibenzo[b,d]pyran-9-one.}$
- 1381 (vii) A drug product or preparation that contains any component of marijuana,
1382 including tetrahydrocannabinol, and is approved by the United States Food and
1383 Drug Administration and scheduled by the Drug Enforcement Administration in
1384 Schedule II of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 1385 (c) Schedule III:
- 1386 (i) Unless specifically excepted or unless listed in another schedule, any material,
1387 compound, mixture, or preparation which contains any quantity of the following
1388 substances having a stimulant effect on the central nervous system, including its

- 1389 salts, isomers whether optical, position, or geometric, and salts of the isomers
1390 when the existence of the salts, isomers, and salts of isomers is possible within the
1391 specific chemical designation:
- 1392 (A) Those compounds, mixtures, or preparations in dosage unit form containing
1393 any stimulant substances listed in Schedule II, which compounds, mixtures, or
1394 preparations were listed on August 25, 1971, as excepted compounds under
1395 Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other
1396 drug of the quantitative composition shown in that list for those drugs or which
1397 is the same except that it contains a lesser quantity of controlled substances;
- 1398 (B) Benzphetamine;
- 1399 (C) Chlorphentermine;
- 1400 (D) Clortermine; and
- 1401 (E) Phendimetrazine.
- 1402 (ii) Unless specifically excepted or unless listed in another schedule, any material,
1403 compound, mixture, or preparation which contains any quantity of the following
1404 substances having a depressant effect on the central nervous system:
- 1405 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
1406 pentobarbital, or any salt of any of them, and one or more other active
1407 medicinal ingredients which are not listed in any schedule;
- 1408 (B) Any suppository dosage form containing amobarbital, secobarbital, or
1409 pentobarbital, or any salt of any of these drugs which is approved by the United
1410 States Food and Drug Administration for marketing only as a suppository;
- 1411 (C) Any substance which contains any quantity of a derivative of barbituric acid
1412 or any salt of any of them;
- 1413 (D) Chlorhexadol;
- 1414 (E) Buprenorphine;
- 1415 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
1416 isomers, and salts of isomers, for which an application is approved under the
1417 federal Food, Drug, and Cosmetic Act, Section 505;
- 1418 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for
1419 ketamine: \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;
- 1420 (H) Lysergic acid;
- 1421 (I) Lysergic acid amide;
- 1422 (J) Methyprylon;

- 1423 (K) Sulfondiethylmethane;
- 1424 (L) Sulfonethylmethane;
- 1425 (M) Sulfonmethane; and
- 1426 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for
- 1427 a tiletamine-zolazepam combination product: Telazol, some trade or other
- 1428 names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade
- 1429 or other names for zolazepam:
- 1430 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
- 1431 [1,4]-diazepin-7(1H)-one, flupyrzapon.
- 1432 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
- 1433 a U.S. Food and Drug Administration approved drug product, some other names
- 1434 for dronabinol:
- 1435 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,
- 1436 or (-)-delta-9-(trans)-tetrahydrocannabinol.
- 1437 (iv) Nalorphine.
- 1438 (v) Unless specifically excepted or unless listed in another schedule, any material,
- 1439 compound, mixture, or preparation containing limited quantities of any of the
- 1440 following narcotic drugs, or their salts calculated as the free anhydrous base or
- 1441 alkaloid:
- 1442 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
- 1443 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline
- 1444 alkaloid of opium;
- 1445 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
- 1446 milligrams per dosage unit, with one or more active non-narcotic ingredients in
- 1447 recognized therapeutic amounts;
- 1448 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
- 1449 more than 15 milligrams per dosage unit, with a fourfold or greater quantity of
- 1450 an isoquinoline alkaloid of opium;
- 1451 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
- 1452 more than 15 milligrams per dosage unit, with one or more active, non-narcotic
- 1453 ingredients in recognized therapeutic amounts;
- 1454 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more
- 1455 than 90 milligrams per dosage unit, with one or more active non-narcotic
- 1456 ingredients in recognized therapeutic amounts;

- 1457 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more
1458 than 15 milligrams per dosage unit, with one or more active, non-narcotic
1459 ingredients in recognized therapeutic amounts;
- 1460 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
1461 or not more than 25 milligrams per dosage unit, with one or more active,
1462 non-narcotic ingredients in recognized therapeutic amounts; and
- 1463 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
1464 with one or more active, non-narcotic ingredients in recognized therapeutic
1465 amounts.
- 1466 (vi) Unless specifically excepted or unless listed in another schedule, anabolic
1467 steroids including any of the following or any isomer, ester, salt, or derivative of
1468 the following that promotes muscle growth:
- 1469 (A) Boldenone;
- 1470 (B) Chlorotestosterone (4-chlortestosterone);
- 1471 (C) Clostebol;
- 1472 (D) Dehydrochlormethyltestosterone;
- 1473 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 1474 (F) Drostanolone;
- 1475 (G) Ethylestrenol;
- 1476 (H) Fluoxymesterone;
- 1477 (I) Formebolone (formebolone);
- 1478 (J) Mesterolone;
- 1479 (K) Methandienone;
- 1480 (L) Methandranone;
- 1481 (M) Methandriol;
- 1482 (N) Methandrostenolone;
- 1483 (O) Methenolone;
- 1484 (P) Methyltestosterone;
- 1485 (Q) Mibolerone;
- 1486 (R) Nandrolone;
- 1487 (S) Norethandrolone;
- 1488 (T) Oxandrolone;
- 1489 (U) Oxymesterone;
- 1490 (V) Oxymetholone;

- 1491 (W) Stanolone;
- 1492 (X) Stanozolol;
- 1493 (Y) Testolactone;
- 1494 (Z) Testosterone; and
- 1495 (AA) Trenbolone.
- 1496 (vii) Anabolic steroids expressly intended for administration through implants to
- 1497 cattle or other nonhuman species, and approved by the Secretary of Health and
- 1498 Human Services for use, may not be classified as a controlled substance.
- 1499 (viii) A drug product or preparation that contains any component of marijuana,
- 1500 including tetrahydrocannabinol, and is approved by the United States Food and
- 1501 Drug Administration and scheduled by the Drug Enforcement Administration in
- 1502 Schedule III of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 1503 (ix) Nabiximols.
- 1504 (d) Schedule IV:
- 1505 (i) Unless specifically excepted or unless listed in another schedule, any material,
- 1506 compound, mixture, or preparation containing not more than 1 milligram of
- 1507 difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit, or
- 1508 any salts of any of them.
- 1509 (ii) Unless specifically excepted or unless listed in another schedule, any material,
- 1510 compound, mixture, or preparation which contains any quantity of the following
- 1511 substances, including its salts, isomers, and salts of isomers when the existence of
- 1512 the salts, isomers, and salts of isomers is possible within the specific chemical
- 1513 designation:
- 1514 (A) Alprazolam;
- 1515 (B) Barbital;
- 1516 (C) Bromazepam;
- 1517 (D) Butorphanol;
- 1518 (E) Camazepam;
- 1519 (F) Carisoprodol;
- 1520 (G) Chloral betaine;
- 1521 (H) Chloral hydrate;
- 1522 (I) Chlordiazepoxide;
- 1523 (J) Clobazam;
- 1524 (K) Clonazepam;

- 1525 (L) Clorazepate;
- 1526 (M) Clotiazepam;
- 1527 (N) Cloxazolam;
- 1528 (O) Delorazepam;
- 1529 (P) Diazepam;
- 1530 (Q) Dichloralphenazone;
- 1531 (R) Estazolam;
- 1532 (S) Ethchlorvynol;
- 1533 (T) Ethinamate;
- 1534 (U) Ethyl loflazepate;
- 1535 (V) Fludiazepam;
- 1536 (W) Flunitrazepam;
- 1537 (X) Flurazepam;
- 1538 (Y) Halazepam;
- 1539 (Z) Haloxazolam;
- 1540 (AA) Ketazolam;
- 1541 (BB) Loprazolam;
- 1542 (CC) Lorazepam;
- 1543 (DD) Lormetazepam;
- 1544 (EE) Mebutamate;
- 1545 (FF) Medazepam;
- 1546 (GG) Meprobamate;
- 1547 (HH) Methohexital;
- 1548 (II) Methylphenobarbital (mephobarbital);
- 1549 (JJ) Midazolam;
- 1550 (KK) Nimetazepam;
- 1551 (LL) Nitrazepam;
- 1552 (MM) Nordiazepam;
- 1553 (NN) Oxazepam;
- 1554 (OO) Oxazolam;
- 1555 (PP) Paraldehyde;
- 1556 (QQ) Pentazocine;
- 1557 (RR) Petrichloral;
- 1558 (SS) Phenobarbital;

- 1559 (TT) Pinazepam;
1560 (UU) Prazepam;
1561 (VV) Quazepam;
1562 (WW) Temazepam;
1563 (XX) Tetrazepam;
1564 (YY) Tramadol;
1565 (ZZ) Triazolam;
1566 (AAA) Zaleplon; and
1567 (BBB) Zolpidem.
- 1568 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains
1569 any quantity of the following substances, including its salts, isomers whether
1570 optical, position, or geometric, and salts of the isomers when the existence of the
1571 salts, isomers, and salts of isomers is possible.
- 1572 (iv) Unless specifically excepted or unless listed in another schedule, any material,
1573 compound, mixture, or preparation which contains any quantity of the following
1574 substances having a stimulant effect on the central nervous system, including its
1575 salts, isomers whether optical, position, or geometric isomers, and salts of the
1576 isomers when the existence of the salts, isomers, and salts of isomers is possible
1577 within the specific chemical designation:
- 1578 (A) Cathine ((+)-norpseudoephedrine);
1579 (B) Diethylpropion;
1580 (C) Fencamfamine;
1581 (D) Fenproporex;
1582 (E) Mazindol;
1583 (F) Mefenorex;
1584 (G) Modafinil;
1585 (H) Pemoline, including organometallic complexes and chelates thereof;
1586 (I) Phentermine;
1587 (J) Pipradrol;
1588 (K) Sibutramine; and
1589 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).
- 1590 (v) Unless specifically excepted or unless listed in another schedule, any material,
1591 compound, mixture, or preparation which contains any quantity of
1592 dextropropoxyphene (alpha-(+)-4-dimethylamino-1,

1593 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.

1594 (vi) A drug product or preparation that contains any component of marijuana and is
1595 approved by the United States Food and Drug Administration and scheduled by
1596 the Drug Enforcement Administration in Schedule IV of the federal Controlled
1597 Substances Act, Title II, P.L. 91-513.

1598 (e) Schedule V:

1599 (i) Any compound, mixture, or preparation containing any of the following limited
1600 quantities of narcotic drugs, or their salts calculated as the free anhydrous base or
1601 alkaloid, which includes one or more non-narcotic active medicinal ingredients in
1602 sufficient proportion to confer upon the compound, mixture, or preparation
1603 valuable medicinal qualities other than those possessed by the narcotic drug alone:

1604 (A) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;

1605 (B) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
1606 grams;

1607 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
1608 grams;

1609 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25
1610 micrograms of atropine sulfate per dosage unit;

1611 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;

1612 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
1613 atropine sulfate per dosage unit; and

1614 (G) unless specifically exempted or excluded or unless listed in another schedule,
1615 any material, compound, mixture, or preparation which contains Pyrovalerone
1616 having a stimulant effect on the central nervous system, including its salts,
1617 isomers, and salts of isomers.

1618 (ii) A drug product or preparation that contains any component of marijuana,
1619 including cannabidiol, and is approved by the United States Food and Drug
1620 Administration and scheduled by the Drug Enforcement Administration in
1621 Schedule V of the federal Controlled Substances Act, Title II, P.L. 91-513.

1622 (iii) Gabapentin.

1623 Section 19. Section **58-37-6** is amended to read:

1624 **58-37-6 (Effective 05/06/26) (Partially Repealed 07/01/32). License to**
1625 **manufacture, produce, distribute, dispense, administer, or conduct research -- Issuance**
1626 **by division -- Denial, suspension, or revocation -- Records required -- Prescriptions.**

- 1627 (1)(a) The division may adopt rules relating to the licensing and control of the
1628 manufacture, distribution, production, prescription, administration, dispensing,
1629 conducting of research with, and performing of laboratory analysis upon controlled
1630 substances within this state.
- 1631 (b) The division may assess reasonable fees to defray the cost of issuing original and
1632 renewal licenses under this chapter [~~pursuant to~~] in accordance with Section 63J-1-504.
- 1633 (2)(a)(i) Every person who manufactures, produces, distributes, prescribes, dispenses,
1634 administers, conducts research with, or performs laboratory analysis upon any
1635 controlled substance in Schedules I through V within this state, or who proposes
1636 to engage in manufacturing, producing, distributing, prescribing, dispensing,
1637 administering, conducting research with, or performing laboratory analysis upon
1638 controlled substances included in Schedules I through V within this state shall
1639 obtain a license issued by the division.
- 1640 (ii) The division shall issue each license under this chapter in accordance with a
1641 two-year renewal cycle established by rule. The division may by rule extend or
1642 shorten a renewal period by as much as one year to stagger the renewal cycles it
1643 administers.
- 1644 (b) Persons licensed to manufacture, produce, distribute, prescribe, dispense, administer,
1645 conduct research with, or perform laboratory analysis upon controlled substances in
1646 Schedules I through V within this state may possess, manufacture, produce,
1647 distribute, prescribe, dispense, administer, conduct research with, or perform
1648 laboratory analysis upon those substances to the extent authorized by their license
1649 and in conformity with this chapter.
- 1650 (c) The following persons are not required to obtain a license and may lawfully possess
1651 controlled substances included in Schedules II through V under this section:
- 1652 (i) an agent or employee, except a sales representative, of any registered
1653 manufacturer, distributor, or dispenser of any controlled substance, if the agent or
1654 employee is acting in the usual course of the agent or employee's business or
1655 employment; however, nothing in this subsection shall be interpreted to permit an
1656 agent, employee, sales representative, or detail man to maintain an inventory of
1657 controlled substances separate from the location of the person's employer's
1658 registered and licensed place of business;
- 1659 (ii) a motor carrier or warehouseman, or an employee of a motor carrier or
1660 warehouseman, who possesses a controlled substance in the usual course of the

- 1661 person's business or employment; and
- 1662 (iii) an ultimate user, or a person who possesses any controlled substance pursuant to
- 1663 a lawful order of a practitioner.
- 1664 (d) The division may enact rules waiving the license requirement for certain
- 1665 manufacturers, producers, distributors, prescribers, dispensers, administrators,
- 1666 research practitioners, or laboratories performing analysis if waiving the license
- 1667 requirement is consistent with public health and safety.
- 1668 (e) A separate license is required at each principal place of business or professional
- 1669 practice where the applicant manufactures, produces, distributes, dispenses, conducts
- 1670 research with, or performs laboratory analysis upon controlled substances.
- 1671 (f) The division may enact rules providing for the inspection of a licensee or applicant's
- 1672 establishment, and may inspect the establishment according to those rules.
- 1673 (3)(a)(i) Upon proper application, the division shall license a qualified applicant to
- 1674 manufacture, produce, distribute, conduct research with, or perform laboratory
- 1675 analysis upon controlled substances included in Schedules I through V, unless it
- 1676 determines that issuance of a license is inconsistent with the public interest.
- 1677 (ii) The division may not issue a license to any person to prescribe, dispense, or
- 1678 administer a Schedule I controlled substance except under Subsection (3)(a)(i).
- 1679 (iii) In determining public interest under this Subsection (3)(a), the division shall
- 1680 consider whether the applicant has:
- 1681 (A) maintained effective controls against diversion of controlled substances and
- 1682 any Schedule I or II substance compounded from any controlled substance into
- 1683 channels other than legitimate medical, scientific, or industrial channels;
- 1684 (B) complied with applicable state and local law;
- 1685 (C) been convicted under federal or state laws relating to the manufacture,
- 1686 distribution, or dispensing of substances;
- 1687 (D) past experience in the manufacture of controlled dangerous substances;
- 1688 (E) established effective controls against diversion; and
- 1689 (F) complied with any other factors that the division establishes that promote the
- 1690 public health and safety.
- 1691 (b) Licenses granted under Subsection (3)(a) do not entitle a licensee to manufacture,
- 1692 produce, distribute, conduct research with, or perform laboratory analysis upon
- 1693 controlled substances in Schedule I other than those specified in the license.
- 1694 (c)(i) Practitioners shall be licensed to administer, dispense, or conduct research with

- 1695 substances in Schedules II through V if they are authorized to administer,
1696 dispense, or conduct research under the laws of this state.
- 1697 (ii) The division need not require a separate license for practitioners engaging in
1698 research with nonnarcotic controlled substances in Schedules II through V where
1699 the licensee is already licensed under this chapter in another capacity.
- 1700 (iii) With respect to research involving narcotic substances in Schedules II through V,
1701 or where the division by rule requires a separate license for research of
1702 nonnarcotic substances in Schedules II through V, a practitioner shall apply to the
1703 division prior to conducting research.
- 1704 (iv) Licensing for purposes of bona fide research with controlled substances by a
1705 practitioner considered qualified may be denied only on a ground specified in
1706 Subsection (4), or upon evidence that the applicant will abuse or unlawfully
1707 transfer or fail to safeguard adequately the practitioner's supply of substances
1708 against diversion from medical or scientific use.
- 1709 (v) Practitioners registered under federal law to conduct research in Schedule I
1710 substances may conduct research in Schedule I substances within this state upon
1711 providing the division with evidence of federal registration.
- 1712 (d) Compliance by manufacturers, producers, and distributors with the provisions of
1713 federal law respecting registration, excluding fees, entitles them to be licensed under
1714 this chapter.
- 1715 (e) The division shall initially license those persons who own or operate an
1716 establishment engaged in the manufacture, production, distribution, dispensation, or
1717 administration of controlled substances prior to April 3, 1980, and who are licensed
1718 by the state.
- 1719 (4)(a) Any license issued [~~pursuant to~~] in accordance with Subsection (2) or (3) may be
1720 denied, suspended, placed on probation, or revoked by the division upon finding that
1721 the applicant or licensee has:
- 1722 (i) materially falsified any application filed or required pursuant to this chapter;
1723 (ii) been convicted of an offense under this chapter or any law of the United States, or
1724 any state, relating to any substance defined as a controlled substance;
1725 (iii) been convicted of a felony under any other law of the United States or any state
1726 within five years of the date of the issuance of the license;
1727 (iv) had a federal registration or license denied, suspended, or revoked by competent
1728 federal authority and is no longer authorized to manufacture, distribute, prescribe,

- 1729 or dispense controlled substances;
- 1730 (v) had the licensee's license suspended or revoked by competent authority of another
1731 state for violation of laws or regulations comparable to those of this state relating
1732 to the manufacture, distribution, or dispensing of controlled substances;
- 1733 (vi) violated any division rule that reflects adversely on the licensee's reliability and
1734 integrity with respect to controlled substances;
- 1735 (vii) refused inspection of records required to be maintained under this chapter by a
1736 person authorized to inspect them; or
- 1737 (viii) prescribed, dispensed, administered, or injected an anabolic steroid for the
1738 purpose of manipulating human hormonal structure so as to:
- 1739 (A) increase muscle mass, strength, or weight without medical necessity and
1740 without a written prescription by any practitioner in the course of the
1741 practitioner's professional practice; or
- 1742 (B) improve performance in any form of human exercise, sport, or game.
- 1743 (b) The division may limit revocation or suspension of a license to a particular
1744 controlled substance with respect to which grounds for revocation or suspension exist.
- 1745 (c)(i) Proceedings to deny, revoke, or suspend a license shall be conducted [~~pursuant~~
1746 ~~to~~] in accordance with this section and in accordance with the procedures set forth
1747 in Title 58, Chapter 1, Division of Professional Licensing Act, and conducted in
1748 conjunction with the appropriate representative committee designated by the
1749 director of the department.
- 1750 (ii) Nothing in this Subsection (4)(c) gives the Division of Professional Licensing
1751 exclusive authority in proceedings to deny, revoke, or suspend licenses, except
1752 where the division is designated by law to perform those functions, or, when not
1753 designated by law, is designated by the executive director of the Department of
1754 Commerce to conduct the proceedings.
- 1755 (d)(i) The division may suspend any license simultaneously with the institution of
1756 proceedings under this section if it finds there is an imminent danger to the public
1757 health or safety.
- 1758 (ii) Suspension shall continue in effect until the conclusion of proceedings, including
1759 judicial review, unless withdrawn by the division or dissolved by a court of
1760 competent jurisdiction.
- 1761 (e)(i) If a license is suspended or revoked under this Subsection (4), all controlled
1762 substances owned or possessed by the licensee may be placed under seal in the

- 1763 discretion of the division.
- 1764 (ii) Disposition may not be made of substances under seal until the time for taking an
1765 appeal has lapsed, or until all appeals have been concluded, unless a court, upon
1766 application, orders the sale of perishable substances and the proceeds deposited
1767 with the court.
- 1768 (iii) If a revocation order becomes final, all controlled substances shall be forfeited.
- 1769 (f) The division shall notify promptly the United States Drug Enforcement
1770 Administration of all orders suspending or revoking a license and all forfeitures of
1771 controlled substances.
- 1772 (g) If an individual's United States Drug Enforcement Administration registration is
1773 denied, revoked, surrendered, or suspended, the division shall immediately suspend
1774 the individual's controlled substance license, which shall only be reinstated by the
1775 division upon reinstatement of the federal registration, unless the division has taken
1776 further administrative action under Subsection (4)(a)(iv), which would be grounds for
1777 the continued denial of the controlled substance license.
- 1778 (5)(a) A person licensed under Subsection (2) or (3) shall maintain records and
1779 inventories in conformance with the record keeping and inventory requirements of
1780 federal and state law and any additional rules issued by the division.
- 1781 (b)(i) A physician, dentist, naturopathic physician, veterinarian, practitioner, or other
1782 individual who is authorized to administer or professionally use a controlled
1783 substance shall keep a record of the drugs received by the individual and a record
1784 of all drugs administered, dispensed, or professionally used by the individual
1785 otherwise than by a prescription.
- 1786 (ii) An individual using small quantities or solutions or other preparations of those
1787 drugs for local application has complied with this Subsection (5)(b) if the
1788 individual keeps a record of the quantity, character, and potency of those solutions
1789 or preparations purchased or prepared by the individual, and of the dates when
1790 purchased or prepared.
- 1791 (6) Controlled substances in Schedules I through V may be distributed only by a licensee
1792 and pursuant to an order form prepared in compliance with division rules or a lawful
1793 order under the rules and regulations of the United States.
- 1794 (7)(a) An individual may not write or authorize a prescription for a controlled substance
1795 unless the individual is:
- 1796 (i) a practitioner authorized to prescribe drugs and medicine under the laws of this

- 1797 state or under the laws of another state having similar standards; and
- 1798 (ii) licensed under this chapter or under the laws of another state having similar
- 1799 standards.
- 1800 (b) An individual other than a pharmacist licensed under the laws of this state, or the
- 1801 pharmacist's licensed intern, as required by Sections 58-17b-303 and 58-17b-304,
- 1802 may not dispense a controlled substance.
- 1803 (c)(i) A controlled substance may not be dispensed without the written prescription of
- 1804 a practitioner, if the written prescription is required by the federal Controlled
- 1805 Substances Act.
- 1806 (ii) ~~[That]~~ The written prescription described in Subsection (7)(c)(i) shall be made in
- 1807 accordance with Subsection (7)(a) and in conformity with Subsection (7)(d).
- 1808 (iii) In emergency situations, as defined by division rule, controlled substances may
- 1809 be dispensed upon oral prescription of a practitioner, if reduced promptly to
- 1810 writing on forms designated by the division and filed by the pharmacy.
- 1811 (iv) Prescriptions reduced to writing by a pharmacist shall be in conformity with
- 1812 Subsection (7)(d).
- 1813 (d) Except for emergency situations designated by the division, an individual may not
- 1814 issue, fill, compound, or dispense a prescription for a controlled substance unless the
- 1815 prescription is signed by the prescriber in ink or indelible pencil or is signed with an
- 1816 electronic signature of the prescriber as authorized by division rule, and contains the
- 1817 following information:
- 1818 (i) the name, address, and registry number of the prescriber;
- 1819 (ii) the name, address, and age of the person to whom or for whom the prescription is
- 1820 issued;
- 1821 (iii) the date of issuance of the prescription; and
- 1822 (iv) the name, quantity, and specific directions for use by the ultimate user of the
- 1823 controlled substance.
- 1824 (e) A prescription may not be written, issued, filled, or dispensed for a Schedule I
- 1825 controlled substance unless:
- 1826 (i) the individual who writes the prescription is licensed under Subsection (2); and
- 1827 (ii) the prescribed controlled substance is to be used in research.
- 1828 (f) Except when administered directly to an ultimate user by a licensed practitioner,
- 1829 controlled substances are subject to the restrictions of this Subsection (7)(f).
- 1830 (i) A prescription for a Schedule II substance may not be refilled.

- 1831 (ii) A Schedule II controlled substance may not be filled in a quantity to exceed a
1832 one-month's supply, as directed on the daily dosage rate of the prescriptions.
- 1833 (iii)(A) A prescription for a Schedule II or Schedule III controlled substance that
1834 is an ~~[opiate]~~ opioid-like substance and that is issued for an acute condition
1835 shall be completely or partially filled in a quantity not to exceed a seven-day
1836 supply as directed on the daily dosage rate of the prescription.
- 1837 (B) Subsection (7)(f)(iii)(A) does not apply to prescriptions issued for complex or
1838 chronic conditions which are documented as being complex or chronic in the
1839 medical record.
- 1840 (C) A pharmacist is not required to verify that a prescription is in compliance with
1841 this Subsection (7)(f)(iii).
- 1842 (iv) A Schedule III or IV controlled substance may be filled only within six months
1843 of issuance, and may not be refilled more than six months after the date of its
1844 original issuance or be refilled more than five times after the date of the
1845 prescription unless renewed by the practitioner.
- 1846 (v) All other controlled substances in Schedule V may be refilled as the prescriber's
1847 prescription directs, but they may not be refilled one year after the date the
1848 prescription was issued unless renewed by the practitioner.
- 1849 (vi) Any prescription for a Schedule II substance may not be dispensed if it is not
1850 presented to a pharmacist for dispensing by a pharmacist or a pharmacy intern
1851 within 30 days after the date the prescription was issued, or 30 days after the
1852 dispensing date, if that date is specified separately from the date of issue.
- 1853 (vii) A practitioner may issue more than one prescription at the same time for the
1854 same Schedule II controlled substance, but only under the following conditions:
- 1855 (A) no more than three prescriptions for the same Schedule II controlled substance
1856 may be issued at the same time;
- 1857 (B) no one prescription may exceed a 30-day supply; and
- 1858 (C) a second or third prescription shall include the date of issuance and the date
1859 for dispensing.
- 1860 (g) An order for a controlled substance in Schedules II through V for use by an inpatient
1861 or an outpatient of a licensed hospital is exempt from all requirements of this
1862 Subsection (7) if the order is:
- 1863 (i) issued or made by a prescribing practitioner who holds an unrestricted registration
1864 with the ~~[federal]~~ United States Drug Enforcement Administration, and an active

- 1865 Utah controlled substance license in good standing issued by the division under
1866 this section, or a medical resident who is exempted from licensure under
1867 Subsection 58-1-307(1)(c);
- 1868 (ii) authorized by the prescribing practitioner treating the patient and the prescribing
1869 practitioner designates the quantity ordered;
- 1870 (iii) entered upon the record of the patient, the record is signed by the prescriber
1871 affirming the prescriber's authorization of the order within 48 hours after filling or
1872 administering the order, and the patient's record reflects the quantity actually
1873 administered; and
- 1874 (iv) filled and dispensed by a pharmacist practicing the pharmacist's profession
1875 within the physical structure of the hospital, or the order is taken from a supply
1876 lawfully maintained by the hospital and the amount taken from the supply is
1877 administered directly to the patient authorized to receive it.
- 1878 (h) A practitioner licensed under this chapter may not prescribe, administer, or dispense
1879 a controlled substance to a child, without first obtaining the consent required in
1880 Section 78B-3-406 of a parent, guardian, or person standing in loco parentis of the
1881 child except in cases of an emergency. For purposes of Subsection (7)(h), "child" has
1882 the same meaning as defined in Section 80-1-102, and "emergency" means any
1883 physical condition requiring the administration of a controlled substance for
1884 immediate relief of pain or suffering.
- 1885 (i) A practitioner licensed under this chapter may not prescribe or administer dosages of
1886 a controlled substance in excess of medically recognized quantities necessary to treat
1887 the ailment, malady, or condition of the ultimate user.
- 1888 (j) A practitioner licensed under this chapter may not prescribe, administer, or dispense
1889 any controlled substance to another person knowing that the other person is using a
1890 false name, address, or other personal information for the purpose of securing the
1891 controlled substance.
- 1892 (k) A person who is licensed under this chapter to manufacture, distribute, or dispense a
1893 controlled substance may not manufacture, distribute, or dispense a controlled
1894 substance to another licensee or any other authorized person not authorized by this
1895 license.
- 1896 (l) A person licensed under this chapter may not omit, remove, alter, or obliterate a
1897 symbol required by this chapter or by a rule issued under this chapter.
- 1898 (m) A person licensed under this chapter may not refuse or fail to make, keep, or furnish

1899 any record notification, order form, statement, invoice, or information required under
1900 this chapter.

1901 (n) A person licensed under this chapter may not refuse entry into any premises for
1902 inspection as authorized by this chapter.

1903 (o) A person licensed under this chapter may not furnish false or fraudulent material
1904 information in any application, report, or other document required to be kept by this
1905 chapter or willfully make any false statement in any prescription, order, report, or
1906 record required by this chapter.

1907 (8)(a)(i) Any person licensed under this chapter who is found by the division to have
1908 violated any of the provisions of Subsections (7)(k) through (o) or Subsection (10)
1909 is subject to a penalty not to exceed \$5,000. The division shall determine the
1910 procedure for adjudication of any violations in accordance with Sections 58-1-106
1911 and 58-1-108.

1912 (ii) The division shall deposit all penalties collected under Subsection (8)(a)(i) into
1913 the General Fund as a dedicated credit to be used by the division under Subsection
1914 58-37f-502(1).

1915 (iii) The director may collect a penalty that is not paid by:

1916 (A) referring the matter to a collection agency; or

1917 (B) bringing an action in the district court of the county where the person against
1918 whom the penalty is imposed resides or in the county where the office of the
1919 director is located.

1920 (iv) A county attorney or the attorney general of the state shall provide legal
1921 assistance and advice to the director in an action to collect a penalty.

1922 (v) A court shall award reasonable attorney fees and costs to the prevailing party in
1923 an action brought by the division to collect a penalty.

1924 (b) Any person who knowingly and intentionally violates Subsections (7)(h) through (j)
1925 or Subsection (10) is:

1926 (i) upon first conviction, guilty of a class B misdemeanor;

1927 (ii) upon second conviction, guilty of a class A misdemeanor; and

1928 (iii) on third or subsequent conviction, guilty of a third degree felony.

1929 (c) Any person who knowingly and intentionally violates Subsections (7)(k) through (o)
1930 shall upon conviction be guilty of a third degree felony.

1931 (9) Any information communicated to any licensed practitioner in an attempt to unlawfully
1932 procure, or to procure the administration of, a controlled substance is not considered to

- 1933 be a privileged communication.
- 1934 (10) A person holding a valid license under this chapter who is engaged in medical research
 1935 may produce, possess, administer, prescribe, or dispense a controlled substance for
 1936 research purposes as licensed under Subsection (2) but may not otherwise prescribe or
 1937 dispense a controlled substance listed in Section 58-37-4.2.
- 1938 (11)(a) As used in this Subsection (11):
- 1939 (i) "Database" means the controlled substance database created in Section 58-37f-201.
 1940 (ii) "High risk prescription" means a prescription for an [opiate] opioid-like substance
 1941 or a benzodiazepine that is written to continue for longer than 30 consecutive days.
 1942 ~~[(ii) "Database" means the controlled substance database created in Section~~
 1943 ~~58-37f-201.]~~
- 1944 (b) A practitioner who issues a high risk prescription to a patient shall, before issuing the
 1945 high risk prescription to the patient, verify in the database that the patient does not
 1946 have a high risk prescription from a different practitioner that is currently active.
- 1947 (c) If the database shows that the patient has received a high risk prescription that is
 1948 currently active from a different practitioner, the practitioner may not issue a high
 1949 risk prescription to the patient unless the practitioner:
- 1950 (i) contacts and consults with each practitioner who issued a high risk prescription
 1951 that is currently active to the patient;
- 1952 (ii) documents in the patient's medical record that the practitioner made contact with
 1953 each practitioner in accordance with Subsection (11)(c)(i); and
- 1954 (iii) documents in the patient's medical record the reason why the practitioner
 1955 believes that the patient needs multiple high risk prescriptions from different
 1956 practitioners.
- 1957 (d) A practitioner shall satisfy the requirement described in Subsection (11)(c) in a
 1958 timely manner, which may be after the practitioner issues the high risk prescription to
 1959 the patient.
- 1960 Section 20. Section **58-37-7** is amended to read:
- 1961 **58-37-7 (Effective 05/06/26). Labeling and packaging controlled substance --**
 1962 **Informational pamphlet for opioid-like substances -- Naloxone education and offer to**
 1963 **dispense.**
- 1964 (1) A person licensed pursuant to this act may not distribute a controlled substance unless it
 1965 is packaged and labeled in compliance with the requirements of Section 305 of the
 1966 Federal Comprehensive Drug Abuse Prevention and Control Act of 1970.

- 1967 (2) No person except a pharmacist for the purpose of filling a prescription shall alter,
1968 deface, or remove any label affixed by the manufacturer.
- 1969 (3) Whenever a pharmacy sells or dispenses any controlled substance on a prescription
1970 issued by a practitioner, the pharmacy shall affix to the container in which the substance
1971 is sold or dispensed:
- 1972 (a) a label showing the:
- 1973 (i) pharmacy name and address;
- 1974 (ii) serial number; and
- 1975 (iii) date of initial filling;
- 1976 (b) the prescription number, the name of the patient, or if the patient is an animal, the
1977 name of the owner of the animal and the species of the animal;
- 1978 (c) the name of the practitioner by whom the prescription was written;
- 1979 (d) any directions stated on the prescription; and
- 1980 (e) any directions required by rules and regulations promulgated by the department.
- 1981 (4) Whenever a pharmacy sells or dispenses a Schedule II or Schedule III controlled
1982 substance that is an [opioid] opioid-like substance, the pharmacy shall:
- 1983 (a) affix a warning to the container or the lid for the container in which the substance is
1984 sold or dispensed that contains the following text:
- 1985 (i) "Caution: Opioid. Risk of overdose and addiction"; or
- 1986 (ii) any other language that is approved by the Department of Health and Human
1987 Services;
- 1988 (b) beginning January 1, 2024:
- 1989 (i) offer to counsel the patient or the patient's representative on the use and
1990 availability of an [opioid] opioid antagonist as defined in Section 26B-4-501; and
- 1991 (ii) offer to dispense an [opioid] opioid antagonist as defined in Section 26B-4-501 to
1992 the patient or the patient's representative, under a prescription from a practitioner
1993 or under Section 26B-4-510, if the patient:
- 1994 (A) receives a single prescription for 50 morphine milligram equivalents or more
1995 per day, calculated in accordance with guidelines developed by the United
1996 States Centers for Disease Control and Prevention;
- 1997 (B) is being dispensed an [opioid] opioid-like substance and the pharmacy
1998 dispensed a benzodiazepine to the patient in the previous 30 day period; or
- 1999 (C) is being dispensed a benzodiazepine and the pharmacy dispensed an [opioid]
2000 opioid-like substance to the patient in the previous 30 day period.

- 2001 (5)(a) A pharmacy who sells or dispenses a Schedule II or Schedule III controlled
2002 substance that is an [opiate] opioid-like substance shall, if available from the
2003 Department of Health and Human Services, prominently display at the point of sale
2004 the informational pamphlet developed by the Department of Health and Human
2005 Services under Section 26B-4-514.
- 2006 (b) The board and the Department of Health and Human Services shall encourage
2007 pharmacies to use the informational pamphlet to engage in patient counseling
2008 regarding the risks associated with taking [opiates] opioid-like substances.
- 2009 (c) The requirement in Subsection (5)(a) does not apply to a pharmacy if the pharmacy
2010 is unable to obtain the informational pamphlet from the Department of Health and
2011 Human Services for any reason.
- 2012 (6) A person may not alter the face or remove any label so long as any of the original
2013 contents remain.
- 2014 (7)(a) An individual to whom or for whose use any controlled substance has been
2015 prescribed, sold, or dispensed by a practitioner and the owner of any animal for
2016 which any controlled substance has been prescribed, sold, or dispensed by a
2017 veterinarian may lawfully possess it only in the container in which it was delivered to
2018 the individual by the person selling or dispensing it.
- 2019 (b) It is a defense to a prosecution under this subsection that the person being prosecuted
2020 produces in court a valid prescription for the controlled substance or the original
2021 container with the label attached.
- 2022 Section 21. Section **58-37-8.2** is amended to read:
- 2023 **58-37-8.2 (Effective 05/06/26). Duty to report drug diversion.**
- 2024 (1) As used in this section:
- 2025 (a) "Diversion" means a practitioner's transfer of a significant amount of drugs to
2026 another individual for an unlawful purpose.
- 2027 (b) "Drug" means a Schedule II or Schedule III controlled substance, as defined in
2028 Section 58-37-4, that is an [opiate] opioid-like substance.
- 2029 (c) "HIPAA" means the same as that term is defined in Section 26B-3-126.
- 2030 (d) "[Opiate] Opioid-like substance" means the same as that term is defined in Section
2031 58-37-2.
- 2032 (e) "Practitioner" means an individual:
- 2033 (i) licensed, registered, or otherwise authorized by the appropriate jurisdiction to
2034 administer, dispense, distribute, or prescribe a drug in the course of professional

2035 practice; or
 2036 (ii) employed by a person who is licensed, registered, or otherwise authorized by the
 2037 appropriate jurisdiction to administer, dispense, distribute, or prescribe a drug in
 2038 the course of professional practice or standard operations.

2039 (f) "Significant amount" means an aggregate amount equal to, or more than, 500
 2040 morphine milligram equivalents calculated in accordance with guidelines developed
 2041 by the United States Centers for Disease Control and Prevention.

2042 (2) An individual is guilty of a class B misdemeanor if the individual:

2043 (a) knows that a practitioner is involved in diversion; and

2044 (b) knowingly fails to report the diversion to a peace officer or law enforcement agency.

2045 (3) Subsection (2) does not apply to the extent that an individual is prohibited from
 2046 reporting by 42 C.F.R. Part 2 or HIPAA.

2047 Section 22. Section **58-37-19** is amended to read:

2048 **58-37-19 (Effective 05/06/26). Opioid-like substance prescription consultation --**

2049 **Prescription for opioid antagonist required.**

2050 (1) As used in this section:

2051 (a) "Initial [~~opiate~~] opioid-like substance prescription" means a prescription for an [~~opiate~~]
 2052 opioid-like substance to a patient who:

2053 (i) has never previously been issued a prescription for an [~~opiate~~] opioid-like substance;
 2054 or

2055 (ii) was previously issued a prescription for an [~~opiate~~] opioid-like substance, but the
 2056 date on which the current prescription is being issued is more than one year after
 2057 the date on which an [~~opiate~~] opioid-like substance was previously prescribed or
 2058 administered to the patient.

2059 (b) "[~~Op~~iate] Opioid antagonist" means the same as that term is defined in Section
 2060 26B-4-501.

2061 (c) "Prescriber" means an individual authorized to prescribe a controlled substance under
 2062 this chapter.

2063 (2) Except as provided in Subsection (3), a prescriber may not issue an initial [~~opiate~~]
 2064 opioid-like substance prescription without discussing with the patient, or the patient's
 2065 parent or guardian if the patient is under 18 years old and is not an emancipated minor:

2066 (a) the risks of addiction and overdose associated with [~~opiate~~ ~~drugs~~] opioid-like
 2067 substances;

2068 (b) the dangers of taking [~~opiates~~] opioid-like substances with alcohol, benzodiazepines,

- 2069 and other central nervous system depressants;
- 2070 (c) the reasons why the prescription is necessary;
- 2071 (d) alternative treatments that may be available; and
- 2072 (e) other risks associated with the use of the drugs being prescribed.
- 2073 (3) Subsection (2) does not apply to a prescription for:
- 2074 (a) a patient who is currently in active treatment for cancer;
- 2075 (b) a patient who is receiving hospice care from a licensed hospice as defined in Section
- 2076 26B-2-201; or
- 2077 (c) a medication that is being prescribed to a patient for the treatment of the patient's
- 2078 substance abuse or [opioid] opioid-like substance dependence.
- 2079 (4)(a) Beginning January 1, 2024, a prescriber shall offer to prescribe or dispense an [
- 2080 opioid] opioid antagonist to a patient if the patient receives an initial [opioid]
- 2081 opioid-like substance prescription for:
- 2082 (i) 50 morphine milligram equivalents or more per day, calculated in accordance with
- 2083 guidelines developed by the United States Centers for Disease Control and
- 2084 Prevention; or
- 2085 (ii) any [opioid] opioid-like substance if the practitioner is also prescribing a
- 2086 benzodiazepine to the patient.
- 2087 (b) Subsection (4)(a) does not apply if the initial [opioid] opioid-like substance
- 2088 prescription:
- 2089 (i) is administered directly to an ultimate user by a licensed practitioner; or
- 2090 (ii) is for a three-day supply or less.
- 2091 (c) This Subsection (4) does not require a patient to purchase or obtain an [opioid] opioid
- 2092 antagonist as a condition of receiving the patient's initial [opioid] opioid-like substance
- 2093 prescription.

2094 *The following section is affected by a coordination clause at the end of this bill.*

2095 Section 23. Section **58-67-702** is amended to read:

2096 **58-67-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**

2097 **unprofessional conduct.**

2098 (1) As used in this section:

- 2099 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 2100 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 2101 (c) "[Opioid] Opioid antagonist" means the same as that term is defined in Section
- 2102 26B-4-501.

- 2103 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
 2104 defined in Section 26B-4-501.
- 2105 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 2106 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
 2107 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
 2108 the [~~opiate~~] opioid antagonist:
- 2109 (a) in a good faith effort to assist:
- 2110 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2111 opioid-related drug overdose event; or
- 2112 (ii) a family member of, friend of, or other person, including a person described in
 2113 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2114 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2115 opioid-related drug overdose event; or
- 2116 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection
 2117 26B-4-509(2)(a)(iii).
- 2118 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2119 not establish a duty or standard of care in the prescribing, dispensing, or administration
 2120 of an [~~opiate~~] opioid antagonist.

2121 *The following section is affected by a coordination clause at the end of this bill.*

2122 Section 24. Section **58-68-702** is amended to read:

2123 **58-68-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
 2124 **unprofessional conduct.**

- 2125 (1) As used in this section:
- 2126 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 2127 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 2128 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
 2129 26B-4-501.
- 2130 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
 2131 defined in Section 26B-4-501.
- 2132 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 2133 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
 2134 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
 2135 the [~~opiate~~] opioid antagonist:
- 2136 (a) in a good faith effort to assist:

- 2137 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~
 2138 opioid-related drug overdose event; or
 2139 (ii) a family member of, friend of, or other person, including a person described in
 2140 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2141 assist an individual who is at increased risk of experiencing an [~~opiate-related~~
 2142 opioid-related drug overdose event; or
 2143 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection
 2144 26B-4-509(2)(a)(iii).

- 2145 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2146 not establish a duty or standard of care in the prescribing, dispensing, or administration
 2147 of an [~~opiate~~] opioid antagonist.

2148 *The following section is affected by a coordination clause at the end of this bill.*

2149 Section 25. Section **58-69-702** is amended to read:

2150 **58-69-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
 2151 **unprofessional conduct.**

2152 (1) As used in this section:

- 2153 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
 2154 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.
 2155 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
 2156 26B-4-501.
 2157 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
 2158 defined in Section 26B-4-501.
 2159 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2160 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by an individual licensed
 2161 under this chapter to engage in the practice of dentistry is not unprofessional or unlawful
 2162 conduct if the licensee prescribed or dispensed the [~~opiate~~] opioid antagonist:

- 2163 (a) in a good faith effort to assist:
 2164 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~
 2165 opioid-related drug overdose event; or
 2166 (ii) a family member of, friend of, or other person, including a person described in
 2167 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2168 assist an individual who is at increased risk of experiencing an [~~opiate-related~~
 2169 opioid-related drug overdose event; or
 2170 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection

2171 26B-4-509(2)(a)(iii).

2172 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
2173 not establish a duty or standard of care in the prescribing, dispensing, or administration
2174 of an [~~opiate~~] opioid antagonist.

2175 *The following section is affected by a coordination clause at the end of this bill.*

2176 Section 26. Section **58-70a-505** is amended to read:

2177 **58-70a-505 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
2178 **unprofessional conduct.**

2179 (1) As used in this section:

2180 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

2181 (b) "Increased risk" means the same as that term is defined in Section 26B-4-501.

2182 (c) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in Section
2183 26B-4-501.

2184 (d) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that term is
2185 defined in Section 26B-4-501.

2186 (e) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2187 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
2188 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
2189 the [~~opiate~~] opioid antagonist:

2190 (a) in a good faith effort to assist:

2191 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
2192 opioid-related drug overdose event; or

2193 (ii) a family member of, friend of, or other person, including a person described in
2194 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
2195 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
2196 opioid-related drug overdose event; or

2197 (b) to an overdose outreach provider [~~pursuant to~~] in accordance with Subsection
2198 26B-4-509(2)(a)(iii).

2199 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
2200 not establish a duty or standard of care in the prescribing, dispensing, or administration
2201 of an [~~opiate~~] opioid antagonist.

2202 Section 27. Section **63I-1-258** is amended to read:

2203 **63I-1-258 (Effective 05/06/26). Repeal dates: Title 58.**

2204 (1) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed

- 2205 July 1, 2026.
- 2206 (2) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2035.
- 2207 (3) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.
- 2208 (4) Section 58-37-3.5, Drugs for behavioral health treatment, is repealed July 1, 2027.
- 2209 (5) Subsection 58-37-6(7)(f)(iii), regarding a seven-day [opiate] opioid-like substance
- 2210 supply restriction, is repealed July 1, 2032.
- 2211 (6) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2033.
- 2212 (7) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is
- 2213 repealed July 1, 2029.
- 2214 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1,
- 2215 2033.
- 2216 (9) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2034.
- 2217 (10) Subsection 58-47b-102(8), defining massage assistant, is repealed July 1, 2029.
- 2218 (11) Subsection 58-47b-102(9), defining massage assistant-in-training, is repealed July 1,
- 2219 2029.
- 2220 (12) Subsection 58-47b-302(1), regarding applicant for a massage assistant-in-training, is
- 2221 repealed July 1, 2029.
- 2222 (13) Subsection 58-47b-302(2), regarding applicant for a massage assistant, is repealed July
- 2223 1, 2029.
- 2224 (14) Subsection 58-47b-303(3)(b), regarding expiration of a massage assistant-in-training
- 2225 license, is repealed July 1, 2029.
- 2226 (15) Subsection 58-55-201(2), regarding the Alarm System and Security Licensing
- 2227 Advisory Board, is repealed July 1, 2027.
- 2228 (16) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1, 2026.
- 2229 Section 28. Section **63J-1-602.2** is amended to read:
- 2230 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
- 2231 **appropriations to programs.**
- 2232 Appropriations made to the following programs are nonlapsing:
- 2233 (1) The Legislature and the Legislature's committees.
- 2234 (2) The State Board of Education, including all appropriations to agencies, line items, and
- 2235 programs under the jurisdiction of the State Board of Education, in accordance with
- 2236 Section 53F-9-103.
- 2237 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 2238 (4) The Percent-for-Art Program created in Section 9-6-404.

- 2239 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
2240 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.
- 2241 (6) The Utah Lake Authority created in Section 11-65-201.
- 2242 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
2243 Subsection 17-66-303(2)(d)(ii).
- 2244 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 2245 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
2246 26B-3-108(7).
- 2247 (10) The primary care grant program created in Section 26B-4-310.
- 2248 (11) The [Opiate] Opioid Overdose Outreach Pilot Program created in Section 26B-4-512.
- 2249 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
2250 26B-4-702.
- 2251 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 2252 (14) The Utah Medical Education Council for the:
- 2253 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
2254 (b) provision of medical residency grants described in Section 26B-4-711; and
2255 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 2256 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 2257 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
2258 created in Section 26B-7-122.
- 2259 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
2260 Subsection 32B-2-301(8)(a) or (b).
- 2261 (18) The General Assistance program administered by the Department of Workforce
2262 Services, as provided in Section 35A-3-401.
- 2263 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 2264 (20) The Search and Rescue Financial Assistance Program, as provided in Section
2265 53-2a-1102.
- 2266 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 2267 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 2268 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
2269 Section 53H-5-402.
- 2270 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
2271 53G-10-608(3).
- 2272 (25) The Division of Fleet Operations for the purpose of upgrading underground storage

- 2273 tanks under Section 63A-9-401.
- 2274 (26) The Division of Technology Services for technology innovation as provided under
2275 Section 63A-16-903.
- 2276 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 2277 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 2278 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
2279 River Authority of Utah Act.
- 2280 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
2281 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 2282 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
2283 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
2284 Program.
- 2285 (32) County correctional facility contracting program for state inmates as described in
2286 Section 64-13e-103.
- 2287 (33) County correctional facility reimbursement program for state probationary inmates and
2288 state parole inmates as described in Section 64-13e-104.
- 2289 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 2290 (35) The Division of Human Resource Management user training program, as provided in
2291 Section 63A-17-106.
- 2292 (36) A public safety answering point's emergency telecommunications service fund, as
2293 provided in Section 69-2-301.
- 2294 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 2295 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
2296 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a
2297 settlement of federal reserved water right claims.
- 2298 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
2299 77-10a-19.
- 2300 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 2301 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 2302 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 2303 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
2304 81-13-505.
- 2305 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
2306 Commission.

- 2307 (45) The program established by the Division of Facilities Construction and Management
 2308 under Section 63A-5b-703 under which state agencies receive an appropriation and pay
 2309 lease payments for the use and occupancy of buildings owned by the Division of
 2310 Facilities Construction and Management.
- 2311 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with
 2312 Section 59-2-1802.5.
- 2313 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
 2314 Section 29. Section **64-13-45** is amended to read:
 2315 **64-13-45 (Effective 05/06/26). Department reporting requirements.**
- 2316 (1) As used in this section:
- 2317 (a) "Biological sex at birth" means the same as that term is defined in Section 26B-8-101.
- 2318 (b)(i) "In-custody death" means an inmate death that occurs while the inmate is in the
 2319 custody of the department.
- 2320 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:
 2321 (A) being transported for medical care; or
 2322 (B) receiving medical care outside of a correctional facility, other than a county
 2323 jail.
- 2324 (c) "Inmate" means an individual who is processed or booked into custody or housed in
 2325 the department or a correctional facility other than a county jail.
- 2326 (d) "[~~O~~piate] Opioid-like substance" means the same as that term is defined in Section
 2327 58-37-2.
- 2328 (e) "Transgender inmate" means the same as that term is defined in Section 64-13-7.
- 2329 (2) The department shall submit a report to the Commission on Criminal and Juvenile
 2330 Justice created in Section 63M-7-201 before June 15 of each year that includes:
- 2331 (a) the number of in-custody deaths that occurred during the preceding calendar year,
 2332 including:
- 2333 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors
 2334 of each of the in-custody deaths described in this Subsection (2)(a); and
- 2335 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
 2336 in-custody death;
- 2337 (b) the department policies, procedures, and protocols:
- 2338 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
 2339 including use of [~~o~~piates] opioid-like substances;
- 2340 (ii) that relate to the department's provision, or lack of provision, of medications used

- 2341 to treat, mitigate, or address an inmate's symptoms of withdrawal, including
2342 methadone and all forms of buprenorphine and naltrexone; and
2343 (iii) that relate to screening, assessment, and treatment of an inmate for a substance
2344 use disorder or mental health disorder;
- 2345 (c) the number of inmates who gave birth and were restrained in accordance with
2346 Section 64-13-46, including:
2347 (i) the types of restraints used; and
2348 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
2349 inmate, medical or corrections staff, or the public;
- 2350 (d) the number of transgender inmates that are assigned to a living area with inmates
2351 whose biological sex at birth do not correspond with the transgender inmate's
2352 biological sex at birth in accordance with Section 64-13-7, including:
2353 (i) the results of the individualized security analysis conducted for each transgender
2354 inmate in accordance with Subsection 64-13-7(5)(a); and
2355 (ii) a detailed explanation regarding how the security conditions described in
2356 Subsection 64-13-7(5)(b) are met for each transgender inmate;
- 2357 (e) the number of transgender inmates that were:
2358 (i) assigned to a living area with inmates whose biological sex at birth do not
2359 correspond with the transgender inmate's biological sex at birth; and
2360 (ii) removed and assigned to a living area with inmates whose biological sex at birth
2361 corresponds with the transgender inmate's biological sex at birth in accordance
2362 with Subsection 64-13-7(6); and
- 2363 (f) any report the department provides or is required to provide under federal law or
2364 regulation relating to inmate deaths.
- 2365 (3) The Commission on Criminal and Juvenile Justice shall:
2366 (a) compile the information from the reports described in Subsection (2);
2367 (b) omit or redact any identifying information of an inmate in the compilation to the
2368 extent omission or redaction is necessary to comply with state and federal law[-]; and
2369 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
2370 Committee and the Utah Substance Use and Mental Health Advisory Committee
2371 before November 1 of each year.
- 2372 (4) The Commission on Criminal and Juvenile Justice may not provide access to or use the
2373 department's policies, procedures, or protocols submitted under this section in a manner
2374 or for a purpose not described in this section.

2375 Section 30. **Effective Date.**

2376 This bill takes effect on May 6, 2026.

2377 Section 31. **Coordinating S.B. 317 with H.B. 301.**

2378 If S.B. 317, Opioid Terminology Amendments, and H.B. 301, Drug Recodification, both
2379 pass and become law, the Legislature intends that, on May 6, 2026, the references to the term
2380 "opiate" be changed to "opioid-like substance" in the following Subsections in H.B. 301:

2381 (1) Subsection 58-37-304(6)(d)(i); and

2382 (2) Subsection 58-37-305(1)(b).

2383 Section 32. **Coordinating S.B. 317 with S.B. 87.**

2384 If S.B. 317, Opioid Terminology Amendments, and S.B. 87, Naloxone Amendments,
2385 both pass and become law, the Legislature intends that, on May 6, 2026, the terms "opiate
2386 antagonist" and "expired opiate antagonist" be changed to "opioid antagonist" and "expired
2387 opioid antagonist" in the following Subsections in S.B. 87:

2388 (1) Subsections 26B-4-509(1), (2)(a)(ii), (3), and (4)(c);

2389 (2) Subsections 26B-4-510(1) and (2);

2390 (3) Subsections 26B-4-511(1) and (2);

2391 (4) Subsection 58-17b-507(1);

2392 (5) Subsection 58-31b-703 (1);

2393 (6) Subsection 58-67-702(1);

2394 (7) Subsection 58-68-702(1);

2395 (8) Subsection 58-69-702(1); and

2396 (9) Subsection 58-70a-505(1).

2397 Section 33. **Coordinating S.B. 317 with S.B. 98.**

2398 If S.B. 317, Opioid Terminology Amendments, and S.B. 98, Substance Use
2399 Rehabilitation Amendments, both pass and become law, the Legislature intends that, on May
2400 6, 2026:

2401 (1) the term "opiate antagonist" in Subsection 26B-7-126(1)(c), in S.B. 98 be changed to
2402 "opioid antagonist"; and

2403 (2) the term "opiate antagonists" in Subsection 26B-7-126(3)(b)(ii)(C), in S.B. 98 be
2404 changed to "opioid antagonists".