

Pilot Program for Controlled Substance Database

Real-time Reporting and Access

June 18, 2014

58-37f-801. Pilot program for real-time reporting for controlled substance database -- Statewide implementation.

- (1) As used in this section:
 - (a) "Pilot area" means the areas of the state that the division determines to operate the pilot program in, under Subsection (3), which may include:
 - (i) the entire state; or
 - (ii) geographical areas within the state.
 - (b) "Pilot program" means the pilot program described in this section.
- (2) There is established a pilot program for real-time reporting of data to, and access to data from, the database by a pharmacy, a pharmaceutical facility, or a prescribing practitioner beginning on July 1, 2010, and ending on July 1, 2012.
- (3) In addition to fulfilling the requirements relating to the database on a statewide basis, the division shall, in accordance with Subsection (4), upgrade, administer, and direct the functioning of the database in geographical areas specified by the division, or on a statewide basis, in a manner that provides for real-time reporting of information entered into, and accessed from, the database by a pharmacy or pharmaceutical facility.
- (4) The division shall, under state procurement laws, and with the technical assistance of the Department of Technology Services, contract with a private entity to upgrade, operate, and maintain the database in the pilot area.
 - (a) All provisions and requirements of the statewide database, described in the other parts of this chapter, are applicable to the database in the pilot area, to the extent that they do not conflict with the requirements of this section.
 - (b) For purposes of the other parts of this chapter, and this section, the database in the pilot area is considered part of the statewide database.
- (6) A pharmacy or pharmaceutical facility shall cooperate with the division, or the division's designee, to provide real-time submission of, and access to, information for the database:
 - (a) in the pilot area; and
 - (b) when the division implements the pilot program as a permanent program under Subsection (9), on a statewide basis.
- (7) The penalties and enforcement provisions described in the other parts of this chapter apply to enforce the provisions of this section in relation to a pharmacy or pharmaceutical facility that is located in, or operates in, the pilot area.
- (8) The division may make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to provide for the real-time reporting of, and access to, information in accordance with the requirements of this section.
- (9) The division shall, on or before July 1, 2012, implement the pilot program as a permanent program on a statewide basis.
- (10)
 - (a) The division shall, through the private entity contracted with under Subsection (4), provide, free of charge, to a pharmacy or pharmaceutical facility that is required to comply with Subsection (6), software, software installation assistance, and training, that will enable the pharmacy or pharmaceutical facility to comply with Subsection (6).
 - (b) Notwithstanding Subsection (10)(a), a pharmacy or pharmaceutical facility required to comply with Subsection (6) may, instead of accepting installation of the software provided by the division