

Superseded 5/5/2021

26-49-102 Definitions.

As used in this chapter:

- (1) "Department of Health" shall have the meaning provided for in Section 26-1-4.
- (2) "Disaster relief organization" means an entity that:
 - (a) provides emergency or disaster relief services that include health or veterinary services provided by volunteer health practitioners;
 - (b) is designated or recognized as a provider of the services described in Subsection (2)(a) under a disaster response and recovery plan adopted by:
 - (i) an agency of the federal government;
 - (ii) the state Department of Health; or
 - (iii) a local health department; and
 - (c) regularly plans and conducts its activities in coordination with:
 - (i) an agency of the federal government;
 - (ii) the Department of Health; or
 - (iii) a local health department.
- (3) "Emergency" means a "state of emergency" as defined in Section 53-2a-203.
- (4) "Emergency declaration" means a declaration made in accordance with Section 53-2a-206 or 53-2a-208.
- (5) "Emergency Management Assistance Compact" means the interstate compact approved by Congress by Public Law No. 104-321, 110 Stat. 3877 and adopted by Utah in Title 53, Chapter 2a, Part 4, Emergency Management Assistance Compact.
- (6) "Entity" means a person other than an individual.
- (7) "Health facility" means an entity licensed under the laws of this or another state to provide health or veterinary services.
- (8) "Health practitioner" means an individual licensed under Utah law or another state to provide health or veterinary services.
- (9) "Health services" means the provision of treatment, care, advice, guidance, other services, or supplies related to the health or death of individuals or human populations, to the extent necessary to respond to an emergency, including:
 - (a) the following, concerning the physical or mental condition or functional status of an individual or affecting the structure or function of the body:
 - (i) preventive, diagnostic, therapeutic, rehabilitative, maintenance, or palliative care; or
 - (ii) counseling, assessment, procedures, or other services;
 - (b) selling or dispensing a drug, a device, equipment, or another item to an individual in accordance with a prescription; and
 - (c) funeral, cremation, cemetery, or other mortuary services.
- (10) "Host entity":
 - (a) means an entity operating in Utah that:
 - (i) uses volunteer health practitioners to respond to an emergency; and
 - (ii) is responsible during an emergency, for actually delivering health services to individuals or human populations, or veterinary services to animals or animal populations; and
 - (b) may include disaster relief organizations, hospitals, clinics, emergency shelters, health care provider offices, or any other place where volunteer health practitioners may provide health or veterinary services.
- (11)
 - (a) "License" means authorization by a state to engage in health or veterinary services that are unlawful without authorization.

- (b) "License" includes authorization under this title to an individual to provide health or veterinary services based upon a national or state certification issued by a public or private entity.
- (12) "Local health department" shall have the meaning provided for in Subsection 26A-1-102(5).
- (13) "Person" means an individual, corporation, business trust, trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.
- (14) "Scope of practice" means the extent of the authorization to provide health or veterinary services granted to a health practitioner by a license issued to the practitioner in the state in which the principal part of the practitioner's services are rendered, including any conditions imposed by the licensing authority.
- (15) "State" means:
 - (a) a state of the United States;
 - (b) the District of Columbia;
 - (c) Puerto Rico;
 - (d) the United States Virgin Islands; or
 - (e) any territory or insular possession subject to the jurisdiction of the United States.
- (16) "Veterinary services" shall have the meaning provided for in Subsection 58-28-102(11).
- (17)
 - (a) "Volunteer health practitioner" means a health practitioner who provides health or veterinary services, whether or not the practitioner receives compensation for those services.
 - (b) "Volunteer health practitioner" does not include a practitioner who receives compensation under a preexisting employment relationship with a host entity or affiliate that requires the practitioner to provide health services in Utah, unless the practitioner is:
 - (i) not a Utah resident; and
 - (ii) employed by a disaster relief organization providing services in Utah while an emergency declaration is in effect.