

**58-37f-602 Failure by pharmacist to submit information -- Penalties.**

- (1) The failure of a pharmacist in charge to submit information to the database as required under Section 58-37f-203, after the division has submitted a specific written request for the information or when the division determines the individual has a demonstrable pattern of failing to submit the information as required, is grounds for the division to take the following actions in accordance with Section 58-1-401:
  - (a) refuse to issue a license to the individual;
  - (b) refuse to renew the individual's license;
  - (c) revoke, suspend, restrict, or place on probation the license;
  - (d) issue a public reprimand to the individual;
  - (e) issue a cease and desist order; and
  - (f) impose a civil penalty of not more than \$1,000 for each dispensed prescription regarding which the required information is not submitted.
- (2) Civil penalties assessed under Subsection (1)(f) shall be deposited in the General Fund as a dedicated credit to be used by the division under Subsection 58-37f-502(1).
- (3) The procedure for determining a civil violation of this section shall be in accordance with Section 58-1-108, regarding adjudicative proceedings within the division.

Enacted by Chapter 287, 2010 General Session