

**Effective 7/1/2014**

**58-70a-503 Unprofessional conduct.**

"Unprofessional conduct" includes:

- (1) violation of a patient confidence to any person who does not have a legal right and a professional need to know the information concerning the patient;
- (2) knowingly prescribing, selling, giving away, or directly or indirectly administering, or offering to prescribe, sell, furnish, give away, or administer any prescription drug except for a legitimate medical purpose upon a proper diagnosis indicating use of that drug in the amounts prescribed or provided;
- (3) prescribing prescription drugs for himself or administering prescription drugs to himself, except those that have been legally prescribed for him by a licensed practitioner and that are used in accordance with the prescription order for the condition diagnosed;
- (4) failure to maintain at the practice site a delegation of services agreement that accurately reflects current practices;
- (5) failure to make the delegation of services agreement available to the division for review upon request;
- (6) in a practice that has physician assistant ownership interests, failure to allow the supervising physician the independent final decision making authority on patient treatment decisions, as set forth in the delegation of services agreement or as defined by rule; and
- (7) violating the dispensing requirements of Chapter 17b, Part 8, Dispensing Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, if applicable.

Amended by Chapter 72, 2014 General Session