

1 **CONTROLLED SUBSTANCES ADVISORY COMMITTEE**

2 **AMENDMENTS**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Paul Ray**

6 Senate Sponsor: D. Chris Butters

7

LONG TITLE

8 **General Description:**

9 This bill modifies Title 58, Occupations and Professions, regarding the Controlled
10 Substances Advisory Committee Act.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ adds two members to the Controlled Substances Advisory Committee:

- 14 • one ~~H~~→ **advanced practice registered** ←~~H~~ nurse ~~H~~→ [practitioner] ←~~H~~ ; and
- 15 • one representative of the public ~~H~~→ ; **and**

16 ▶ **amends the quorum requirements to reflect the membership changes** ←~~H~~ .

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **58-38a-201**, as enacted by Laws of Utah 2010, Chapter 231

23a ~~H~~→ **58-38a-202, as enacted by Laws of Utah 2010, Chapter 231** ←~~H~~

24

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

25 Section 1. Section **58-38a-201** is amended to read:

26 **58-38a-201. Controlled Substances Advisory Committee.**



28 There is created within the Division of Occupational and Professional Licensing the
29 Controlled Substances Advisory Committee. The committee consists of:

30 (1) the director of the Department of Health or the director's designee;

31 (2) the State Medical Examiner or the examiner's designee;

32 (3) the commissioner of the Department of Public Safety or the commissioner's
33 designee;

34 (4) one physician who is a member of the Physicians Licensing Board and is
35 designated by that board;

36 (5) one pharmacist who is a member of the Utah State Board of Pharmacy and is
37 designated by that board;

38 (6) one dentist who is a member of the Dentist and Dental Hygienist Licensing Board
39 and is designated by that board;

40 (7) one physician who is currently licensed and practicing in the state, to be appointed
41 by the governor;

42 (8) one psychiatrist who is currently licensed and practicing in the state, to be
43 appointed by the governor;

44 (9) one individual with expertise in substance abuse addiction, to be appointed by the
45 governor;

46 (10) one representative from the Statewide Association of Prosecutors, to be

46a ~~appointed~~ **designated**

47 by that association; ~~and~~

48 (11) one naturopathic physician who is currently licensed and practicing in the state, to
49 be appointed by the governor[.];

50 (12) one ~~nurse~~ **advanced practice registered** nurse ~~practitioner~~ who is
50a currently licensed and practicing in this state, to be

51 appointed by the governor; and

52 (13) one member of the public, to be appointed by the governor.

52a ~~Section 2. Section 58-38A-202 is amended to read:~~

52b **58-38a-202. Terms of committee service.**

52c **(1) (a) Members of the advisory committee shall serve terms of four years, except that the**
52d **members under Subsections 58-38a-201(1), (2), and (3) shall serve during their terms as appointed**
52e **officials.**

52f **(b) Vacancies in the committee occurring otherwise than by the expiration of a term shall be**
52g **filled for the unexpired term in the same manner as original appointments.**

52h **(2) A member may not receive compensation or benefits for the member's service, but**

- 52i may receive per diem and travel expenses in accordance with:
- 52j (a) Section 63A-3-106;
- 52k (b) Section 63A-3-107; and
- 52l (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- 52m (3) (a) The director of the Department of Health, or the director's designee, is the chair of the
- 52n committee.
- 52o (b) The advisory committee meets at the call of the chair or at the call of a majority of the
- 52p committee members.
- 52q (c) The advisory committee meets annually and more often as required to carry out its duties
- 52r under this chapter.
- 52s (d) [~~Six~~] Seven members of the advisory committee constitute a quorum.
- 52t (e) Action by the committee requires a majority vote of a quorum. ←H

Legislative Review Note
as of 11-16-10 4:38 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 192, 2011 General Session

SHORT TITLE: Controlled Substances Advisory Committee Amendments

SPONSOR: Ray, P.

STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

The costs associated with two additional committee members is \$800 annually, from the Commerce Service Fund. Expenditures from the Commerce Service Fund affect the annual transfer to the General Fund.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue:			
General Fund	\$0	(\$800)	(\$800)
Commerce Service Fund	\$0	\$800	\$800
Total Revenue	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Expenditure:			
Commerce Service Fund	\$0	\$800	\$800
Total Expenditure	<u>\$0</u>	<u>\$800</u>	<u>\$800</u>
Net Impact, All Funds (Rev.-Exp.)	<u>\$0</u>	<u>(\$800)</u>	<u>(\$800)</u>
Net Impact, General/Education Funds	\$0	(\$800)	(\$800)

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.