

121 certain prescriptive procedures;

122 (e) exempt or modify the requirement for licensure of an individual who is activated as  
 123 a member of a medical reserve corps during a time of emergency as provided in Section  
 124 26A-1-126; and

125 (f) exempt or modify the requirement for licensure of an individual who is registered as  
 126 a volunteer health practitioner as provided in Title 26, Chapter 49, Uniform Emergency  
 127 Volunteer Health Practitioners Act.

128 (5) Individuals exempt under Subsection (4)(c) and individuals operating under  
 129 modified scope of practice provisions under Subsection (4)(b):

130 (a) are exempt from licensure or subject to modified scope of practice for the duration  
 131 of the emergency;

132 (b) must be engaged in the distribution of medicines or medical devices in response to  
 133 the emergency or declaration; and

134 (c) must be employed by or volunteering for:

135 (i) a local or state department of health; or

136 (ii) a host entity as defined in Section 26-49-102.

137 (6) In accordance with the protocols established under Subsection (8), upon the  
 138 declaration of a national, state, or local emergency, the Department of Health or a local health  
 139 department ~~H~~→ shall coordinate with public safety authorities as defined in

139a Section 26-23b-110(1) and ~~H~~ may:

140 (a) use a ~~H~~→ [stockpile] ~~H~~ vaccine, antiviral, antibiotic, or other

140a prescription medication that is

141 not a controlled substance to prevent or treat a disease or condition that gave rise to, or was a  
 142 consequence of, the emergency; or

143 (b) distribute a ~~H~~→ [stockpile] ~~H~~ vaccine, antiviral, antibiotic, or other  
 143a prescription medication

144 that is not a controlled substance:

145 (i) if necessary, to replenish a commercial pharmacy in the event that the commercial  
 146 pharmacy's normal source of the vaccine, antiviral, antibiotic, or other prescription medication  
 147 is exhausted; or

148 (ii) for dispensing or direct administration to treat the disease or condition that gave  
 149 rise to, or was a consequence of, the emergency by:

150 (A) a pharmacy;

151 (B) a prescribing practitioner;

152 (C) a licensed health care facility;

153 (D) a federally qualified community health clinic; or

154 (E) a governmental entity for use by a community more than 50 miles from a person  
 155 described in Subsections (6)(b)(ii)(A) through (D).

156 (7) In accordance with protocols established under Subsection (8), upon the declaration  
 157 of a national, state, or local emergency, the Department of Health shall coordinate the  
 158 distribution of medications:

159 (a) received from the strategic national stockpile to local health departments; and

160 (b) from local health departments to emergency personnel within the local health  
 161 departments' geographic region.

162 (8) The Department of Health shall establish by rule, made in accordance with Title  
 163 63G, Chapter 3, Utah Administrative Rulemaking Act, protocols for administering, dispensing,  
 164 and distributing a vaccine, an antiviral, an antibiotic, or other prescription medication that is  
 165 not a controlled substance in the event of a declaration of a national, state, or local emergency.  
 166 The protocol shall establish procedures for the Department of Health

166a **↔ or a local health department ↔ to:**

167 (a) coordinate the distribution of:

168 (i) a vaccine, an antiviral, an antibiotic, or other prescription medication that is not a  
 169 controlled substance received by the Department of Health from the strategic national stockpile  
 170 to local health departments; and

171 (ii) a vaccine, an antiviral, an antibiotic, or other non-controlled prescription  
 172 medication received by a local health department to emergency personnel within the local  
 173 health department's geographic region;

174 (b) authorize the **↔** dispensing, **↔** administration **↔**, **↔** or distribution  
 174a of a vaccine, an antiviral, an antibiotic,  
 175 or other prescription medication that is not a controlled substance to the contact of a patient, as  
 176 defined in Subsection 26-6-2(4), without a patient-practitioner relationship. **↔** [so long as] if [~~the~~  
 177 ~~prescription is the same substance prescribed for~~] **↔** the contact's condition is the same as that of **↔**  
 177a the physician's patient; and

178 (c) authorize the administration, distribution, or dispensing of a vaccine, an antiviral,  
 179 an antibiotic, or other non-controlled prescription medication to an individual who:

180 (i) is working in a triage situation;

181 (ii) is receiving **↔** preventative or **↔** medical treatment in a triage situation;

182 (iii) does not have coverage for the prescription in the individual's health insurance

183 plan;

184 (iv) is involved in the delivery of medical or other emergency services in response to  
185 the declared national, state, or local emergency; or

186 (v) otherwise has a direct impact on public health.

187 (9) The Department of Health shall give notice to the division upon implementation of  
188 the protocol established under Subsection (8).

189 Section 2. Section **58-17b-620** is amended to read:

190 **58-17b-620. Prescriptions issued within the public health system.**

191 (1) As used in this section:

192 (a) "Department of Health" means the state Department of Health created in Section  
193 26-1-4.

194 (b) "Health department" means either the Department of Health or a local health  
195 department.

196 (c) "Local health departments" mean the local health departments created in Title 26A,  
197 Chapter 1, Local Health Departments.

198 [~~(2) A health department may implement the prescription procedure under Subsection~~  
199 ~~(3) for prescription drugs, other than controlled substances, for use in clinics providing:]~~

200 (2) When it is necessary to treat a reportable disease or non-emergency condition that  
201 has a direct impact on public health, a health department may implement the prescription  
202 procedure described in Subsection (3) for a prescription drug that is not a controlled substance  
203 for use in:

204 (a) a clinic; or

205 (b) a remote or temporary off-site location, including a triage facility established in the  
206 community, that provides:

207 [~~(a)~~] (i) treatment for sexually transmitted [~~disease treatment~~] infections;

208 [~~(b)~~] (ii) fluoride treatment; [~~or~~]

209 [~~(c)~~] (iii) travel immunization[?];

210 (iv) preventative treatment for an individual with latent tuberculosis infection;

211 (v) preventative treatment for an individual ~~H~~→ [exposed to a communicable disease] at risk

211a for an infectious disease that has a direct impact on public health ←H when

212 the treatment is indicated to prevent the spread of disease or to mitigate the seriousness of

213 infection in the exposed individual; or

214 (vi) other treatment as defined by the Department of Health rule.

215 (3) In a circumstance described in Subsection (2), ~~H→~~ [a-physician] an individual with  
 215a prescriptive authority ~~←H~~ may write a prescription  
 216 for each contact, as defined in Subsection 26-6-2(4), of ~~H→~~ [the-physician's] a patient of the  
 216a individual with prescriptive authority [patient] ~~←H~~ without a  
 217 face-to-face exam, if:

218 (a) the ~~H→~~ [physician] individual with prescriptive authority ~~←H~~ is  
 218a treating the ~~H→~~ [physician's] ~~←H~~ patient for a reportable disease or  
 219 non-emergency condition having a direct impact on public health; and

220 (b) ~~H→~~ [the-prescription-is-for-the-same-substance-as-prescribed-to] the contact's  
 220a condition is the same as ~~←H~~ the ~~H→~~ [physician's] patient of the individual with  
 220b prescriptive authority [patient] ~~←H~~ .

221 ~~[(3)]~~ (4) The following prescription procedure shall be carried out in accordance with  
 222 the requirements of Subsection ~~[(4)]~~ (5) and may be used only in the ~~[clinics-listed]~~  
 223 circumstances described under ~~[Subsection]~~ Subsections (2) and (3):

224 (a) a physician writes and signs a prescription for a prescription ~~[drugs]~~ drug, other  
 225 than a controlled ~~[substances]~~ substance, without the name and address of the patient and  
 226 without the date the prescription is provided to the patient; and

227 (b) the physician authorizes a registered nurse employed by the health department to  
 228 complete the prescription written under this Subsection (3) by inserting the patient's name and  
 229 address, and the date the prescription is provided to the patient, in accordance with the  
 230 physician's standing written orders and a written health department protocol approved by the  
 231 physician and the medical director of the state Department of Health.

232 ~~[(4) When allowing prescriptions to be written under Subsection (3), the health~~  
 233 ~~department shall employ a physician who:]~~

234 ~~[(a) assumes specific responsibility for all prescriptions issued in his name under the~~  
 235 ~~procedure in Subsection (3) by the health department; and]~~

236 ~~[(b) enters into a written, signed agreement [with the health department, which~~  
 237 ~~agreement is approved by the division and state:]~~

238 ~~[(i) the terms and conditions under which the physician will prepare and sign~~  
 239 ~~prescriptions that do not include the name and address of the patient and the date the~~  
 240 ~~prescription is provided to the patient;]~~

241 ~~[(ii) the methods which will be used to ensure the signed prescriptions are secure and~~  
 242 ~~not available for unauthorized use;]~~