

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 Buttars

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8           **LONG TITLE**

9           **General Description:**

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

12           **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ adds two members to the Controlled Substances Advisory Committee:
- 15                           • one advanced practice registered nurse; and
  - 16                           • one representative of the public; and
- 17                   ▶ amends the quorum requirements to reflect the membership changes.

18           **Money Appropriated in this Bill:**

19                   None

20           **Other Special Clauses:**

21                   None

22           **Utah Code Sections Affected:**

23           AMENDS:

24                   **58-38a-201**, as enacted by Laws of Utah 2010, Chapter 231

25                   **58-38a-202**, as enacted by Laws of Utah 2010, Chapter 231

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

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

29                   **58-38a-201. Controlled Substances Advisory Committee.**

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

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

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

34           (3) the commissioner of the Department of Public Safety or the commissioner's  
35 designee;

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

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

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

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

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

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

48           (10) one representative from the Statewide Association of Prosecutors, to be  
49 designated by that association; [~~and~~]

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

52           (12) one advanced practice registered nurse who is currently licensed and practicing in  
53 this state, to be appointed by the governor; and

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

55           Section 2. Section **58-38a-202** is amended to read:

56           **58-38a-202. Terms of committee service.**

57           (1) (a) Members of the advisory committee shall serve terms of four years, except that

58 the members under Subsections 58-38a-201(1), (2), and (3) shall serve during their terms as  
59 appointed officials.

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

62 (2) A member may not receive compensation or benefits for the member's service, but  
63 may receive per diem and travel expenses in accordance with:

64 (a) Section 63A-3-106;

65 (b) Section 63A-3-107; and

66 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
67 63A-3-107.

68 (3) (a) The director of the Department of Health, or the director's designee, is the chair  
69 of the committee.

70 (b) The advisory committee meets at the call of the chair or at the call of a majority of  
71 the committee members.

72 (c) The advisory committee meets annually and more often as required to carry out its  
73 duties under this chapter.

74 (d) [~~Six~~] Seven members of the advisory committee constitute a quorum.

75 (e) Action by the committee requires a majority vote of a quorum.