1    **CONTROLLED SUBSTANCE DATABASE - LICENSING**

2    **AMENDMENTS**

3    2011 GENERAL SESSION

4    STATE OF UTAH

5    **Chief Sponsor:  Bradley M. Daw**

6    Senate Sponsor:  Curtis S. Bramble

7

8    **LONG TITLE**

9    **Committee Note:**

10    The Health and Human Services Interim Committee recommended this bill.

11    **General Description:**

12    This bill amends licensing provisions in the Controlled Substance Database Act.

13    **Highlighted Provisions:**

14    This bill:

15    ▸ provides that an individual who is not a veterinarian, who obtains a new license to

16 prescribe a controlled substance, shall, within 30 days after the day on which the

17 individual obtains a license to prescribe a controlled substance from the Drug

18 Enforcement Administration, register with the division to use the Controlled

19 Substance Database; and

20    ▸ makes technical changes.

21    **Money Appropriated in this Bill:**

22    None

23    **Other Special Clauses:**

24    None

25    **Utah Code Sections Affected:**

26    AMENDS:

27    **58-37f-401**, as enacted by Laws of Utah 2010, Chapter 287

28 ═══════════════════════════════════════════════════════════════

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

30          Section 1.  Section **58-37f-401** is amended to read:

31          **58-37f-401.   Database registration required -- Penalties for failure to register.**

32          (1)  Each individual, other than a veterinarian, who, on June 30, 2010, has a license to

33     prescribe a controlled substance under Chapter 37, Utah Controlled Substances Act, but is not

34     registered with the division to use the database shall, on or before September 30, 2010, register

35     with the division to use the database.

36          (2)  Each individual who, on November 1, 2012, is registered with the division to use

37     the database shall, on or before January 1, 2013, participate in the online tutorial and pass the

38     online test described in Section 58-37f-402.

39          (3) (a)  An individual who is not a veterinarian, who obtains a new license to prescribe

40     a controlled substance under Chapter 37, Utah Controlled Substances Act, shall, within 30 days

41     after the day on which the individual obtains a license to prescribe a controlled substance from

42     the Drug Enforcement Administration, register with the division to use the database.

43          [(3)] (b)  [Beginning on July 1, 2010, an] An individual who is not a veterinarian may

44     not [obtain or] renew a license to prescribe a controlled substance under Chapter 37, Utah

45     Controlled Substances Act, unless the individual registers with the division to use the database.

46          (4)  Beginning on November 2, 2012, in order to register to use the database, the

47     individual registering must participate in the online tutorial and pass the online test described

48     in Section 58-37f-402.

49          (5)  Failure by an individual to comply with the requirements of this section is grounds

50     for the division to take the following actions in accordance with Section 58-1-401:

51          (a)  refuse to issue a license to the individual;

52          (b)  refuse to renew the individual's license; or

53          (c)  revoke, suspend, restrict, or place on probation the license.

54          (6)  Beginning on July 1, 2010, the division shall, in accordance with Section

55     63J-1-504, impose an annual database registration fee on an individual who registers to use the

56     database, to pay the startup and ongoing costs of the division for complying with the

57     requirements of this section and Section 58-37f-402.

**Legislative Review Note**
        **as of   8-10-10  11:37 AM**

                                        **Office of Legislative Research and General Counsel**

# FISCAL NOTE

## H.B. 15, 2011 General Session

SHORT TITLE: Controlled Substance Database - Licensing Amendments

SPONSOR: Daw, B.

STATE OF UTAH

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

Enactment of this bill likely will not materially impact the state budget.

### 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.