

214 controlled substance[-] unless:

215 (i) the person ~~H→~~ [to-whom] who writes ~~←H~~ the prescription is

215a ~~H→~~ [issued-is] ~~←H~~ licensed under Subsection (2); and

216 (ii) the prescribed controlled substance is to be used in research.

217 (f) Except when administered directly to an ultimate user by a licensed practitioner,
218 controlled substances are subject to the following restrictions:

219 (i) (A) A prescription for a Schedule II substance may not be refilled.

220 (B) A Schedule II controlled substance may not be filled in a quantity to exceed a
221 one-month's supply, as directed on the daily dosage rate of the prescriptions.

222 (ii) A Schedule III or IV controlled substance may be filled only within six months of
223 issuance, and may not be refilled more than six months after the date of its original issuance or
224 be refilled more than five times after the date of the prescription unless renewed by the
225 practitioner.

226 (iii) All other controlled substances in Schedule V may be refilled as the prescriber's
227 prescription directs, but they may not be refilled one year after the date the prescription was
228 issued unless renewed by the practitioner.

229 (iv) Any prescription for a Schedule II substance may not be dispensed if it is not
230 presented to a pharmacist for dispensing by a pharmacist or a pharmacy intern within 30 days
231 after the date the prescription was issued, or 30 days after the dispensing date, if that date is
232 specified separately from the date of issue.

233 (v) A practitioner may issue more than one prescription at the same time for the same
234 Schedule II controlled substance, but only under the following conditions:

235 (A) no more than three prescriptions for the same Schedule II controlled substance may
236 be issued at the same time;

237 (B) no one prescription may exceed a 30-day supply;

238 (C) a second or third prescription shall include the date of issuance and the date for
239 dispensing; and

240 (D) unless the practitioner determines there is a valid medical reason to the contrary,
241 the date for dispensing a second or third prescription may not be fewer than 30 days from the
242 dispensing date of the previous prescription.

243 (vi) Each prescription for a controlled substance may contain only one controlled
244 substance per prescription form and may not contain any other legend drug or prescription

276 another licensee or any other authorized person not authorized by this license.

277 (l) A person licensed under this chapter may not omit, remove, alter, or obliterate a
278 symbol required by this chapter or by a rule issued under this chapter.

279 (m) A person licensed under this chapter may not refuse or fail to make, keep, or
280 furnish any record notification, order form, statement, invoice, or information required under
281 this chapter.

282 (n) A person licensed under this chapter may not refuse entry into any premises for
283 inspection as authorized by this chapter.

284 (o) A person licensed under this chapter may not furnish false or fraudulent material
285 information in any application, report, or other document required to be kept by this chapter or
286 willfully make any false statement in any prescription, order, report, or record required by this
287 chapter.

288 (8) (a) (i) Any person licensed under this chapter who is found by the division to have
289 violated any of the provisions of Subsections (7)(k) through (o) or Subsection (10) is subject to
290 a penalty not to exceed \$5,000. The division shall determine the procedure for adjudication of
291 any violations in accordance with Sections 58-1-106 and 58-1-108.

292 (ii) The division shall deposit all penalties collected under Subsection (8)(a)(i) in the
293 General Fund as a dedicated credit to be used by the division under Subsection 58-37f-502(1).

294 (b) Any person who knowingly and intentionally violates Subsections (7)(h) through (j)
295 or Subsection (10) is:

296 (i) upon first conviction, guilty of a class B misdemeanor;

297 (ii) upon second conviction, guilty of a class A misdemeanor; and

298 (iii) on third or subsequent conviction, guilty of a third degree felony.

299 (c) Any person who knowingly and intentionally violates Subsections (7)(k) through
300 (o) shall upon conviction be guilty of a third degree felony.

301 (9) Any information communicated to any licensed practitioner in an attempt to
302 unlawfully procure, or to procure the administration of, a controlled substance is not considered
303 to be a privileged communication.

304 (10) A person holding a valid license under this chapter who is engaged in medical
305 research may produce, possess, ~~or~~ administer, ~~but may not~~
305a prescribe, or dispense a controlled
306 substance for research purposes as licensed under Subsection (2) but may not otherwise
306a prescribe or dispense a controlled substance listed in Section 58-37-4.2.