

S.B. 88
PHARMACY DISTRIBUTION AMENDMENTS

Representative **Evan J. Vickers** proposes the following amendments:

1. *Page 2, Lines 28 through 29:*

28 AMENDS:

29 58-17b-309, as last amended by Laws of Utah 2011, Chapter 76

= **58-83-502, as enacted by Laws of Utah 2010, Chapter 180**

2. *Page 4, Lines 96 through 97:*

96 Physician Licensing Board, the Physician Assistant Licensing Board, the Board of Nursing,

97 [~~and~~] the Optometrist Licensing Board, ~~{or}~~ **and** the Online Prescribing, Dispensing, and Facilitation

3. *Page 5, Lines 121 through 123:*

121 (E) Chapter 70a, Physician Assistant Act[-]; or

122 (F) Chapter 83, Online Prescribing, Dispensing, and Facilitation Act **, if an online prescriber** .

123 (6) Except as provided in Subsection (2)(d), this section does not restrict or limit the

4. *Page 5, Lines 124 through 125:*

124 scope of practice of an optometrist or optometric physician licensed under Chapter 16a, Utah

125 Optometry Practice Act.

= **Section 2. Section 58-83-502 is amended to read:**

58-83-502. Unprofessional conduct.

"Unprofessional conduct" includes, in addition to the definition in Section 58-1-501 and as may be further defined by administrative rule:

(1) online prescribing, dispensing, or facilitation with respect to a person under the age of 18 years;

(2) using the name or official seal of the state, the Utah Department of Commerce, or the Utah Division of Occupational and Professional Licensing, or their boards, in an unauthorized manner;

(3) failing to respond promptly to a request by the division for information including:

(a) an audit of the website; or

(b) records of the online prescriber, the Internet facilitator, or the online contract pharmacy;

(4) using an online prescriber, online contract pharmacy, or Internet facilitator without approval of the division;

(5) failing to inform a patient of the patient's freedom of choice in selecting who will dispense a prescription in accordance with Subsection 58-83-305(1)(n); ~~{and}~~

(6) failing to keep the division informed of the name and contact information of the Internet facilitator or

online contract pharmacy { } ; and

(7) violating the dispensing and labeling requirements of Section 58-17b-309.