

Senator Evan J. Vickers proposes the following substitute bill:

PHARMACY PRACTICE ACT AMENDMENTS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions of the Pharmacy Practice Act related to pharmacies and prescription drugs.

Highlighted Provisions:

This bill:

- ▶ directs the Division of Occupational and Professional Licensing to issue a pharmacy technician trainee license to an individual under certain circumstances; and
- ▶ allows a pharmacy to sell a prescription drug to a practitioner for use in the practitioner's office or facility under certain circumstances;

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

58-17b-301, as last amended by Laws of Utah 2013, Chapter 52

ENACTS:

58-17b-305.1, Utah Code Annotated 1953



26 [58-17b-624](#), Utah Code Annotated 1953

27

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

29 Section 1. Section **58-17b-301** is amended to read:

30 **58-17b-301. License required -- License classifications for individuals.**

31 (1) A license is required to engage in the practice of pharmacy, telepharmacy, or the
32 practice of a pharmacy technician, except as specifically provided in Section [58-1-307](#),
33 [58-17b-309](#), or [58-17-309.6](#).

34 (2) The division shall issue to an individual who qualifies under this chapter a license
35 in the classification of:

- 36 (a) pharmacist;
- 37 (b) pharmacy intern; [~~or~~]
- 38 (c) pharmacy technician[-]; or
- 39 (d) pharmacy technician trainee.

40 Section 2. Section **58-17b-305.1** is enacted to read:

41 **58-17b-305.1. Qualifications for licensure of pharmacy technician trainee.**

42 (1) An applicant for licensure as a pharmacy technician trainee shall:

- 43 (a) submit an application to the division on a form created by the division;
- 44 (b) pay a fee established by the department in accordance with Section [63J-1-504](#);
- 45 (c) submit satisfactory evidence, as determined by the department, of good moral
46 character as it relates to the applicant's ability to practice pharmacy;
- 47 (d) submit a completed criminal background check;
- 48 (e) submit evidence that the applicant has not engaged in conduct that is considered
49 unlawful conduct or unprofessional conduct under Section [58-1-501](#), [58-17b-501](#), or
50 [58-17b-502](#);
- 51 (f) demonstrate, as determined by the department, that the applicant does not have a
52 physical or mental condition that would prevent the applicant from engaging in practice as a
53 pharmacy technician with reasonable skill, competency, and safety to the public;
- 54 (g) have completed training that meets the standards established by the division in
55 collaboration with the board; and
- 56 (h) pass an examination designated by the division in collaboration with the board.

57 (2) A pharmacist whose license has been denied, revoked, suspended, or restricted for
58 disciplinary purposes is not eligible to be licensed as a pharmacy technician trainee during
59 division probation.

60 Section 3. Section **58-17b-624** is enacted to read:

61 **58-17b-624. Prescription drugs -- Sale to a practitioner for office use.**

62 (1) A pharmacy licensed under this chapter may, subject to rules established by the
63 division, repackage or compound a prescription drug for sale to a practitioner if:

64 (a) the prescription drug is not a controlled substance;

65 (b) the pharmacy labels the prescription drug "for office use only";

66 (c) the practitioner administers the drug to a patient in the practitioner's office or
67 facility; and

68 (d) the practitioner does not dispense the drug to the patient.

69 (2) The division shall establish, in accordance with Title 63G, Chapter 3, Utah
70 Administrative Rulemaking Act, prescription drug labeling and control standards for a
71 prescription drug a pharmacy provides to a practitioner under this section.