

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

27 Section 1. Section **58-83-306** is amended to read:

28 **58-83-306. Drugs approved for online prescribing, dispensing, and facilitation --**  
 29 **Delivery of prescription drugs.**

30 (1) An online prescriber may only prescribe, an online contract pharmacy may only  
 31 dispense, and an Internet facilitator may only facilitate the prescribing and dispensing of,  
 32 non-controlled, legend drugs [~~that have been~~]:

33 (a) that have been approved by the Food and Drug Administration;

34 (b) that are prescribed to treat the condition for which the drug was approved[~~and~~],  
 35 within the drug manufacturer's guidelines;

36 (c) that are specifically approved by the division for online prescribing by  
 37 administrative rule adopted in accordance with Title 63G, Chapter 3, Utah Administrative  
 38 Rulemaking Act[~~and~~];

39 (d) that are prescribed for a person who is:

40 (i) 18 years of age or older; ~~H→~~ or ~~←H~~

41 (ii) at least 16 years of age ~~H→~~ [~~and~~] :

41a (A) ←H if permitted by the state or country in which the patient will  
 42 receive the drug; ~~H→~~ [~~or~~

43 ~~—— (iii) at least 16 years of age and]~~

43a (B) ←H with parental consent, if required by the state or  
 44 country in which the patient will receive the drug; and

44a ~~H→~~ (C) only if the prescription is for a hormonal based contraceptive; and ←H

45 (e) to a person who is located in another country, if the country is designated by the  
 46 division, by administrative rule, as a country with a regulatory framework for prescribing and  
 47 dispensing of drugs.

48 (2) If, after January 1, 2010, the Food and Drug Administration issues a clinical black  
 49 box warning with respect to any drug approved by the board under Subsection (1), the division  
 50 shall determine what action, if any, is necessary to protect the public health or welfare as a  
 51 result of the black box warning.

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

53 **58-83-502. Unprofessional conduct.**

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

56 (1) except as provided in Section 58-83-306, online prescribing, dispensing, or