

460 (11) engaging in the practice of pharmacy without a licensed pharmacist designated as
461 the pharmacist-in-charge;

462 (12) failing to report to the division any adverse action taken by another licensing
463 jurisdiction, government agency, law enforcement agency, or court for conduct that in
464 substance would be considered unprofessional conduct under this section; and

465 (13) as a pharmacist or pharmacy intern, [~~preparing~~] compounding a prescription drug
466 in a dosage form which is regularly and commonly available from a manufacturer in quantities
467 and strengths prescribed by a practitioner.

468 Section 3. Section **58-17b-610.5** is enacted to read:

469 **58-17b-610.5. Dispensing in emergency department -- Patient's immediate need.**

470 (1) The division shall adopt administrative rules in accordance with Title 63G, Chapter
471 3, Utah Administrative Rulemaking Act, in consultation with hospital pharmacies and the
472 boards of dispensing medical practitioners to establish guidelines under which a dispensing
473 medical practitioner may dispense prescription drugs to a patient in a hospital emergency
474 department if:

475 (a) the hospital pharmacy is closed;

476 (b) in the professional judgment of the dispensing medical practitioner, dispensing the
477 drug is necessary for the patient's immediate needs; ~~§~~ → and

478 ~~[(c) the prescription drug is not a controlled substance subject to reporting under~~
479 ~~Chapter 37f, Controlled Substance Database Act; and] ← §~~

480 (d) dispensing the prescription drug meets protocols established by the hospital
481 pharmacy.

482 (2) A prescribing medical practitioner in an emergency department may dispense a
483 prescription drug in accordance with Subsection (1).

484 Section 4. Section **58-17b-613** is amended to read:

485 **58-17b-613. Patient counseling.**

486 (1) A [~~retail~~] pharmacy shall verbally offer to counsel a patient or a patient's agent in a
487 personal face-to-face discussion regarding each prescription drug dispensed, if the patient or
488 patient's agent:

489 (a) delivers the prescription in person to the pharmacist or pharmacy intern; or

490 (b) receives the drug in person at the time it is dispensed at the pharmacy facility.