

**ONLINE PHARMACY AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Curtis S. Bramble**

House Sponsor: Val L. Peterson

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**LONG TITLE**

**General Description:**

This bill amends the Online Prescribing, Dispensing, and Facilitation Licensing Act.

**Highlighted Provisions:**

This bill:

- ▶ amends the definition of "unprofessional conduct"; and
- ▶ deletes outdated, transitional language.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**58-83-502**, as last amended by Laws of Utah 2014, Chapter 72

REPEALS:

**58-83-304**, as enacted by Laws of Utah 2010, Chapter 180

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

Section 1. 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



28 as may be further defined by administrative rule:

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

31 (a) except as permitted by the state or country in which the patient will receive the  
32 drug; and

33 (b) unless the prescribing, dispensing, and facilitation is done within the drug  
34 manufacturer's guidelines;

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

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

39 (a) an audit of the website; or

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

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

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

46 (6) failing to keep the division informed of the name and contact information of the  
47 Internet facilitator or online contract pharmacy; and

48 (7) violating the dispensing and labeling requirements of Chapter 17b, Part 8,  
49 Dispensing Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy.

50 Section 2. **Repealer.**

51 This bill repeals:

52 Section 58-83-304, Existing written agreements for online prescribing -- Pending  
53 applications.