

90 (ii) the EDS user with rules established by the division under Subsection (4).

91 (c) (i) If the division determines by audit or other means that an electronic data system
 92 is not in compliance with rules established by the division under Subsection (4), the division
 93 shall immediately suspend or revoke the electronic data system's access to opioid prescription
 94 information in the database.

95 (ii) If the division determines by audit or other means that an EDS user is not in
 96 compliance with rules established by the division under Subsection (4), the division shall
 97 immediately suspend or revoke the EDS user's access to opioid prescription information in the
 98 database via an electronic data system.

99 (iii) If the division suspends or revokes access to opioid prescription information in the
 100 database under Subsection (6)(c)(i) or (6)(c)(ii), the division shall also take any other
 101 appropriate corrective or disciplinary action authorized by this chapter or title.

101a **H→ (7)The division shall report to the Health and Human Services Interim Committee during**
 101b **the 2017 interim and the 2018 interim on the implementation of this section. The reports shall**
 101c **be made before October 1 each year. ←H**

102 Section 2. Section **58-37f-601** is amended to read:

103 **58-37f-601. Unlawful release or use of database information -- Criminal and civil**
 104 **penalties.**

105 (1) (a) Any person who knowingly and intentionally releases;

106 (i) any information in the database or any information obtained from other state or
 107 federal prescription monitoring programs by means of the database in violation of the
 108 limitations under Part 3, Access, is guilty of a third degree felony; or

109 (ii) any information in the database accessed under Section 58-37f-303 by an electronic
 110 data system, or accessed by a person via an electronic data system, in violation of rules
 111 established by the division under Subsection 58-37f-303(4) is guilty of a third degree felony.

112 (b) Any person who negligently or recklessly releases;

113 (i) any information in the database or any information obtained from other state or
 114 federal prescription monitoring programs by means of the database in violation of the
 115 limitations under [~~Title 58, Chapter 37f,~~] Part 3, Access, is guilty of a class C misdemeanor; or

116 (ii) any information in the database accessed under Section 58-37f-303 by an electronic
 117 data system, or accessed by a person via an electronic data system, in violation of rules
 118 established by the division under Subsection 58-37f-303(4) is guilty of a class C misdemeanor.

119 (2) (a) Any person who obtains or attempts to obtain the following by
 120 misrepresentation or fraud is guilty of a third degree felony: