

Representative Stewart E. Barlow proposes the following substitute bill:

PARTIAL FILLING OF A SCHEDULE II CONTROLLED

SUBSTANCE PRESCRIPTION

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stewart E. Barlow

Senate Sponsor: Evan J. Vickers

LONG TITLE

General Description:

This bill addresses the partial filling of prescriptions for Schedule II controlled substances.

Highlighted Provisions:

This bill:

- ▶ provides definitions;
- ▶ requires that the partial filling of a Schedule II controlled substance prescription for certain patients must be made in accordance with federal law and rules made by the Division of Occupational and Professional Licensing; and
- ▶ requires rulemaking.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

58-17b-610.6, Utah Code Annotated 1953



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

Section 1. Section **58-17b-610.6** is enacted to read:

58-17b-610.6. Partial filling of a Schedule II controlled substance prescription.

(1) For purposes of this section, "Schedule II controlled substance" means a substance classified as a Schedule II controlled substance by the federal Controlled Substances Act, Title II, Pub.L. No. 91-513 et seq., or Section [58-37-4](#).

(2) A prescription for a Schedule II controlled substance for a patient in a long-term care facility or a patient with a terminal illness may be partially filled in accordance with federal law.

(3) A prescription for a Schedule II controlled substance for a patient other than a patient described in Subsection (2) may be partially filled ~~it~~ :

(a) ~~it~~ in accordance with federal law and rules made under Subsection (5) ~~it~~ ; and

(b) at the request of the practitioner who issued the prescription, or the patient ~~it~~ .

(4) For purposes of Subsection (3), "partially filled" means that less than the full amount of the prescription is dispensed.

(5) For purposes of Subsection (3), the division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

(a) specifying how to record the date, quantity supplied, and quantity remaining of a prescription partially filled under Subsection (3); and

(b) otherwise necessary for the implementation of Subsections (2) and (3).