

1                   **PARTIAL FILLING OF A SCHEDULE II CONTROLLED**  
2                                   **SUBSTANCE PRESCRIPTION**

3                                   2017 GENERAL SESSION

4                                   STATE OF UTAH

5                   **Chief Sponsor: Stewart E. Barlow**

6                   Senate Sponsor: \_\_\_\_\_

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8 **LONG TITLE**

9 **General Description:**

10           This bill establishes limits on federally authorized partial filling of Schedule II  
11 controlled substance prescriptions.

12 **Highlighted Provisions:**

13           This bill:

- 14           ▶ specifies the conditions under which certain Schedule II controlled substance  
15 prescriptions may be partially filled; and  
16           ▶ requires rulemaking.

17 **Money Appropriated in this Bill:**

18           None

19 **Other Special Clauses:**

20           None

21 **Utah Code Sections Affected:**

22 ENACTS:

23           **58-17b-610.6**, Utah Code Annotated 1953

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

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

27           **58-17b-610.6. Partial filling of a Schedule II controlled substance prescription.**



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

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

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

36           (a) at the request of the patient or the practitioner who issued the prescription;

37           (b) not more than twice;

38           (c) unless the practitioner specifies otherwise:

39           (i) the first time in an amount equal to, or closely approximating, 25% of the supply  
40 prescribed; and

41           (ii) the second time in an amount equal to, or closely approximating, 75% of the supply  
42 prescribed;

43           (d) for the first time or a second time no later than 30 days after the prescription is  
44 issued;

45           (e) only if the amount prescribed does not exceed a 14-day supply; and

46           (f) in accordance with federal law and rules made under Subsection (5).

47           (4) The sum of the amounts dispensed by the partial filling of a prescription under  
48 Subsection (3) may not exceed the total amount prescribed.

49           (5) The division shall make rules in accordance with Title 63G, Chapter 3, Utah  
50 Administrative Rulemaking Act:

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

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