

## HB0146S01 compared with HB0146

~~{deleted text}~~ shows text that was in HB0146 but was deleted in HB0146S01.

Inserted text shows text that was not in HB0146 but was inserted into HB0146S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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: \_\_\_\_\_

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#### LONG TITLE

##### General Description:

This bill ~~{establishes limits on federally authorized}~~ addresses the partial filling of prescriptions for Schedule II controlled ~~{substance prescriptions}~~ substances.

##### Highlighted Provisions:

This bill:

- ▶ ~~{specifies the conditions under which certain}~~ provides definitions;
- ▶ requires that the partial filling of a Schedule II controlled substance ~~{prescriptions may be partially filled}~~ prescription for certain patients must be made in accordance with federal law and rules made by the Division of Occupational and Professional Licensing; and

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- 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:

~~\_\_\_\_\_ (a) at the request of the patient or the practitioner who issued the prescription;~~

~~\_\_\_\_\_ (b) not more than twice;~~

~~\_\_\_\_\_ (c) unless the practitioner specifies otherwise;~~

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

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

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

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

~~\_\_\_\_\_ (f) } in accordance with federal law and rules made under Subsection (5).~~

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

~~— (5) The~~ 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).

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**Legislative Review Note**

**Office of Legislative Research and General Counsel**