

Senator Evan J. Vickers proposes the following substitute bill:

PHARMACY PRACTICE ACT AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Evan J. Vickers

House Sponsor: Paul Ray

LONG TITLE

General Description:

This bill amends the Pharmacy Practice Act.

Highlighted Provisions:

This bill:

- ▶ requires certain Utah-licensed nonresident pharmacies to submit to an inspection as a prerequisite for licensure;
- ▶ excludes drugs administered under certain conditions from certain drug-container labeling requirements;
- ▶ permits certain pharmacists to administer long-acting injectable drugs intramuscularly under certain conditions; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

⌚→ [None] This bill provides a special effective date. ←⌚

Utah Code Sections Affected:

AMENDS:

58-17b-306, as last amended by Laws of Utah 2009, Chapter 183

1st Sub. S.B. 246



57 provided, including any collaborative practice arrangements with other health care
58 practitioners;

59 (e) sign an affidavit attesting that any healthcare practitioners employed by the
60 applicant and physically located in Utah have the appropriate license issued by the division and
61 in good standing; [~~and~~]

62 (f) sign an affidavit attesting that the applicant will abide by the pharmacy laws and
63 regulations of the jurisdiction in which the pharmacy is located[-]; and

64 (g) if an applicant engages in compounding, submit the most recent inspection report:

65 (i) conducted within two years before the application for licensure; and

66 (ii) (A) conducted as part of the National Association of Boards of Pharmacy Verified
67 Pharmacy Program; or

68 (B) performed by the state licensing agency of the state in which the applicant is a
69 resident and in accordance with the National Association of Boards of Pharmacy

69a ~~H~~→ [multiple] multistate ←~~H~~

70 inspection blueprint program.

71 (3) Each license issued under this section shall be issued for a single, specific address,
72 and is not transferable or assignable.

73 Section 2. Section **58-17b-308** is amended to read:

74 **58-17b-308. Term of license -- Expiration -- Renewal.**

75 (1) Except as provided in Subsection (2), each license issued under this chapter shall be
76 issued in accordance with a two-year renewal cycle established by rule. A renewal period may
77 be extended or shortened by as much as one year to maintain established renewal cycles or to
78 change an established renewal cycle. Each license automatically expires on the expiration date
79 shown on the license unless renewed by the licensee in accordance with Section 58-1-308.

80 (2) The duration of a pharmacy intern license may be no longer than:

81 (a) one year for a license issued under Subsection 58-17b-304(7)(b); or

82 (b) five years for a license issued under Subsection 58-17b-304(7)(a).

83 (3) A pharmacy intern license issued under this chapter may not be renewed, but may
84 be extended by the division in collaboration with the board.

85 (4) As a prerequisite for renewal of a class D pharmacy license of a pharmacy that
86 engages in compounding, a licensee shall submit the most recent inspection report:

87 (a) conducted within two years before the application for renewal; and

88 (b) (i) conducted as part of the National Association of Boards of Pharmacy Verified
89 Pharmacy Program; or

90 (ii) performed by the state licensing agency of the state in which the applicant is a
91 resident and in accordance with the National Association of Boards of Pharmacy

91a ~~H~~→ [multiple] multistate ←~~H~~
92 inspection blueprint program.

93 Section 3. Section **58-17b-602** is amended to read:

94 **58-17b-602. Prescription orders -- Information required -- Alteration -- Labels --**
95 **Signatures -- Dispensing in pharmacies.**

96 (1) Except as provided in Section 58-1-501.3, the minimum information that shall be
97 included in a prescription order, and that may be defined by rule, is:

98 (a) the prescriber's name, address, and telephone number, and, if the order is for a
99 controlled substance, the patient's age and the prescriber's DEA number;

100 (b) the patient's name and address or, in the case of an animal, the name of the owner
101 and species of the animal;

102 (c) the date of issuance;

103 (d) the name of the medication or device prescribed and dispensing instructions, if
104 necessary;

105 (e) the directions, if appropriate, for the use of the prescription by the patient or animal
106 and any refill, special labeling, or other instructions;

107 (f) the prescriber's signature if the prescription order is written;

108 (g) if the order is an electronically transmitted prescription order, the prescribing
109 practitioner's electronic signature; and

110 (h) if the order is a hard copy prescription order generated from electronic media, the
111 prescribing practitioner's electronic or manual signature.

112 (2) The requirement of Subsection (1)(a) does not apply to prescription orders
113 dispensed for inpatients by hospital pharmacies if the prescriber is a current member of the
114 hospital staff and the prescription order is on file in the patient's medical record.

115 (3) Unless it is for a Schedule II controlled substance, a prescription order may be
116 dispensed by a pharmacist or pharmacy intern upon an oral prescription of a practitioner only if
117 the oral prescription is promptly reduced to writing.

118 (4) (a) Except as provided under Subsection (4)(b), a pharmacist or pharmacy intern

181 for the treatment of the Human Immunodeficiency Virus.

182 (3) A pharmacist may not administer a drug listed under Subsection (2) unless the
183 pharmacist:

184 (a) completes the training described in Subsection (2);

185 (b) administers the drug at a clinic or community pharmacy, as those terms are defined
186 by the division, by administrative rule made in accordance with Title 63G, Chapter 3, Utah
187 Administrative Rulemaking Act; and

188 (c) is directed by the ~~§~~→ [practitioner] physician, as that term is defined in

188a Section 58-67-102 or Section 58-68-102, ←~~§~~ who issues the prescription to administer the drug.

188b ~~§~~→ Section 5. Effective date.

188c (1) Except as provided in Subsection (2), this bill takes effect on May 9, 2017.

188d (2) The amendments to Sections 58-17b-306 and 58-17b-308 take effect on October

188e 1, 2017. ←~~§~~