

the database in order to permit the division to comply with the requirements of Subsection 58-37f-203(5) with respect to the employee;

(m) a federal, state, or local law enforcement officer if:

(i) the officer receives information from the database from the division and does not have direct access to the database;

(ii) the officer's law enforcement agency or department has entered into a memorandum of understanding with the division that:

(A) is executed by the officer's chief, sheriff, or law enforcement chief executive officer;

(B) notifies the agency or department that the division may audit at any time the officer's and the agency's or department's use of information from the database; and

(C) allows the division to immediately suspend providing information from the database to the law enforcement officer for any reason; and

(iii) the officer:

(A) submits to the division a written request from the agency or department on behalf of the officer seeking information from the database that designates the officer as an investigator assigned to investigate legally prescribed controlled substance cases;

**H→ (B) submits to the division a case number and a statement of reasonable suspicion that a crime has been committed;**

~~[(B)] (C)~~ **H←H** and the officer's supervisor successfully complete an eight-hour prescription drug

investigator controlled substance database course established by the division by rule, which includes an examination;

**H→** ~~[(C)] (D)~~ **H←H** submits a security agreement application to the division in a form established by

the division that requires state identification and has been reviewed and approved by the database administrator or the administrator's designee; and

**H→** ~~[(D)] (E)~~ **H←H** meets the requirements of any other rules made by the division to establish the

requirements of this Subsection (2)(m);

~~[(m)] (n)~~ pursuant to a valid search warrant, a federal, state, ~~and~~ or local law enforcement ~~[officers and state and local prosecutors who are]~~ officer or a state or local prosecutor who is engaged in an investigation related to:

(i) one or more controlled substances; and

(ii) a specific person who is a subject of the investigation;

~~[(n)] (o)~~ subject to Subsection (7), a probation or parole officer, employed by the

(a) develop a system that gathers and reports to prescribers and dispensers the progress and results of the prescriber's and dispenser's individual access and review of the database, as provided in this section; and

(b) reduce or waive the division's continuing education requirements regarding opioid prescriptions, described in Section 58-37-6.5, including the online tutorial and test relating to the database, for prescribers and dispensers whose individual utilization of the database, as determined by the division, demonstrates substantial compliance with this section.

(4) If the dispenser's access and review of the database suggest that the individual seeking an opioid may be obtaining opioids in quantities or frequencies inconsistent with generally recognized standards as provided in this section and Section 58-37f-201, the dispenser shall reasonably attempt to contact the prescriber to obtain the prescriber's informed, current, and professional decision regarding whether the prescribed opioid is medically justified, notwithstanding the results of the database search.

(5) (a) The division shall review the database to identify ~~H→ [and investigate] ←H~~ any prescriber

who has a pattern of prescribing opioids not in accordance with the recommendations of:

(i) the CDC Guideline for Prescribing Opioids for Chronic Pain, published by the Centers for Disease Control and Prevention;

(ii) the Utah Clinical Guidelines on Prescribing Opioids for Treatment of Pain, published by the Utah Department of Health; or

(iii) other publications describing best practices related to prescribing opioids as identified by division rule in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act ~~H→ , and in consultation with the Physicians Licensing Board ←H~~ .

(b) The division shall ~~H→ [provide training or other] offer ←H~~ education to a prescriber identified

under this Subsection (5) regarding best practices in the prescribing of opioids.

~~H→~~ (c) A decision by a prescriber to accept or not accept the education offered by the division under this Subsection (5) is voluntary.

(d) The division may not use an identification the division has made under this Subsection (5) or the decision by a prescriber to accept or not accept education offered by the division under this Subsection (5) in a licensing investigation or action by the division.

(e) Any record created by the division as a result of this Subsection (5) is a protected record under Section 63G-2-305. ←H