

1 **SUICIDE PREVENTION TRAINING AMENDMENTS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Justin L. Fawson**

5 Senate Sponsor: Curtis S. Bramble

7 **LONG TITLE**

8 **General Description:**

9 This bill amends portions of the Utah Medical Practice Act and the Utah Osteopathic
10 Medical Practice Act.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires an individual to complete a course in suicide prevention in order to obtain
14 or renew a license under the Utah Medical Practice Act or the Utah Osteopathic
15 Medical Practice Act.

16 **Money Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **58-67-302**, as last amended by Laws of Utah 2012, Chapters 162 and 225

23 **58-67-302.5**, as last amended by Laws of Utah 2011, Chapter 214

24 **58-67-302.8 (Effective 07/01/18)**, as enacted by Laws of Utah 2017, Chapter 299

25 **58-67-304 (Superseded 07/01/18)**, as last amended by Laws of Utah 2011, Chapters
26 161 and 214

27 **58-67-304 (Effective 07/01/18)**, as last amended by Laws of Utah 2017, Chapter 299



28 **58-68-302**, as last amended by Laws of Utah 2012, Chapters 162 and 225
 29 **58-68-302.5 (Effective 07/01/18)**, as enacted by Laws of Utah 2017, Chapter 299
 30 **58-68-304 (Superseded 07/01/18)**, as last amended by Laws of Utah 2011, Chapters
 31 161 and 214
 32 **58-68-304 (Effective 07/01/18)**, as last amended by Laws of Utah 2017, Chapter 299

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

35 Section 1. Section **58-67-302** is amended to read:

36 **58-67-302. Qualifications for licensure.**

37 (1) ~~[An]~~ Except as provided in Subsection (2), an applicant for licensure as a physician
 38 and surgeon~~[-, except as set forth in Subsection (2),]~~ shall:

39 (a) submit an application in a form prescribed by the division, which may include:

40 (i) submissions by the applicant of information maintained by practitioner data banks,
 41 as designated by division rule, with respect to the applicant;

42 (ii) a record of professional liability claims made against the applicant and settlements
 43 paid by or on behalf of the applicant; and

44 (iii) authorization to use a record coordination and verification service approved by the
 45 division in collaboration with the board;

46 (b) pay a fee determined by the department under Section **63J-1-504**;

47 (c) be of good moral character;

48 (d) provide satisfactory documentation of having successfully completed a program of
 49 professional education preparing an individual as a physician and surgeon, as evidenced by:

50 (i) having received an earned degree of doctor of medicine from an LCME accredited
 51 medical school or college; or

52 (ii) if the applicant graduated from a medical school or college located outside the
 53 United States or its territories, submitting a current certification by the Educational
 54 Commission for Foreign Medical Graduates or any successor organization approved by the
 55 division in collaboration with the board;

56 (e) satisfy the division and board that the applicant:

57 (i) has successfully completed 24 months of progressive resident training in a program
 58 approved by the ACGME, the Royal College of Physicians and Surgeons, the College of

59 Family Physicians of Canada, or any similar body in the United States or Canada approved by
60 the division in collaboration with the board; or

61 (ii) (A) has successfully completed 12 months of resident training in an ACGME
62 approved program after receiving a degree of doctor of medicine as required under Subsection
63 (1)(d);

64 (B) has been accepted in and is successfully participating in progressive resident
65 training in an ACGME approved program within Utah, in the applicant's second or third year
66 of postgraduate training; and

67 (C) has agreed to surrender to the division the applicant's license as a physician and
68 surgeon without any proceedings under Title 63G, Chapter 4, Administrative Procedures Act,
69 and has agreed the applicant's license as a physician and surgeon will be automatically revoked
70 by the division if the applicant fails to continue in good standing in an ACGME approved
71 progressive resident training program within the state;

72 (f) pass the licensing examination sequence required by division rule made in
73 collaboration with the board;

74 (g) be able to read, write, speak, understand, and be understood in the English language
75 and demonstrate proficiency to the satisfaction of the board if requested by the board;

76 (h) meet with the board and representatives of the division, if requested, for the
77 purpose of evaluating the applicant's qualifications for licensure;

78 (i) designate:

79 (i) a contact person for access to medical records in accordance with the federal Health
80 Insurance Portability and Accountability Act; and

81 (ii) an alternate contact person for access to medical records, in the event the original
82 contact person is unable or unwilling to serve as the contact person for access to medical
83 records; ~~and~~

84 (j) establish a method for notifying patients of the identity and location of the contact
85 person and alternate contact person, if the applicant will practice in a location with no other
86 persons licensed under this chapter[-]; and

87 (k) complete a minimum of two hours of training in suicide prevention via a course
88 approved by the division.

89 (2) An applicant for licensure as a physician and surgeon by endorsement who is

90 currently licensed to practice medicine in any state other than Utah, a district or territory of the
91 United States, or Canada shall:

92 (a) be currently licensed with a full unrestricted license in good standing in any state,
93 district, or territory of the United States, or Canada;

94 (b) have been actively engaged in the legal practice of medicine in any state, district, or
95 territory of the United States, or Canada for not less than 6,000 hours during the five years
96 immediately preceding the date of application for licensure in Utah;

97 (c) comply with the requirements for licensure under Subsections (1)(a) through (d),
98 (1)(e)(i), and (1)(g) through [(f)] (k);

99 (d) have passed the licensing examination sequence required in Subsection (1)(f) or
100 another medical licensing examination sequence in another state, district or territory of the
101 United States, or Canada that the division in collaboration with the board by rulemaking
102 determines is equivalent to its own required examination;

103 (e) not have any investigation or action pending against any health care license of the
104 applicant, not have a health care license that was suspended or revoked in any state, district or
105 territory of the United States, or Canada, and not have surrendered a health care license in lieu
106 of a disciplinary action, unless:

107 (i) the license was subsequently reinstated as a full unrestricted license in good
108 standing; or

109 (ii) the division in collaboration with the board determines to its satisfaction, after full
110 disclosure by the applicant, that:

111 (A) the conduct has been corrected, monitored, and resolved; or

112 (B) a mitigating circumstance exists that prevents its resolution, and the division in
113 collaboration with the board is satisfied that, but for the mitigating circumstance, the license
114 would be reinstated;

115 (f) submit to a records review, a practice history review, and comprehensive
116 assessments, if requested by the division in collaboration with the board; and

117 (g) produce satisfactory evidence that the applicant meets the requirements of this
118 Subsection (2) to the satisfaction of the division in collaboration with the board.

119 (3) An applicant for licensure by endorsement may engage in the practice of medicine
120 under a temporary license while the applicant's application for licensure is being processed by

121 the division, provided:

122 (a) the applicant submits a complete application required for temporary licensure to the
123 division;

124 (b) the applicant submits a written document to the division from:

125 (i) a health care facility licensed under Title 26, Chapter 21, Health Care Facility
126 Licensing and Inspection Act, stating that the applicant is practicing under the:

127 (A) invitation of the health care facility; and

128 (B) the general supervision of a physician practicing at the facility; or

129 (ii) two individuals licensed under this chapter, whose license is in good standing and
130 who practice in the same clinical location, both stating that:

131 (A) the applicant is practicing under the invitation and general supervision of the
132 individual; and

133 (B) the applicant will practice at the same clinical location as the individual;

134 (c) the applicant submits a signed certification to the division that the applicant meets
135 the requirements of Subsection (2);

136 (d) the applicant does not engage in the practice of medicine until the division has
137 issued a temporary license;

138 (e) the temporary license is only issued for and may not be extended or renewed
139 beyond the duration of one year from issuance; and

140 (f) the temporary license expires immediately and prior to the expiration of one year
141 from issuance, upon notification from the division that the applicant's application for licensure
142 by endorsement is denied.

143 (4) The division shall issue a temporary license under Subsection (3) within 15
144 business days after the applicant satisfies the requirements of Subsection (3).

145 (5) The division may not require a post-residency board certification as a requirement
146 for licensure.

147 Section 2. Section **58-67-302.5** is amended to read:

148 **58-67-302.5. Licensing of graduates of foreign medical schools.**

149 (1) Notwithstanding any other provision of law to the contrary, an individual enrolled
150 in a medical school outside the United States, its territories, the District of Columbia, or
151 Canada is eligible for licensure as a physician and surgeon in this state if the individual has

152 satisfied the following requirements:

153 (a) meets all the requirements of Subsection 58-67-302(1), except for Subsection
154 58-67-302(1)(d);

155 (b) has studied medicine in a medical school located outside the United States which is
156 recognized by an organization approved by the division;

157 (c) has completed all of the formal requirements of the foreign medical school except
158 internship or social service;

159 (d) has attained a passing score on the educational commission for foreign medical
160 graduates examination or other qualifying examinations such as the United States Medical
161 Licensing Exam parts I and II, which are approved by the division or a medical school
162 approved by the division;

163 (e) has satisfactorily completed one calendar year of supervised clinical training under
164 the direction of a United States medical education setting accredited by the liaison committee
165 for graduate medical education and approved by the division;

166 (f) has completed the postgraduate hospital training required by Subsection
167 58-67-302(1)(e)(i); ~~and~~

168 (g) has passed the examination required by the division of all applicants for
169 licensure[-]; and

170 (h) has completed a minimum of two hours of training in suicide prevention via a
171 course approved by the division.

172 (2) Satisfaction of the requirements of Subsection (1) is in lieu of:

173 (a) the completion of any foreign internship or social service requirements; and

174 (b) the certification required by Subsection 58-67-302(1)(d)(ii).

175 (3) Individuals who satisfy the requirements of Subsections (1)(a) through (f) shall be
176 eligible for admission to graduate medical education programs within the state, including
177 internships and residencies, which are accredited by the liaison committee for graduate medical
178 education.

179 (4) A document issued by a medical school located outside the United States shall be
180 considered the equivalent of a degree of doctor of medicine for the purpose of licensure as a
181 physician and surgeon in this state if:

182 (a) the foreign medical school is recognized by an organization approved by the

183 division;

184 (b) the document granted by the foreign medical school is issued after the completion
185 of all formal requirements of the medical school except internship or social service; and

186 (c) the foreign medical school certifies that the person to whom the document was
187 issued has satisfactorily completed the requirements of Subsection (1)(c).

188 (5) The provisions for licensure under this section shall be known as the "fifth pathway
189 program."

190 Section 3. Section **58-67-302.8 (Effective 07/01/18)** is amended to read:

191 **58-67-302.8 (Effective 07/01/18). Restricted licensing of an associate physician.**

192 (1) An individual may apply for a restricted license as an associate physician if the
193 individual:

194 (a) meets the requirements described in Subsections **58-67-302(1)(a)** through (c),
195 (1)(d)(i), and (1)(g) through ~~[(f)]~~ **(k)**;

196 (b) successfully completes Step 1 and Step 2 of the United States Medical Licensing
197 Examination or the equivalent steps of another board-approved medical licensing examination:

198 (i) within three years after the day on which the applicant graduates from a program
199 described in Subsection **58-67-302(1)(d)(i)**; and

200 (ii) within two years before applying for a restricted license as an associate physician;
201 and

202 (c) is not currently enrolled in and has not completed a residency program.

203 (2) Before a licensed associate physician may engage in the practice of medicine as
204 described in Subsection (3), the licensed associate physician shall:

205 (a) enter into a collaborative practice arrangement described in Section **58-67-807**
206 within six months after the associate physician's initial licensure; and

207 (b) receive division approval of the collaborative practice arrangement.

208 (3) An associate physician's scope of practice is limited to primary care services to
209 medically underserved populations or in medically underserved areas within the state.

210 Section 4. Section **58-67-304 (Superseded 07/01/18)** is amended to read:

211 **58-67-304 (Superseded 07/01/18). License renewal requirements.**

212 (1) As a condition precedent for license renewal, each licensee shall, during each
213 two-year licensure cycle or other cycle defined by division rule:

214 (a) complete qualified continuing professional education requirements in accordance
215 with the number of hours and standards defined by division rule made in collaboration with the
216 board, which shall include a minimum of two hours of training in suicide prevention via a
217 course approved by the division;

218 (b) appoint a contact person for access to medical records and an alternate contact
219 person for access to medical records in accordance with Subsection 58-67-302(1)(i); and

220 (c) if the licensee practices medicine in a location with no other persons licensed under
221 this chapter, provide some method of notice to the licensee's patients of the identity and
222 location of the contact person and alternate contact person for the licensee.

223 (2) If a renewal period is extended or shortened under Section 58-67-303, the
224 continuing education hours required for license renewal under this section are increased or
225 decreased proportionally.

226 (3) An application to renew a license under this chapter shall:

227 (a) require a physician to answer the following question: "Do you perform elective
228 abortions in Utah in a location other than a hospital?"; and

229 (b) immediately following the question, contain the following statement: "For purposes
230 of the immediately preceding question, elective abortion means an abortion other than one of
231 the following: removal of a dead fetus, removal of an ectopic pregnancy, an abortion that is
232 necessary to avert the death of a woman, an abortion that is necessary to avert a serious risk of
233 substantial and irreversible impairment of a major bodily function of a woman, an abortion of a
234 fetus that has a defect that is uniformly diagnosable and uniformly lethal, or an abortion where
235 the woman is pregnant as a result of rape or incest."

236 (4) In order to assist the Department of Health in fulfilling its responsibilities relating
237 to the licensing of an abortion clinic, if a physician responds positively to the question
238 described in Subsection (3)(a), the division shall, within 30 days after the day on which it
239 renews the physician's license under this chapter, inform the Department of Health in writing:

240 (a) of the name and business address of the physician; and

241 (b) that the physician responded positively to the question described in Subsection
242 (3)(a).

243 Section 5. Section 58-67-304 (Effective 07/01/18) is amended to read:

244 **58-67-304 (Effective 07/01/18). License renewal requirements.**

245 (1) As a condition precedent for license renewal, each licensee shall, during each
246 two-year licensure cycle or other cycle defined by division rule:

247 (a) complete qualified continuing professional education requirements in accordance
248 with the number of hours and standards defined by division rule made in collaboration with the
249 board, which shall include a minimum of two hours of training in suicide prevention via a
250 course approved by the division;

251 (b) appoint a contact person for access to medical records and an alternate contact
252 person for access to medical records in accordance with Subsection 58-67-302(1)(i);

253 (c) if the licensee practices medicine in a location with no other persons licensed under
254 this chapter, provide some method of notice to the licensee's patients of the identity and
255 location of the contact person and alternate contact person for the licensee; and

256 (d) if the licensee is an associate physician licensed under Section 58-67-302.8,
257 successfully complete the educational methods and programs described in Subsection
258 58-67-807(4).

259 (2) If a renewal period is extended or shortened under Section 58-67-303, the
260 continuing education hours required for license renewal under this section are increased or
261 decreased proportionally.

262 (3) An application to renew a license under this chapter shall:

263 (a) require a physician to answer the following question: "Do you perform elective
264 abortions in Utah in a location other than a hospital?"; and

265 (b) immediately following the question, contain the following statement: "For purposes
266 of the immediately preceding question, elective abortion means an abortion other than one of
267 the following: removal of a dead fetus, removal of an ectopic pregnancy, an abortion that is
268 necessary to avert the death of a woman, an abortion that is necessary to avert a serious risk of
269 substantial and irreversible impairment of a major bodily function of a woman, an abortion of a
270 fetus that has a defect that is uniformly diagnosable and uniformly lethal, or an abortion where
271 the woman is pregnant as a result of rape or incest."

272 (4) In order to assist the Department of Health in fulfilling its responsibilities relating
273 to the licensing of an abortion clinic, if a physician responds positively to the question
274 described in Subsection (3)(a), the division shall, within 30 days after the day on which it
275 renews the physician's license under this chapter, inform the Department of Health in writing:

276 (a) of the name and business address of the physician; and
277 (b) that the physician responded positively to the question described in Subsection
278 (3)(a).
279 Section 6. Section **58-68-302** is amended to read:
280 **58-68-302. Qualifications for licensure.**
281 (1) ~~[An]~~ Except as provided in Subsection (2), an applicant for licensure as an
282 osteopathic physician and surgeon~~[, except as set forth in Subsection (2),]~~ shall:
283 (a) submit an application in a form prescribed by the division, which may include:
284 (i) submissions by the applicant of information maintained by practitioner data banks,
285 as designated by division rule, with respect to the applicant;
286 (ii) a record of professional liability claims made against the applicant and settlements
287 paid by or on behalf of the applicant; and
288 (iii) authorization to use a record coordination and verification service approved by the
289 division in collaboration with the board;
290 (b) pay a fee determined by the department under Section [63J-1-504](#);
291 (c) be of good moral character;
292 (d) provide satisfactory documentation of having successfully completed a program of
293 professional education preparing an individual as an osteopathic physician and surgeon, as
294 evidenced by:
295 (i) having received an earned degree of doctor of osteopathic medicine from an AOA
296 approved medical school or college; or
297 (ii) submitting a current certification by the Educational Commission for Foreign
298 Medical Graduates or any successor organization approved by the division in collaboration
299 with the board, if the applicant is graduated from an osteopathic medical school or college
300 located outside of the United States or its territories which at the time of the applicant's
301 graduation, met criteria for accreditation by the AOA;
302 (e) satisfy the division and board that the applicant:
303 (i) has successfully completed 24 months of progressive resident training in an
304 ACGME or AOA approved program after receiving a degree of doctor of osteopathic medicine
305 required under Subsection (1)(d); or
306 (ii) (A) has successfully completed 12 months of resident training in an ACGME or

307 AOA approved program after receiving a degree of doctor of osteopathic medicine as required
308 under Subsection (1)(d);

309 (B) has been accepted in and is successfully participating in progressive resident
310 training in an ACGME or AOA approved program within Utah, in the applicant's second or
311 third year of postgraduate training; and

312 (C) has agreed to surrender to the division the applicant's license as an osteopathic
313 physician and surgeon without any proceedings under Title 63G, Chapter 4, Administrative
314 Procedures Act, and has agreed the applicant's license as an osteopathic physician and surgeon
315 will be automatically revoked by the division if the applicant fails to continue in good standing
316 in an ACGME or AOA approved progressive resident training program within the state;

317 (f) pass the licensing examination sequence required by division rule, as made in
318 collaboration with the board;

319 (g) be able to read, write, speak, understand, and be understood in the English language
320 and demonstrate proficiency to the satisfaction of the board, if requested by the board;

321 (h) meet with the board and representatives of the division, if requested for the purpose
322 of evaluating the applicant's qualifications for licensure;

323 (i) designate:

324 (i) a contact person for access to medical records in accordance with the federal Health
325 Insurance Portability and Accountability Act; and

326 (ii) an alternate contact person for access to medical records, in the event the original
327 contact person is unable or unwilling to serve as the contact person for access to medical
328 records; ~~and~~

329 (j) establish a method for notifying patients of the identity and location of the contact
330 person and alternate contact person, if the applicant will practice in a location with no other
331 persons licensed under this chapter[-]; and

332 (k) complete a minimum of two hours of training in suicide prevention via a course
333 approved by the division.

334 (2) An applicant for licensure as an osteopathic physician and surgeon by endorsement
335 who is currently licensed to practice osteopathic medicine in any state other than Utah, a
336 district or territory of the United States, or Canada shall:

337 (a) be currently licensed with a full unrestricted license in good standing in any state,

338 district or territory of the United States, or Canada;

339 (b) have been actively engaged in the legal practice of osteopathic medicine in any
340 state, district or territory of the United States, or Canada for not less than 6,000 hours during
341 the five years immediately preceding the day on which the applicant applied for licensure in
342 Utah;

343 (c) comply with the requirements for licensure under Subsections (1)(a) through (d),
344 (1)(e)(i), and (1)(g) through [(f)] (k);

345 (d) have passed the licensing examination sequence required in Subsection (1)(f) or
346 another medical licensing examination sequence in another state, district or territory of the
347 United States, or Canada that the division in collaboration with the board by rulemaking
348 determines is equivalent to its own required examination;

349 (e) not have any investigation or action pending against any health care license of the
350 applicant, not have a health care license that was suspended or revoked in any state, district or
351 territory of the United States, or Canada, and not have surrendered a health care license in lieu
352 of a disciplinary action, unless:

353 (i) the license was subsequently reinstated as a full unrestricted license in good
354 standing; or

355 (ii) the division in collaboration with the board determines, after full disclosure by the
356 applicant, that:

357 (A) the conduct has been corrected, monitored, and resolved; or

358 (B) a mitigating circumstance exists that prevents its resolution, and the division in
359 collaboration with the board is satisfied that, but for the mitigating circumstance, the license
360 would be reinstated;

361 (f) submit to a records review, a practice review history, and physical and
362 psychological assessments, if requested by the division in collaboration with the board; and

363 (g) produce evidence that the applicant meets the requirements of this Subsection (2) to
364 the satisfaction of the division in collaboration with the board.

365 (3) An applicant for licensure by endorsement may engage in the practice of medicine
366 under a temporary license while the applicant's application for licensure is being processed by
367 the division, provided:

368 (a) the applicant submits a complete application required for temporary licensure to the

369 division;

370 (b) the applicant submits a written document to the division from:

371 (i) a health care facility licensed under Title 26, Chapter 21, Health Care Facility

372 Licensing and Inspection Act, stating that the applicant is practicing under the:

373 (A) invitation of the health care facility; and

374 (B) the general supervision of a physician practicing at the health care facility; or

375 (ii) two individuals licensed under this chapter, whose license is in good standing and

376 who practice in the same clinical location, both stating that:

377 (A) the applicant is practicing under the invitation and general supervision of the

378 individual; and

379 (B) the applicant will practice at the same clinical location as the individual;

380 (c) the applicant submits a signed certification to the division that the applicant meets

381 the requirements of Subsection (2);

382 (d) the applicant does not engage in the practice of medicine until the division has

383 issued a temporary license;

384 (e) the temporary license is only issued for and may not be extended or renewed

385 beyond the duration of one year from issuance; and

386 (f) the temporary license expires immediately and prior to the expiration of one year

387 from issuance, upon notification from the division that the applicant's application for licensure

388 by endorsement is denied.

389 (4) The division shall issue a temporary license under Subsection (3) within 15

390 business days after the applicant satisfies the requirements of Subsection (3).

391 (5) The division may not require a post-residency board certification as a requirement

392 for licensure.

393 Section 7. Section **58-68-302.5 (Effective 07/01/18)** is amended to read:

394 **58-68-302.5 (Effective 07/01/18). Restricted licensing of an associate physician.**

395 (1) An individual may apply for a restricted license as an associate physician if the

396 individual:

397 (a) meets the requirements described in Subsections **58-68-302(1)(a)** through (c),

398 (1)(d)(i), and (1)(g) through ~~(j)~~ **(k)**;

399 (b) successfully completes Step 1 and Step 2 of the United States Medical Licensing

400 Examination or the equivalent steps of another board-approved medical licensing examination:

401 (i) within three years after the day on which the applicant graduates from a program
402 described in Subsection 58-68-302(1)(d)(i); and

403 (ii) within two years before applying for a restricted license as an associate physician;
404 and

405 (c) is not currently enrolled in and has not completed a residency program.

406 (2) Before a licensed associate physician may engage in the practice of medicine as
407 described in Subsection (3), the licensed associate physician shall:

408 (a) enter into a collaborative practice arrangement described in Section 58-68-807
409 within six months after the associate physician's initial licensure; and

410 (b) receive division approval of the collaborative practice arrangement.

411 (3) An associate physician's scope of practice is limited to primary care services to
412 medically underserved populations or in medically underserved areas within the state.

413 Section 8. Section 58-68-304 (Superseded 07/01/18) is amended to read:

414 **58-68-304 (Superseded 07/01/18). License renewal requirements.**

415 (1) As a condition precedent for license renewal, each licensee shall, during each
416 two-year licensure cycle or other cycle defined by division rule:

417 (a) complete qualified continuing professional education requirements in accordance
418 with the number of hours and standards defined by division rule in collaboration with the
419 board, which shall include a minimum of two hours of training in suicide prevention via a
420 course approved by the division;

421 (b) appoint a contact person for access to medical records and an alternate contact
422 person for access to medical records in accordance with Subsection 58-68-302(1)(i); and

423 (c) if the licensee practices osteopathic medicine in a location with no other persons
424 licensed under this chapter, provide some method of notice to the licensee's patients of the
425 identity and location of the contact person and alternate contact person for access to medical
426 records for the licensee in accordance with Subsection 58-68-302(1)(j).

427 (2) If a renewal period is extended or shortened under Section 58-68-303, the
428 continuing education hours required for license renewal under this section are increased or
429 decreased proportionally.

430 (3) An application to renew a license under this chapter shall:

431 (a) require a physician to answer the following question: "Do you perform elective
432 abortions in Utah in a location other than a hospital?"; and

433 (b) immediately following the question, contain the following statement: "For purposes
434 of the immediately preceding question, elective abortion means an abortion other than one of
435 the following: removal of a dead fetus, removal of an ectopic pregnancy, an abortion that is
436 necessary to avert the death of a woman, an abortion that is necessary to avert a serious risk of
437 substantial and irreversible impairment of a major bodily function of a woman, an abortion of a
438 fetus that has a defect that is uniformly diagnosable and uniformly lethal, or an abortion where
439 the woman is pregnant as a result of rape or incest."

440 (4) In order to assist the Department of Health in fulfilling its responsibilities relating
441 to the licensing of an abortion clinic, if a physician responds positively to the question
442 described in Subsection (3)(a), the division shall, within 30 days after the day on which it
443 renews the physician's license under this chapter, inform the Department of Health in writing:

444 (a) of the name and business address of the physician; and

445 (b) that the physician responded positively to the question described in Subsection
446 (3)(a).

447 Section 9. Section **58-68-304 (Effective 07/01/18)** is amended to read:

448 **58-68-304 (Effective 07/01/18). License renewal requirements.**

449 (1) As a condition precedent for license renewal, each licensee shall, during each
450 two-year licensure cycle or other cycle defined by division rule:

451 (a) complete qualified continuing professional education requirements in accordance
452 with the number of hours and standards defined by division rule in collaboration with the
453 board, which shall include a minimum of two hours of training in suicide prevention via a
454 course approved by the division;

455 (b) appoint a contact person for access to medical records and an alternate contact
456 person for access to medical records in accordance with Subsection **58-68-302(1)(i)**;

457 (c) if the licensee practices osteopathic medicine in a location with no other persons
458 licensed under this chapter, provide some method of notice to the licensee's patients of the
459 identity and location of the contact person and alternate contact person for access to medical
460 records for the licensee in accordance with Subsection **58-68-302(1)(j)**; and

461 (d) if the licensee is an associate physician licensed under Section **58-68-302.5**,

462 successfully complete the educational methods and programs described in Subsection
463 58-68-807(4).

464 (2) If a renewal period is extended or shortened under Section 58-68-303, the
465 continuing education hours required for license renewal under this section are increased or
466 decreased proportionally.

467 (3) An application to renew a license under this chapter shall:

468 (a) require a physician to answer the following question: "Do you perform elective
469 abortions in Utah in a location other than a hospital?"; and

470 (b) immediately following the question, contain the following statement: "For purposes
471 of the immediately preceding question, elective abortion means an abortion other than one of
472 the following: removal of a dead fetus, removal of an ectopic pregnancy, an abortion that is
473 necessary to avert the death of a woman, an abortion that is necessary to avert a serious risk of
474 substantial and irreversible impairment of a major bodily function of a woman, an abortion of a
475 fetus that has a defect that is uniformly diagnosable and uniformly lethal, or an abortion where
476 the woman is pregnant as a result of rape or incest."

477 (4) In order to assist the Department of Health in fulfilling its responsibilities relating
478 to the licensing of an abortion clinic, if a physician responds positively to the question
479 described in Subsection (3)(a), the division shall, within 30 days after the day on which it
480 renews the physician's license under this chapter, inform the Department of Health in writing:

481 (a) of the name and business address of the physician; and

482 (b) that the physician responded positively to the question described in Subsection
483 (3)(a).

Legislative Review Note
Office of Legislative Research and General Counsel