

1                   **CONTROLLED SUBSTANCE ABUSE AMENDMENTS**

2                                   2018 GENERAL SESSION

3                                   STATE OF UTAH

4                                   **Chief Sponsor: Steve Eliason**

5                                   Senate Sponsor: Evan J. Vickers

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7 **LONG TITLE**

8 **General Description:**

9                   This bill amends the Utah Controlled Substances Act.

10 **Highlighted Provisions:**

11                   This bill:

12                   ▶ requires a prescriber to discuss the risks of using an opiate with a patient or the  
13 patient's guardian before issuing an initial opiate prescription.

14 **Money Appropriated in this Bill:**

15                   None

16 **Other Special Clauses:**

17                   None

18 **Utah Code Sections Affected:**

19 ENACTS:

20                   **58-37-19**, Utah Code Annotated 1953

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

23                   Section 1. Section **58-37-19** is enacted to read:

24                   **58-37-19. Opiate prescription consultation.**

25                   (1) As used in this section:

26                   (a) "Hospice" means the same as that term is defined in Section [26-21-2](#).

27                   (b) "Initial opiate prescription" means a prescription for an opiate to a patient who:



- 28           (i) has never previously been issued a prescription for an opiate; or
- 29           (ii) was previously issued a prescription for an opiate, but the date on which the current
- 30 prescription is being issued is more than one year after the date on which an opiate was
- 31 previously prescribed or administered to the patient.
- 32           (c) "Prescriber" means an individual authorized to prescribe a controlled substance
- 33 under this chapter.
- 34           (2) Except as provided in Subsection (4), a prescriber may not issue an initial opiate
- 35 prescription without discussing with the patient, or the patient's parent or guardian if the patient
- 36 is under 18 years of age and is not an emancipated minor:
- 37           (a) the risks of addiction and overdose associated with opiate drugs;
- 38           (b) the dangers of taking opiates with alcohol, benzodiazepines, and other central
- 39 nervous system depressants;
- 40           (c) the reasons why the prescription is necessary;
- 41           (d) alternative treatments that may be available; and
- 42           (e) other risks associated with the use of the drugs being prescribed.
- 43           (3) The prescriber shall include a note in the patient's medical record that the prescriber
- 44 has discussed the items listed in Subsection (2) with the patient or with the patient's parent or
- 45 guardian.
- 46           (4) This section does not apply to a prescription for:
- 47           (a) a patient who is currently in active treatment for cancer;
- 48           (b) a patient who is receiving hospice care from a licensed hospice; or
- 49           (c) a medication that is being prescribed to a patient for the treatment of the patient's
- 50 substance abuse or opiate dependence.