

# HB0400S01 compared with HB0400

~~deleted text~~ shows text that was in HB0400 but was deleted in HB0400S01.

Inserted text shows text that was not in HB0400 but was inserted into HB0400S01.

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Representative Steve Eliason proposes the following substitute bill:

## CONTROLLED SUBSTANCE ABUSE AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: \_\_\_\_\_

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### LONG TITLE

#### General Description:

This bill amends the Utah Controlled Substances Act.

#### Highlighted Provisions:

This bill:

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

#### Money Appropriated in this Bill:

None

#### Other Special Clauses:

None

#### Utah Code Sections Affected:

ENACTS:

## HB0400S01 compared with HB0400

58-37-19, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

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

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

(i) has never previously been issued a prescription for an opiate; or

(ii) was previously issued a prescription for an opiate, but the date on which the current prescription is being issued is more than one year after the date on which an opiate was previously prescribed or administered to the patient.

(c) "Prescriber" means an individual authorized to prescribe a controlled substance under this chapter.

(2) Except as provided in Subsection (4), a prescriber may not issue an initial opiate prescription without discussing with the patient, or the patient's parent or guardian if the patient is under 18 years of age and is not an emancipated minor:

(a) the risks of addiction and overdose associated with opiate drugs;

(b) the dangers of taking opiates with alcohol, benzodiazepines, and other central nervous system depressants;

(c) the reasons why the prescription is necessary;

(d) alternative treatments that may be available; and

(e) other risks associated with the use of the drugs being prescribed.

~~(3) The prescriber shall include a note in the patient's medical record that the prescriber has discussed the items listed in Subsection (2) with the patient or with the patient's parent or guardian.~~

~~(4) This section does not apply to a prescription for:~~

~~(a) a patient who is currently in active treatment for cancer;~~

~~(b) a patient who is receiving hospice care from a licensed hospice; or~~

~~(c) a medication that is being prescribed to a patient for the treatment of the patient's substance abuse or opiate dependence.~~

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**Legislative Review Note**

**Office of Legislative Research and General Counsel**