

88 current, and professional decision regarding whether the prescribed opioid is medically
89 justified, notwithstanding the results of the database search.

90 (5) (a) The division shall review the database to identify any prescriber who has a
91 pattern of prescribing opioids not in accordance with the recommendations of:

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

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

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

99 (b) The division shall offer education to a prescriber identified under this Subsection
100 (5) regarding best practices in the prescribing of opioids.

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

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

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

108 (6) The division may consult with a prescriber or health care system to assist the
109 prescriber or health care system in following evidence-based guidelines regarding the
110 prescribing of controlled substances, including the recommendations listed in Subsection
111 (5)(a).

112 Section 2. Section **58-37f-702** is amended to read:

113 **58-37f-702. Reporting prescribed controlled substance poisoning or overdose to a**
114 **practitioner.**

115 (1) (a) The division shall take the actions described in Subsection ~~[(2)]~~ (1)(b) if the
116 division receives a report from~~[:-(a)]~~ ~~§~~→ [a medical examiner under Section 26-4-10.5 regarding a
117 death caused by poisoning or overdose involving a prescribed controlled substance] ←~~§~~ [:-or-(b)] a
118 general acute hospital under Section 26-21-26 regarding admission to a general acute hospital