

1                   **CONTROLLED SUBSTANCE ABUSE AMENDMENTS**

2                                   2019 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 (3), 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) This section does not apply to a prescription for:

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

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

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