



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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March 9, 2020

Mr. Speaker,

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 145**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator E. J. Vickers, with the following amendments:

1. *Page 10, Line 291 through Page 11, Line 308:*

- 291 Section 6. Section **58-17b-610.8** is enacted to read:
292 58-17b-610.8. Prescription devices.
293 { ~~(1) A pharmacist or pharmacy intern may prescribe and dispense a~~
294 ~~prescription device~~
295 ~~described in Subsection (2) to a patient if:~~
296 ~~— (a) the patient has a current diagnosis, prescription, or treatment protocol~~
297 ~~from a~~
298 ~~prescribing practitioner for which one or more of the devices described in~~
299 ~~Subsection (2) is~~
300 ~~indicated; and~~
301 ~~— (b) the pharmacist or pharmacy intern acts in accordance with rules made by~~
302 ~~the~~
303 ~~division under Subsection (3).~~
304 ~~— (2) This section applies to:~~
305 ~~(a) nebulizers;~~
306 ~~(b) spacers for use with nebulizers or inhalers; and~~
~~(c) diabetic testing supplies.~~
~~(3) The division shall make rules in accordance with Title 63G, Chapter 3,~~
~~Utah~~
~~305 Administrative Rulemaking Act, and in consultation with the board, the~~
~~Physicians Licensing~~
~~Board created in Section 58-67-201, and the Osteopathic Physician and Surgeon's~~

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307 Board created in Section 58-68-201, to implement this section. }

(1) Any of the following documents from a prescribing practitioner shall be considered a prescription for purposes of the dispensing of and payment for a device described in Subsection (3), if the device is prescribed or indicated by the document and the document is on file with a pharmacy:

(a) a written prescription; or

(b) a written record of a patient's:

(i) current diagnosis; or

(ii) treatment protocol.

(2) A pharmacist or pharmacy intern at a pharmacy at which a document considered a prescription in Subsection (1) is on file may dispense a prescription device described in Subsection (3) to the patient in accordance with:

(a) the document; and

(b) rules made by the division under Subsection (4).

(3) This section applies to:

(a) nebulizers;

(b) spacers for use with nebulizers or inhalers; and

(c) diabetic testing supplies.

(4) The division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and in consultation with the board, the Physicians Licensing Board created in Section 58-67-201, and the Osteopathic Physician and Surgeon's Licensing Board created in Section 58-68-201, to implement this section.

308 Section 7. Section **58-17b-1001** is enacted to read:

Respectfully,

Brad M. Daw
Chair

Voting: 11-0-2

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