

1 CHARITABLE PRESCRIPTION DRUG RECYCLING

2 PROGRAM AMENDMENTS

3 2021 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Evan J. Vickers

6 House Sponsor: _____

7
8 LONG TITLE

9 General Description:

10 This bill modifies the Charitable Prescription Drug Recycling Act.

11 Highlighted Provisions:

12 This bill:

13 ▶ allows an individual to transfer prescription drugs to an eligible pharmacy or an
14 eligible physician's office;

14a **§→ ▶modifies the prescription drugs eligible for donation through the program; ←§**

15 ▶ removes the requirement that only state residents receive donated drugs; and

16 ▶ requires that a medically indigent individual be located in the state when the drug is
17 dispensed.

18 Money Appropriated in this Bill:

19 None

20 Other Special Clauses:

21 None

22 Utah Code Sections Affected:

23 AMENDS:

24 58-17b-902, as last amended by Laws of Utah 2020, Chapter 384

25 58-17b-903, as last amended by Laws of Utah 2020, Chapter 384

26 58-17b-905, as enacted by Laws of Utah 2016, Chapter 405

27 58-17b-907, as last amended by Laws of Utah 2020, Chapter 384

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- 59 (a) a nursing care facility;
- 60 (b) an assisted living facility;
- 61 (c) a licensed intermediate care facility for people with an intellectual disability;
- 62 (d) a manufacturer;
- 63 (e) a pharmaceutical wholesale distributor;
- 64 (f) an eligible pharmacy; or
- 65 (g) a physician's office.
- 66 (8) "Eligible pharmacy" means a pharmacy that:
- 67 (a) is registered by the division as eligible to participate in the program; and
- 68 (b) (i) is licensed in the state as a Class A retail pharmacy; or
- 69 (ii) is operated by:
- 70 (A) a county;
- 71 (B) a county health department;
- 72 (C) a pharmacy under contract with a county health department;
- 73 (D) the Department of Health, created in Section 26-1-4;
- 74 (E) the Division of Substance Abuse and Mental Health, created in Section
- 75 62A-15-103; or
- 76 (F) a charitable clinic.
- 77 (9) "Eligible prescription drug" means a prescription drug, described in Section
- 78 58-17b-904, that is not:
- 79 (a) a controlled substance ~~§~~ , **unless the drug is a long-acting depot injectable**
- 79a **buprenorphine that is used for treating heroin addiction** ~~§~~ ; or
- 80 (b) a drug that can only be dispensed to a patient registered with the drug's
- 81 manufacturer in accordance with federal Food and Drug Administration requirements.
- 82 (10) "Licensed intermediate care facility for people with an intellectual disability"
- 83 means the same as that term is defined in Section 58-17b-503.
- 84 (11) "Medically indigent individual" means an individual who:
- 85 (a) (i) does not have health insurance; and
- 86 (ii) lacks reasonable means to purchase prescribed medications; or
- 87 (b) (i) has health insurance; and
- 88 (ii) lacks reasonable means to pay the insured's portion of the cost of the prescribed
- 89 medications.