

150 (ii) a prescription drug or device to a patient for a patient's immediate need in an
151 emergency department in accordance with Section 58-17b-610.5; or

152 (iii) a drug in an emergency situation as defined by the division in rule under Chapter
153 17b, Pharmacy Practice Act.

154 Section 5. Section 58-88-203 is enacted to read:

155 **58-88-203. Application for licensure as a licensed dispensing practice --**
156 **Requirements -- Notification -- Dispensing.**

157 (1) An applicant for licensure as a dispensing practice shall:

158 (a) submit a written application in the form prescribed by the division;

159 (b) pay a fee as determined by the department under Section 63J-1-504; and

160 (c) provide any additional information required by the division by rule.

161 (2) (a) A dispensing practice shall designate at least one responsible dispensing
162 practitioner who is responsible for all activities of the licensed dispensing practice related to
163 the dispensing of drugs under this part.

164 (b) A responsible dispensing practitioner for the licensed dispensing practice shall:

165 (i) be currently licensed ~~H→~~ [~~registered, or otherwise authorized by state law~~] ~~←H~~ to
165a prescribe

166 and administer drugs in the course of professional practice;

167 (ii) practice at the licensed dispensing practice;

168 (iii) accept responsibility for the operation of the licensed dispensing practice related to
169 the dispensing of drugs under this part and in accordance with all laws and rules relating to the
170 dispensing of drugs at the licensed dispensing practice; and

171 (iv) be personally in full and actual charge of the operation of the licensed dispensing
172 practice related to the dispensing of drugs under this part.

173 (c) Whenever an applicable statute or rule requires or prohibits action by a licensed
174 dispensing practice, the responsible dispensing practitioner or practitioners and the owner of
175 the licensed dispensing practice shall be responsible for all activities of the licensed dispensing
176 practice, regardless of the form of the business or entity.

177 (3) (a) Each license issued under this section shall be issued for a single, specific
178 address, and is not transferable or assignable.

179 (b) Each license issued under this section shall be issued in accordance with a two-year
180 renewal cycle established by the division by rule.

181 (c) The division may extend or shorten a renewal period for a period of up to one year
 182 to maintain established renewal cycles or to change an established renewal cycle.

183 (d) Each license automatically expires on the expiration date shown on the license
 184 unless the license is renewed by the licensee in accordance with Section [58-1-308](#).

185 (4) (a) A licensed dispensing practice shall report in writing to the division not later
 186 than 10 business days before the date of:

187 (i) a permanent closure of the licensed dispensing practice;

188 (ii) a change of name or ownership of the licensed dispensing practice;

189 (iii) a change of location of the licensed dispensing practice; and

190 (iv) any matter or occurrence that the division requires by rule to be reported.

191 (b) As defined by the division by rule, a licensed dispensing practice shall report in
 192 writing to the division ~~§~~ :

192a (i) **theft of a drug, immediately after the licensed dispensing practice is aware that theft has**
 192b **occurred; and**

192c (ii) ~~§~~ a disaster, accident, or emergency that may affect the purity or labeling
 193 of a drug, medication, device, or other material used in the diagnosis or treatment of injury,
 194 illness, or disease immediately upon the occurrence of the disaster, accident, or emergency.

195 (c) A reporting licensed dispensing practice shall maintain a copy of any notification
 196 required by this Subsection (4) for two years and make a copy of the notification available to
 197 the division for inspection at the division's request.

198 Section 6. Section **58-88-204** is enacted to read:

199 **58-88-204. Administrative inspections of a dispensing practice -- Penalties.**

200 (1) The division shall conduct audits and inspections of licensed dispensing practices
 201 in accordance with standards established by the division by rule.

202 (2) Penalties for a violation of this part, including fines and citations, shall be issued by
 203 the division under:

204 (a) Section [58-1-502](#); and

205 (b) the dispensing practitioner's respective licensing chapter.

206 Section 7. Section **58-88-205** is enacted to read:

207 **58-88-205. Operating standards -- Rulemaking.**

208 (1) The division shall make rules in accordance with Title 63G, Chapter 3, Utah
 209 Administrative Rulemaking Act, regarding the operating standards for a licensed dispensing
 210 practice licensed under this part which shall include, but is not limited to, standards for:

211 (a) security;

212 (b) labeling;

213 (c) storage; ~~§~~ → [and] ← ~~§~~

214 (d) supervision ~~§~~ → [;] ;

214a **(e) inventory control; and**

214b **(f) patient counseling.** ← ~~§~~

215 (2) The division may designate individual medications and classes of medications that
216 may not be dispensed at a licensed dispensing practice under this chapter.

217 (3) When making rules under this part, the division shall consult with a group
218 consisting of:

219 (a) two members of the Physicians Licensing Board created in Section [58-67-201](#); and

220 (b) two members of the Utah State Board of Pharmacy created in Section [58-17b-201](#).