



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
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February 23, 2022

Mr. President,

The Health and Human Services Committee reports a favorable recommendation on **S.B. 236**, PHARMACY PRACTICE AMENDMENTS, by Senator E. J. Vickers, with the following amendments:

1. *Page 1, Lines 9 through 14:*

9 This bill amends the Pharmacy Practice Act ~~{and the Insurance Code}~~ .  
10 Highlighted Provisions:  
11 This bill:  
12 ~~{~~ prohibits an insurer or pharmacy benefit manager from asking a  
pharmacy or  
13 insured to disclose how a drug was paid for except to ensure compliance with state  
14 or federal law; ~~}~~

2. *Page 2, Lines 40 through 50:*

40 ~~{~~ ENACTS:  
41 ~~— 31A-22-657, Utah Code Annotated 1953—~~  
42 ~~\_\_\_\_\_~~  
43 Be it enacted by the Legislature of the state of Utah:  
44 ~~{~~ Section 1. Section 31A-22-657 is enacted to read:  
45 ~~— 31A-22-657. Method of payment for drugs may not be requested.~~  
46 ~~— Except to ensure compliance with state or federal law, neither an insurer nor a~~  
47 ~~pharmacy benefit manager as defined in Section 31A-46-102 may ask a pharmacy or~~  
an

Bill Number



SB0236

Action Class



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Action Code



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- 48 ~~enrollee of the insurer to disclose how a drug purchased from the pharmacy by the~~  
49 ~~enrollee was~~  
50 ~~paid for, including whether payment was received from one or more persons other~~  
~~than the~~  
~~enrollee.}~~

Renumber sections accordingly

3. Page 3, Lines 66 through 69:

- 66 (e) except as provided in Section 58-17b-503 {~~or Part 9, Charitable~~  
67 ~~Prescription Drug~~  
~~Recycling Act~~} , accepting back and redistributing any unused drug, or a part of it,  
after it has  
68 left the premises of [any] a pharmacy {~~, unless the drug is in a unit pack, as defined~~  
69 ~~in Section~~  
~~58-17b-503, or the manufacturer's sealed container, as defined in rule~~} ;

4. Page 5, Lines 127 through 131:

- 127 (2) A pharmacist may accept and redistribute an unused drug, or part of it,  
after it has left the premises of the pharmacy :  
128 (a) {~~accept and redistribute an unused drug under~~} in accordance with  
= Part 9, Charitable Prescription Drug  
129 Recycling Act; {~~or~~}  
130 (b) {~~accept back and redistribute any unused drug, or a part of it, after it~~  
~~has left the~~  
131 ~~premises of the pharmacy~~} if:

5. Page 5, Lines 142 through 149:

- 142 Administration and Drug Enforcement Administration regulations {~~.~~} ;  
143 {~~(3) A pharmacist may accept back and redistribute any unused drug, or a~~  
~~part of it, after~~

144 ~~it has left the premises of the pharmacy~~ }

(c) if:

145 ~~{(a)}~~ (i) the pharmacy has attempted to deliver the drug to a patient or a  
patient's agent via

146 the United States Postal Service, a licensed common carrier, or supportive personnel;

147 ~~{(b)}~~ (ii) the drug is returned to the pharmacy by the same person or  
carrier that attempted to

148 deliver the drug; and

149 ~~{(c)}~~ (iii) in accordance with United States Food and Drug  
Administration regulations and

Respectfully,

Michael S. Kennedy  
Chair

Voting: 6-0-2

5 SB0236.SC1.wpd 2/23/22 4:26 pm markandrews/MDA DC/MDA