

**S.B. 236**  
**PHARMACY PRACTICE AMENDMENTS**

Senator **Evan J. Vickers** proposes 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}~~

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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~~

~~48 enrollee of the insurer to disclose how a drug purchased from the pharmacy by the enrollee was~~

~~49 paid for, including whether payment was received from one or more persons other than the~~

~~50 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 Prescription Drug~~

~~67 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 in Section~~

~~69 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