

1

Physician Practice Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

2

3

LONG TITLE

4

General Description:

5

This bill specifies that a physician does not engage in unprofessional conduct by refusing to participate in the execution of a death sentence.

6

7

Highlighted Provisions:

8

This bill:

9

▸ specifies that a physician does not engage in unprofessional conduct by refusing to participate in the execution of a death sentence.

10

11

Money Appropriated in this Bill:

12

None

13

Other Special Clauses:

14

None

15

Utah Code Sections Affected:

16

AMENDS:

17

58-67-502, as last amended by Laws of Utah 2025, Chapter 392

18

58-68-502, as last amended by Laws of Utah 2025, Chapter 392

19

20

Be it enacted by the Legislature of the state of Utah:

21

Section 1. Section **58-67-502** is amended to read:

22

58-67-502 . Unprofessional conduct.

23

(1) "Unprofessional conduct" includes, in addition to the definition in Section 58-1-501:

24

(a) using or employing the services of any individual to assist a licensee in any manner not in accordance with the generally recognized practices, standards, or ethics of the profession, state law, or division rule;

25

26

27

(b) making a material misrepresentation regarding the qualifications for licensure under Section 58-67-302.7 or 58-67-302.8;

28

29

(c) violating the dispensing requirements of Chapter 17b, Part 8, Dispensing Medical Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, if applicable;

30

- 31 (d) violating the requirements of Title 26B, Chapter 4, Part 2, Cannabinoid Research and
 32 Medical Cannabis;
- 33 (e) performing or inducing an abortion in violation of the requirements of Section
 34 76-7-302 or Section 76-7a-201, regardless of whether the individual licensed under
 35 this chapter is found guilty of a crime in connection with the violation;
- 36 (f) falsely making an entry in, or altering, a medical record with the intent to conceal:
 37 (i) a wrongful or negligent act or omission of an individual licensed under this
 38 chapter or an individual under the direction or control of an individual licensed
 39 under this chapter; or
 40 (ii) conduct described in Subsections (1)(a) through (e) or Subsection 58-1-501(1);
- 41 (g) performing, or causing to be performed, upon an individual who is less than 18 years
 42 old:
 43 (i) a primary sex characteristic surgical procedure; or
 44 (ii) a secondary sex characteristic surgical procedure; or
- 45 (h) designating a child as do not resuscitate without parental consent.
- 46 (2) "Unprofessional conduct" does not include:
 47 (a) in compliance with Section 58-85-103:
 48 (i) obtaining an investigational drug or investigational device;
 49 (ii) administering the investigational drug to an eligible patient; or
 50 (iii) treating an eligible patient with the investigational drug or investigational device; [
 51 or]
- 52 (b) in accordance with Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical
 53 Cannabis:
 54 (i) when acting as a recommending medical provider, as that term is defined in
 55 Section 26B-4-201, recommending the use of medical cannabis; or
 56 (ii) when registered as a pharmacy medical provider, as that term is defined in
 57 Section 26B-4-201, providing pharmacy medical provider services in a medical
 58 cannabis pharmacy[.] ; or
- 59 (c) refusing to participate in the execution of a death sentence authorized under Section
 60 77-19-10.
- 61 (3) Notwithstanding Subsection (2)(b), the division, in consultation with the board and in
 62 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, shall
 63 define unprofessional conduct for a physician described in Subsection (2)(b).
 64 Section 2. Section **58-68-502** is amended to read:

65 **58-68-502 . Unprofessional conduct.**

- 66 (1) "Unprofessional conduct" includes, in addition to the definition in Section 58-1-501:
- 67 (a) using or employing the services of any individual to assist a licensee in any manner
- 68 not in accordance with the generally recognized practices, standards, or ethics of the
- 69 profession, state law, or division rule;
- 70 (b) violating the dispensing requirements of Chapter 17b, Part 8, Dispensing Medical
- 71 Practitioner and Dispensing Medical Practitioner Clinic Pharmacy, if applicable;
- 72 (c) making a material misrepresentation regarding the qualifications for licensure under
- 73 Section 58-68-302.5;
- 74 (d) violating the requirements of Title 26B, Chapter 4, Part 2, Cannabinoid Research and
- 75 Medical Cannabis;
- 76 (e) performing or inducing an abortion in violation of the requirements of Section
- 77 76-7-302 or Section 76-7a-201, regardless of whether the individual licensed under
- 78 this chapter is found guilty of a crime in connection with the violation;
- 79 (f) falsely making an entry in, or altering, a medical record with the intent to conceal:
- 80 (i) a wrongful or negligent act or omission of an individual licensed under this
- 81 chapter or an individual under the direction or control of an individual licensed
- 82 under this chapter; or
- 83 (ii) conduct described in Subsections (1)(a) through (e) or Subsection 58-1-501(1);
- 84 (g) performing or causing to be performed, upon an individual who is less than 18 years
- 85 old:
- 86 (i) a primary sex characteristic surgical procedure; or
- 87 (ii) a secondary sex characteristic surgical procedure; or
- 88 (h) designating a child as do not resuscitate without parental consent.
- 89 (2) "Unprofessional conduct" does not include:
- 90 (a) in compliance with Section 58-85-103:
- 91 (i) obtaining an investigational drug or investigational device;
- 92 (ii) administering the investigational drug to an eligible patient; or
- 93 (iii) treating an eligible patient with the investigational drug or investigational device; [
- 94 or]
- 95 (b) in accordance with Title 26B, Chapter 4, Part 2, Cannabinoid Research and Medical
- 96 Cannabis:
- 97 (i) when acting as a recommending medical provider, as that term is defined in
- 98 Section 26B-4-201, recommending the use of medical cannabis; or

99 (ii) when registered as a pharmacy medical provider, as that term is defined in
100 Section 26B-4-201, providing pharmacy medical provider services in a medical
101 cannabis pharmacy~~[-]~~ ; or

102 (c) refusing to participate in the execution of a death sentence authorized under Section
103 77-19-10.

104 (3) Notwithstanding Subsection (2)(b), the division, in consultation with the board and in
105 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, shall
106 define unprofessional conduct for a physician described in Subsection (2)(b).

107 Section 3. **Effective Date.**

108 This bill takes effect on May 6, 2026.