

Jen Plumb proposes the following substitute bill:

Naloxone Amendments

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jen Plumb

House Sponsor:

LONG TITLE

General Description:

This bill extends protections for prescribing, dispensing, furnishing, and administering an expired opioid antagonist.

Highlighted Provisions:

This bill:

▸ for administering an opioid antagonist:

• extends immunity from liability for administering an opioid antagonist in good faith to include the administration of an expired opioid antagonist; and

• clarifies that immunity includes immunity from a civil action and criminal prosecution;

▸ provides that a person licensed under Utah law to dispense an opioid antagonist may dispense an expired opioid antagonist;

▸ requires a health care provider who dispenses an opioid antagonist to an individual or overdose outreach provider to provide education on the safety, efficacy, and risks of administering an expired opioid antagonist;

▸ provides that it is not unlawful or unprofessional conduct for a person who is licensed to prescribe or dispense an opioid antagonist to prescribe or dispense an expired opioid antagonist;

▸ provides that an overdose outreach provider may furnish an expired opioid antagonist;

▸ changes the term "opiate" and related terms to "opioid";

▸ makes technical and conforming changes; and

▸ defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **17-72-101 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
33 First Special Session, Chapter 13

34 **26B-4-501 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapters 173,
35 340 and 470

36 **26B-4-508 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
37 Chapter 307

38 **26B-4-509 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
39 Chapter 307

40 **26B-4-510 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
41 Chapter 307

42 **26B-4-511 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
43 Chapter 307

44 **26B-4-512 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, First Special
45 Session, Chapter 9

46 **26B-4-513 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 507

47 **26B-4-514 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
48 Chapter 307

49 **26B-7-110 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2023,
50 Chapter 308

51 **26B-7-117 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 243

52 **53G-9-502 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 122

53 **58-17b-309 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328

54 **58-17b-309.7 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 141

55 **58-17b-507 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 328

56 **58-17b-902 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 486

57 **58-31b-703 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329

58 **58-37-2 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 396

59 **58-37-4 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 216

60 **58-37-6 (Effective 05/06/26) (Partially Repealed 07/01/32)**, as last amended by Laws of
61 Utah 2022, Chapter 415

62 **58-37-7 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 381

63 **58-37-8.2 (Effective 05/06/26)**, as renumbered and amended by Laws of Utah 2025,
 64 Chapters 173, 173
 65 **58-37-19 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapter 381
 66 **58-67-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 67 **58-68-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 68 **58-69-702 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 69 **58-70a-505 (Effective 05/06/26)**, as last amended by Laws of Utah 2023, Chapter 329
 70 **63I-1-258 (Effective 05/06/26)**, as last amended by Laws of Utah 2025, Chapter 236
 71 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29)**, as last amended by Laws
 72 of Utah 2025, First Special Session, Chapter 17
 73 **64-13-45 (Effective 05/06/26)**, as last amended by Laws of Utah 2024, Chapters 245, 341
 74

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

76 Section 1. Section **17-72-101** is amended to read:

77 **17-72-101 (Effective 05/06/26). Definitions.**

78 As used in this chapter:

- 79 (1) "Commissary account" means an account from which a prisoner may withdraw money,
 80 deposited by the prisoner or another individual, to purchase discretionary items for sale
 81 by a correctional facility.
- 82 (2) "Commissary purchase" means a transaction initiated by a prisoner by which the
 83 prisoner obtains an item or items offered for sale by the correctional facility in exchange
 84 for money withdrawn from the prisoner's commissary account.
- 85 (3) "Commission" means the State Commission on Criminal and Juvenile Justice created in
 86 Section 63M-7-201.
- 87 (4) "Correctional facility" means the same as that term is defined in Section 77-16b-102.
- 88 (5) "County inmate" means an inmate who is sentenced to a county jail.
- 89 (6) "Cross-sex hormone treatment" means the same as that term is defined in Section
 90 26B-4-1001.[~~281-12(6)~~]
- 91 (7)(a) "In-custody death" means a prisoner death that occurs while the prisoner is in the
 92 custody of a county jail.
- 93 (b) "In-custody death" includes a prisoner death that occurs while the prisoner is:
 94 (i) being transported for health care; or
 95 (ii) receiving health care outside of a county jail.
- 96 (8) "Inmate" means a prisoner who is in the custody of a correctional facility following a

97 criminal conviction.

98 (9) "Medication assisted treatment plan" means a prescription plan to use prescribed
99 medication approved by the Food and Drug Administration, such as buprenorphine,
100 methadone, or naltrexone to treat substance use withdrawal symptoms or an opioid use
101 disorder.

102 (10) "Notice" means all papers and orders, except process, required to be served in any
103 proceeding before any court, board, commission, or officer, or when required by law to
104 be served independently of a court proceeding.

105 (11) "[~~Opiate~~] Opioid" means the same as that term is defined in Section 58-37-2.

106 (12) "Primary sex characteristic surgical procedure" means the same as that term is defined
107 in Section 26B-4-1001.

108 (13) "Prisoner" means an individual who is:

109 (a) in custody of a peace officer in accordance with a lawful arrest; or

110 (b) confined in a county jail.

111 (14) "Police interlocal entity" means the same as that term is defined in Sections 17-76-201
112 and 17-76-301.

113 (15) "Police special district" means the same as that term is defined in Section 17-76-201.

114 (16) "Probationer" means an individual on probation under the supervision of the county
115 sheriff.

116 (17) "Process" means all writs, warrants, summonses and orders of the courts of justice or
117 judicial officers.

118 (18)(a) "Qualifying domestic violence offense" means the same as that term is defined in
119 Section 77-36-1.1.

120 (b) "Qualifying domestic violence offense" does not include criminal mischief as that
121 term is defined in Section 76-6-106.

122 (19) "State inmate" means an inmate who is sentenced to the Department of Corrections,
123 created in Section 64-13-2, even if the inmate is in the custody of a county jail.

124 (20) "Secondary sex characteristic surgical procedure" means the same as that term is
125 defined in Section 26B-4-1001.

126 (21) "Violent felony" means the same as that term is defined in Section 76-3-203.5.

127 Section 2. Section **26B-4-501** is amended to read:

128 **26B-4-501 (Effective 05/06/26). Definitions.**

129 As used in this part:

130 (1) "Controlled substance" means the same as that term is defined in Title 58, Chapter 37,

- 131 Utah Controlled Substances Act.
- 132 (2) "Critical access hospital" means a critical access hospital that meets the criteria of 42
133 U.S.C. Sec. 1395i-4(c)(2).
- 134 (3) "Designated facility" means:
- 135 (a) a freestanding urgent care center;
- 136 (b) a general acute hospital; or
- 137 (c) a critical access hospital.
- 138 (4) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 139 (5) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- 140 (6) "Emergency contraception" means the use of a substance, approved by the United States
141 Food and Drug Administration, to prevent pregnancy after sexual intercourse.
- 142 (7) "Freestanding urgent care center" means the same as that term is defined in Section
143 59-12-801.
- 144 (8) "General acute hospital" means the same as that term is defined in Section 26B-2-201.
- 145 (9) "Health care facility" means a hospital, a hospice inpatient residence, a nursing facility,
146 a dialysis treatment facility, an assisted living residence, an entity that provides home-
147 and community-based services, a hospice or home health care agency, or another facility
148 that provides or contracts to provide health care services, which facility is licensed under
149 Chapter 2, Part 2, Health Care Facility Licensing and Inspection.
- 150 (10) "Health care provider" means:
- 151 (a) a physician, as defined in Section 58-67-102;
- 152 (b) an advanced practice registered nurse, as defined in Section 58-31b-102;
- 153 (c) a physician assistant, as defined in Section 58-70a-102; or
- 154 (d) an individual licensed to engage in the practice of dentistry, as defined in Section
155 58-69-102.
- 156 (11) "Increased risk" means risk exceeding the risk typically experienced by an individual
157 who is not using, and is not likely to use, an [~~opiate~~] opioid.
- 158 (12) "[~~Op~~iate] Opioid" means the same as that term is defined in Section 58-37-2.
- 159 (13) "[~~Op~~iate] Opioid antagonist" means naloxone hydrochloride or any similarly acting
160 drug that is not a controlled substance and that is approved by the federal Food and Drug
161 Administration for the diagnosis or treatment of an [~~opiate-related~~] opioid-related drug
162 overdose.
- 163 (14) "[~~Op~~iate-related] Opioid-related drug overdose event" means an acute condition,
164 including a decreased level of consciousness or respiratory depression resulting from the

- 165 consumption or use of a controlled substance, or another substance with which a
166 controlled substance was combined, and that a person would reasonably believe to
167 require medical assistance.
- 168 (15) "Overdose outreach provider" means:
- 169 (a) a law enforcement agency;
 - 170 (b) a fire department;
 - 171 (c) an emergency medical service provider, as defined in Section 53-2d-101;
 - 172 (d) emergency medical service personnel, as defined in Section 53-2d-101;
 - 173 (e) an organization providing treatment or recovery services for drug or alcohol use;
 - 174 (f) an organization providing support services for an individual, or a family of an
175 individual, with a substance use disorder;
 - 176 (g) a certified peer support specialist, as defined in Section 26B-5-610;
 - 177 (h) an organization providing substance use or mental health services under contract
178 with a local substance abuse authority, as defined in Section 26B-5-101, or a local
179 mental health authority, as defined in Section 26B-5-101;
 - 180 (i) an organization providing services to the homeless;
 - 181 (j) a local health department;
 - 182 (k) an individual licensed to practice under:
 - 183 (i) Title 58, Chapter 17b, Pharmacy Practice Act;
 - 184 (ii) Title 58, Chapter 60, Part 2, Social Worker Licensing Act; or
 - 185 (iii) Title 58, Chapter 60, Part 5, Substance Use Disorder Counselor Act; or
 - 186 (l) an individual.
- 187 (16) "Patient counseling" means the same as that term is defined in Section 58-17b-102.
- 188 (17) "Pharmacist" means the same as that term is defined in Section 58-17b-102.
- 189 (18) "Pharmacy intern" means the same as that term is defined in Section 58-17b-102.
- 190 (19) "Physician" means the same as that term is defined in Section 58-67-102.
- 191 (20) "Practitioner" means:
- 192 (a) a physician; or
 - 193 (b) any other person who is permitted by law to prescribe emergency contraception.
- 194 (21) "Prescribe" means the same as that term is defined in Section 58-17b-102.
- 195 (22)(a) "Self-administered hormonal contraceptive" means a self-administered hormonal
196 contraceptive that is approved by the United States Food and Drug Administration to
197 prevent pregnancy.
- 198 (b) "Self-administered hormonal contraceptive" includes an oral hormonal contraceptive,

- 199 a hormonal vaginal ring, and a hormonal contraceptive patch.
- 200 (c) "Self-administered hormonal contraceptive" does not include any drug intended to
201 induce an abortion, as that term is defined in Section 76-7-301.
- 202 (23)(a) "Sexual assault" means any criminal conduct described in Title 76, Chapter 5,
203 Part 4, Sexual Offenses, that may result in a pregnancy.
- 204 (b) "Sexual assault" does not include criminal conduct described in:
- 205 (i) Section 76-5-417, enticing a minor;
- 206 (ii) Section 76-5-418, sexual battery;
- 207 (iii) Section 76-5-419, lewdness; or
- 208 (iv) Section 76-5-420, lewdness involving a child.
- 209 (24) "Victim of sexual assault" means any person who presents to receive, or receives,
210 medical care in consequence of being subjected to sexual assault.
- 211 Section 3. Section **26B-4-508** is amended to read:
- 212 **26B-4-508 (Effective 05/06/26). Voluntary participation.**
- 213 Sections 26B-4-509 through 26B-4-514 do not create a duty or standard of care for a
214 person to prescribe or administer an [opiate] opioid antagonist.
- 215 Section 4. Section **26B-4-509** is amended to read:
- 216 **26B-4-509 (Effective 05/06/26). Prescribing, dispensing, and administering an**
217 **opioid antagonist -- Immunity from liability.**
- 218 (1)(a)(i) For purposes of Subsection (1)(a)(ii), "a person other than a health care
219 facility or health care provider" includes the following, regardless of whether the
220 person has received funds from the department through the [Opiate] Opioid
221 Overdose Outreach Pilot Program created in Section 26B-4-512:
- 222 (A) a person described in Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F);
223 or
- 224 (B) an organization, defined by department rule made under Subsection
225 26B-4-512(7)(e), that is in a position to assist an individual who is at increased
226 risk of experiencing an [opiate-related] opioid-related drug overdose event.
- 227 (ii) Except as provided in Subsection (1)(b), the following persons are [~~not liable for~~
228 ~~any civil damages~~] immune from a civil action or criminal prosecution for acts or
229 omissions made as a result of administering an [opiate] opioid antagonist when the
230 person acts in good faith to administer the [opiate] opioid antagonist, including an
231 expired opioid antagonist, to an individual whom the person believes to be
232 experiencing an [opiate-related] opioid-related drug overdose event:

- 233 (A) an overdose outreach provider; or
234 (B) a person other than a health care facility or health care provider.
- 235 (b) A health care provider:
- 236 (i) is not immune from liability under Subsection (1)(a) when the health care provider
237 is acting within the scope of the health care provider's responsibilities or duty of
238 care; and
- 239 (ii) is immune from liability under Subsection (1)(a) if the health care provider is
240 under no legal duty to respond and otherwise complies with Subsection (1)(a).
- 241 (2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502, a health care provider
242 who is licensed to prescribe an ~~[opiate]~~ opioid antagonist may prescribe, including by a
243 standing prescription drug order issued in accordance with Subsection 26B-4-510(2), or
244 dispense an ~~[opiate]~~ opioid antagonist, including an expired opioid antagonist:
- 245 (a)(i) to an individual who is at increased risk of experiencing an ~~[opiate-related]~~
246 opioid-related drug overdose event;
- 247 (ii) for an individual described in Subsection (2)(a)(i), to a family member, friend, or
248 other person, including a person described in Subsections 26B-4-512(1)(a)(i)(A)
249 through (1)(a)(i)(F), that is in a position to assist the individual; or
- 250 (iii) to an overdose outreach provider for:
- 251 (A) furnishing the ~~[opiate]~~ opioid antagonist to an individual described in
252 Subsection (2)(a)(i) or (ii), as provided in Section 26B-4-511; or
- 253 (B) administering to an individual experiencing an ~~[opiate-related]~~ opioid-related
254 drug overdose event;
- 255 (b) without a prescriber-patient relationship; and
- 256 (c) without liability for any civil damages for acts or omissions made as a result of
257 prescribing or dispensing the ~~[opiate]~~ opioid antagonist in good faith.
- 258 (3)(a) As used in this Subsection (3), "expired opioid antagonist" means an opioid
259 antagonist that is past the opioid antagonist's expiration date.
- 260 (b) A health care provider who dispenses an ~~[opiate]~~ opioid antagonist to an individual or
261 an overdose outreach provider under Subsection (2)(a) shall provide education to the
262 individual or overdose outreach provider that includes written instruction on:
- 263 (i) how to:
- 264 ~~[(a)]~~ (A) recognize an ~~[opiate-related]~~ opioid-related drug overdose event; and
265 ~~[(b)]~~ (B) respond appropriately to an ~~[opiate-related]~~ opioid-related drug overdose
266 event, including how to:

- 267 [(+) (I) administer an [opiate] opioid antagonist; and
- 268 [(+)] (II) ensure that an individual to whom an [opiate] opioid antagonist has
- 269 been administered receives, as soon as possible, additional medical care and
- 270 a medical evaluation[-] ; and
- 271 (ii) the safety, efficacy, and risks of administering an expired opioid antagonist.

272 Section 5. Section **26B-4-510** is amended to read:

273 **26B-4-510 (Effective 05/06/26). Standing prescription drug orders for an opioid**

274 **antagonist.**

275 (1) As used in this section, "expired opioid antagonist" means an opioid antagonist that is

276 no more than 24 months past the month and year of the opioid antagonist's expiration

277 date.

278 (2) Notwithstanding Title 58, Chapter 17b, Pharmacy Practice Act, a person licensed under

279 Title 58, Chapter 17b, Pharmacy Practice Act, to dispense an [opiate] opioid antagonist

280 may dispense the [opiate] opioid antagonist, including an expired opioid antagonist:

- 281 (a) pursuant to a standing prescription drug order made in accordance with Subsection [
- 282 (2)] (3); and
- 283 (b) without any other prescription drug order from a person licensed to prescribe an [
- 284 opiate] opioid antagonist.

285 [(2)] (3) A physician who is licensed to prescribe an [opiate] opioid antagonist, including a

286 physician acting in the physician's capacity as an employee of the department, or a

287 medical director of a local health department, as defined in Section [26B-4-512]

288 26A-1-102, may issue a standing prescription drug order authorizing the dispensing of

289 the [opiate] opioid antagonist under Subsection [(+)] (2) in accordance with a protocol

290 that:

- 291 (a) limits dispensing of the [opiate] opioid antagonist to:
- 292 (i) an individual who is at increased risk of experiencing an [opiate-related]
- 293 opioid-related drug overdose event;
- 294 (ii) a family member of, friend of, or other person, including a person described in
- 295 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
- 296 assist an individual who is at increased risk of experiencing an [opiate-related]
- 297 opioid-related drug overdose event; or
- 298 (iii) an overdose outreach provider for:
- 299 (A) furnishing to an individual who is at increased risk of experiencing an [
- 300 opiate-related] opioid-related drug overdose event, or to a family member of,

- 301 friend of, or other individual who is in a position to assist an individual who is
 302 at increased risk of experiencing an ~~[opiate-related]~~ opiod-related drug
 303 overdose event, as provided in Section 26B-4-511; or
- 304 (B) administering to an individual experiencing an ~~[opiate-related]~~ opiod-related
 305 drug overdose event;
- 306 (b) requires the physician to specify the persons, by professional license number,
 307 authorized to dispense the ~~[opiate]~~ opiod antagonist;
- 308 (c) requires the physician to review at least annually the dispensing practices of those
 309 authorized by the physician to dispense the ~~[opiate]~~ opiod antagonist;
- 310 (d) requires those authorized by the physician to dispense the ~~[opiate]~~ opiod antagonist
 311 to make and retain a record of each person to whom the ~~[opiate]~~ opiod antagonist is
 312 dispensed, which shall include:
- 313 (i) the name of the person;
- 314 (ii) the drug dispensed; and
- 315 (iii) other relevant information; and
- 316 (e) is approved by the Division of Professional Licensing within the Department of
 317 Commerce by administrative rule made in accordance with Title 63G, Chapter 3,
 318 Utah Administrative Rulemaking Act.

319 Section 6. Section **26B-4-511** is amended to read:

320 **26B-4-511 (Effective 05/06/26). Overdose outreach providers.**

- 321 (1) As used in this section, "expired opiod antagonist" means an opiod antagonist that is
 322 no more than 24 months past the month and year of the opiod antagonist's expiration
 323 date.
- 324 (2) Notwithstanding Sections 58-1-501, 58-17b-501, and 58-17b-502:
- 325 [(+) (a)] an overdose outreach provider may:
- 326 [(+) (i)] obtain an ~~[opiate]~~ opiod antagonist dispensed on prescription by:
- 327 [(+) (A)] a health care provider, in accordance with Subsections 26B-4-509(2) and
 328 (3); or
- 329 [(+) (B)] a pharmacist or pharmacy intern, as otherwise authorized by Title 58,
 330 Chapter 17b, Pharmacy Practice Act;
- 331 [(+) (ii)] store the ~~[opiate]~~ opiod antagonist; and
- 332 [(+) (iii)] furnish the ~~[opiate]~~ opiod antagonist, including an expired opiod antagonist:
- 333 [(+) (A)] [(+) (I)] to an individual who is at increased risk of experiencing an [
 334 ~~opiate-related]~~ opiod-related drug overdose event; or

335 ~~[(B)]~~ (II) to a family member, friend, overdose outreach provider, or other
 336 individual who is in a position to assist an individual who is at increased
 337 risk of experiencing an ~~[opiate-related]~~ opioid-related drug overdose event;
 338 and

339 ~~[(ii)]~~ (B) without liability for any civil damages for acts or omissions made as a
 340 result of furnishing the ~~[opiate]~~ opioid antagonist in good faith; and

341 ~~[(2)]~~ (b) when furnishing an ~~[opiate]~~ opioid antagonist under this Subsection ~~[(1)]~~ (2), an
 342 overdose outreach provider:

343 ~~[(a)]~~ (i) shall also furnish to the recipient of the ~~[opiate]~~ opioid antagonist:

344 ~~[(i)]~~ (A) the written instruction under Subsection ~~[26B-4-504(3)]~~ 26B-4-509(3)
 345 received by the overdose outreach provider from the health care provider at the
 346 time the ~~[opiate]~~ opioid antagonist was dispensed to the overdose outreach
 347 provider; or

348 ~~[(ii)]~~ (B) if the ~~[opiate]~~ opioid antagonist was dispensed to the overdose outreach
 349 provider by a pharmacist or pharmacy intern, any written patient counseling
 350 under Section 58-17b-613 received by the overdose outreach provider at the
 351 time of dispensing; and

352 ~~[(b)]~~ (ii) may provide additional instruction on how to recognize and respond
 353 appropriately to an ~~[opiate-related]~~ opioid-related drug overdose event.

354 Section 7. Section **26B-4-512** is amended to read:

355 **26B-4-512 (Effective 05/06/26). Opioid Overdose Outreach Pilot Program --**
 356 **Grants -- Annual reporting by grantees -- Rulemaking -- Annual reporting by**
 357 **department.**

358 (1) As used in this section:

359 (a) "Persons that are in a position to assist an individual who is at increased risk of
 360 experiencing an ~~[opiate-related]~~ opioid-related drug overdose event":

361 (i) means the following organizations:

362 (A) a law enforcement agency;

363 (B) the department or a local health department, as defined in Section 26A-1-102;

364 (C) an organization that provides drug or alcohol treatment services;

365 (D) an organization that provides services to the homeless;

366 (E) an organization that provides training on the proper administration of an [
 367 ~~opiate]~~ opioid antagonist in response to an ~~[opiate-related]~~ opioid-related drug
 368 overdose event;

- 369 (F) a school; or
- 370 (G) except as provided in Subsection (1)(a)(ii), any other organization, as defined
- 371 by department rule made under Subsection (7)(e), that is in a position to assist
- 372 an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 373 opioid-related drug overdose event; and
- 374 (ii) does not mean:
- 375 (A) a person licensed under Title 58, Chapter 17b, Pharmacy Practice Act;
- 376 (B) a health care facility; or
- 377 (C) an individual.
- 378 (b) "School" means:
- 379 (i) a public school:
- 380 (A) for elementary or secondary education, including a charter school; or
- 381 (B) for other purposes;
- 382 (ii) a private school:
- 383 (A) for elementary or secondary education; or
- 384 (B) accredited for other purposes, including higher education or specialty training;
- 385 or
- 386 (iii) an institution of higher education, listed in Section 53H-1-102.
- 387 (2) There is created within the department the "["~~Opiate~~"] Opioid Overdose Outreach Pilot
- 388 Program."
- 389 (3) The department may use funds appropriated for the program to:
- 390 (a) provide grants under Subsection (4);
- 391 (b) promote public awareness of the signs, symptoms, and risks of opioid misuse and
- 392 overdose;
- 393 (c) increase the availability of educational materials and other resources designed to
- 394 assist individuals at increased risk of opioid overdose, their families, and others in a
- 395 position to help prevent or respond to an overdose event;
- 396 (d) increase public awareness of, access to, and use of [~~opiate~~] an opioid antagonist;
- 397 (e) update the department's Utah Clinical Guidelines on Prescribing Opioids and
- 398 promote its use by prescribers and dispensers of opioids;
- 399 (f) develop a directory of substance misuse treatment programs and promote its
- 400 dissemination to and use by opioid prescribers, dispensers, and others in a position to
- 401 assist individuals at increased risk of opioid overdose;
- 402 (g) coordinate a multi-agency coalition to address opioid misuse and overdose; and

- 403 (h) maintain department data collection efforts designed to guide the development of
404 opioid overdose interventions and track their effectiveness.
- 405 (4) No later than September 1, 2016, and with available funding, the department shall grant
406 funds through the program to persons that are in a position to assist an individual who is
407 at increased risk of experiencing an [~~opiate-related~~] opioid-related drug overdose event.
- 408 (5) Funds granted by the program:
- 409 (a) may be used by a grantee to:
- 410 (i) pay for the purchase by the grantee of an [~~opiate~~] opioid antagonist; or
- 411 (ii) pay for the grantee's cost of providing training on the proper administration of an [~~opiate~~]
412 opioid antagonist in response to an [~~opiate-related~~] opioid-related drug
413 overdose event; and
- 414 (b) may not be used:
- 415 (i) to pay for costs associated with the storage or dispensing of an [~~opiate~~] opioid
416 antagonist; or
- 417 (ii) for any other purposes.
- 418 (6) Grantees shall report annually to the department on the use of granted funds in
419 accordance with department rules made under Subsection (7)(d).
- 420 (7) No later than July 1, 2016, the department shall, in accordance with Title 63G, Chapter
421 3, Utah Administrative Rulemaking Act, make rules specifying:
- 422 (a) how to apply for a grant from the program;
- 423 (b) the criteria used by the department to determine whether a grant request is approved,
424 including criteria providing that:
- 425 (i) grants are awarded to areas of the state, including rural areas, that would benefit
426 most from the grant; and
- 427 (ii) no more than 15% of the total amount granted by the program is used to pay for
428 grantees' costs of providing training on the proper administration of an [~~opiate~~]
429 opioid antagonist in response to an [~~opiate-related~~] opioid-related drug overdose
430 event;
- 431 (c) the criteria used by the department to determine the amount of a grant;
- 432 (d) the information a grantee shall report annually to the department under Subsection (6),
433 including:
- 434 (i) the amount of [~~opiate~~] opioid antagonist purchased and dispensed by the grantee
435 during the reporting period;
- 436 (ii) the number of individuals to whom the [~~opiate~~] opioid antagonist was dispensed

- 437 by the grantee;
- 438 (iii) the number of lives known to have been saved during the reporting period as a
- 439 result of [~~opiate~~] an opioid antagonist dispensed by the grantee; and
- 440 (iv) the manner in which the grantee shall record, preserve, and make available for
- 441 audit by the department the information described in Subsections (7)(d)(i) through
- 442 (7)(d)(iii); and
- 443 (e) as required by Subsection (1)(a)(i)(G), any other organization that is in a position to
- 444 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
- 445 opioid-related drug overdose event.

446 Section 8. Section **26B-4-513** is amended to read:

447 **26B-4-513 (Effective 05/06/26). Coprescription guidelines.**

- 448 (1) As used in this section:
- 449 (a) "Controlled substance prescriber" means the same as that term is defined in Section
- 450 58-37-6.5.
- 451 (b) "Coprescribe" means to issue a prescription for an [~~opiate~~] opioid antagonist with a
- 452 prescription for an [~~opiate~~] opioid.
- 453 (2) The department shall, in consultation with the Medical Licensing Board created in
- 454 Section 58-67-201, and the Division of Professional Licensing created in Section
- 455 58-1-103, establish by rule, made in accordance with Title 63G, Chapter 3, Utah
- 456 Administrative Rulemaking Act, scientifically based guidelines for controlled substance
- 457 prescribers to coprescribe an [~~opiate~~] opioid antagonist to a patient.

458 Section 9. Section **26B-4-514** is amended to read:

459 **26B-4-514 (Effective 05/06/26). Opioid abuse prevention pamphlet.**

- 460 (1) As funding is available, the department shall produce and distribute, in conjunction with
- 461 the Office of Substance Use and Mental Health, a pamphlet about [~~opiates~~] opioids that
- 462 includes information regarding:
- 463 (a) the risk of dependency and addiction;
- 464 (b) methods for proper storage and disposal;
- 465 (c) alternative options for pain management;
- 466 (d) the benefits of and ways to obtain naloxone; and
- 467 (e) resources if the patient believes that the patient has a substance use disorder.
- 468 (2) The pamphlet described in Subsection (1) shall be:
- 469 (a) evaluated periodically for effectiveness at conveying necessary information and
- 470 revised accordingly;

- 471 (b) written in simple and understandable language; and
472 (c) available in English and other languages that the department determines to be
473 appropriate and necessary.

474 Section 10. Section **26B-7-110** is amended to read:

475 **26B-7-110 (Effective 05/06/26). Duty to establish program to reduce deaths and**
476 **other harm from prescription opioids used for chronic noncancer pain.**

477 (1) As used in this section, "[~~opi~~iate] opioid" means any drug or other substance having an
478 addiction-forming or addiction-sustaining liability similar to morphine or being capable
479 of conversion into a drug having addiction-forming or addiction-sustaining liability.

480 (2) In addition to the duties listed in Section 26B-1-202, the department shall develop and
481 implement a two-year program in coordination with the Division of Professional
482 Licensing, the Utah Labor Commission, and the Utah attorney general, to:

- 483 (a) investigate the causes of and risk factors for death and nonfatal complications of
484 prescription [~~opi~~iate] opioid use and misuse in Utah for chronic pain by utilizing the
485 Utah Controlled Substance Database created in Section 58-37f-201;
- 486 (b) study the risks, warning signs, and solutions to the risks associated with prescription [~~opi~~iate] opioid medications for chronic pain, including risks and prevention of misuse
487 and diversion of those medications;
- 488 (c) provide education to health care providers, patients, insurers, and the general public
489 on the appropriate management of chronic pain, including the effective use of
490 medical treatment and quality care guidelines that are scientifically based and peer
491 reviewed; and
- 492 (d) educate the public regarding:
- 493 (i) the purpose of the Controlled Substance Database established in Section
494 58-37f-201; and
- 495 (ii) the requirement that a person's name and prescription information be recorded on
496 the database when the person fills a prescription for a schedule II, III, IV, or V
497 controlled substance.

499 Section 11. Section **26B-7-117** is amended to read:

500 **26B-7-117 (Effective 05/06/26). Syringe exchange and education.**

- 501 (1) The following may operate a syringe exchange program in the state to prevent the
502 transmission of disease, reduce morbidity and mortality, and facilitate access to
503 treatment and recovery services among individuals who inject drugs, and those
504 individuals' contacts:

- 505 (a) a government entity, including:
506 (i) the department;
507 (ii) a local health department; or
508 (iii) a local substance abuse authority, as defined in Section 26B-5-101;
- 509 (b) a nongovernment entity, including:
510 (i) a nonprofit organization; or
511 (ii) a for-profit organization; or
512 (c) any other entity that complies with Subsections (2) and (4).
- 513 (2) An entity operating a syringe exchange program in the state shall:
514 (a) facilitate the exchange of an individual's used syringe for one or more new syringes
515 in sealed sterile packages;
516 (b) ensure that a recipient of a new syringe is given verbal and written instruction on:
517 (i) methods for preventing the transmission of blood-borne diseases, including
518 hepatitis C and human immunodeficiency virus; and
519 (ii) options for obtaining:
520 (A) services for the treatment of a substance use disorder;
521 (B) testing for a blood-borne disease; and
522 (C) an ~~opiate~~ opioid antagonist, as that term is defined in Section 26B-4-501; and
523 (c) report annually to the department the following information about the program's
524 activities:
525 (i) the number of individuals who have exchanged syringes;
526 (ii) the number of used syringes exchanged for new syringes;
527 (iii) the number of new syringes provided in exchange for used syringes;
528 (iv) information the program provided to individuals about recovery and treatment
529 resources; and
530 (v) of the individuals who have exchanged syringes, the number of individuals who
531 received services for the treatment of a substance use disorder within 12 months
532 of exchanging syringes.
- 533 (3) A person that is licensed by the department to provide residential treatment for a
534 substance use disorder shall include as part of the person's admissions materials a
535 question asking whether the individual seeking treatment has ever received services
536 from a syringe exchange program.
- 537 (4) The department shall make rules, in accordance with Title 63G, Chapter 3, Utah
538 Administrative Rulemaking Act, as necessary or advisable to implement the provisions

- 539 of this section, including rules:
- 540 (a) specifying requirements for:
- 541 (i) syringe distribution;
- 542 (ii) data collection; and
- 543 (iii) the evaluation of an entity operating a syringe exchange program to ensure
- 544 compliance with applicable statutes and rules; and
- 545 (b) specifying how and when an entity operating a syringe exchange program shall make
- 546 the report required by Subsection (2)(c).
- 547 (5) An entity operating a syringe exchange program may not facilitate the exchange of
- 548 syringes at a homeless shelter, as that term is defined in Section 35A-16-501, or
- 549 permanent supportive housing.
- 550 (6)(a) The use of state funds to operate a syringe exchange program is prohibited.
- 551 (b) Nothing in this section should be construed to prohibit the use or distribution of
- 552 municipal, county, or federal funds in operating or financing a syringe exchange
- 553 program under this section.
- 554 Section 12. Section **53G-9-502** is amended to read:
- 555 **53G-9-502 (Effective 05/06/26). Administration of medication to students --**
- 556 **Prerequisites -- Immunity from liability -- Applicability.**
- 557 (1) A public or private school that holds any classes in grades kindergarten through 12 may
- 558 provide for the administration of medication, including epinephrine nasal spray as that
- 559 term is defined in Section 26B-4-401, to any student during periods when the student is
- 560 under the control of the school, subject to the following conditions:
- 561 (a) the local school board, charter school governing board, or the private equivalent,
- 562 after consultation with the Department of Health and Human Services and school
- 563 nurses shall adopt policies that provide for:
- 564 (i) the designation of volunteer employees who may administer medication;
- 565 (ii) proper identification and safekeeping of medication;
- 566 (iii) the training of designated volunteer employees by the school nurse;
- 567 (iv) maintenance of records of administration; and
- 568 (v) notification to the school nurse of medication that will be administered to
- 569 students; and
- 570 (b) medication may only be administered to a student if:
- 571 (i) the student's parent has provided a current written and signed request that
- 572 medication be administered during regular school hours to the student; and

- 573 (ii) the student's licensed health care provider has prescribed the medication and
574 provides documentation as to the method, amount, and time schedule for
575 administration, and a statement that administration of medication by school
576 employees during periods when the student is under the control of the school is
577 medically necessary.
- 578 (2) Authorization for administration of medication by school personnel may be withdrawn
579 by the school at any time following actual notice to the student's parent.
- 580 (3) School personnel who provide assistance under Subsection (1) in substantial compliance
581 with the licensed health care provider's written prescription and the employers of these
582 school personnel are not liable, civilly or criminally, for:
- 583 (a) any adverse reaction suffered by the student as a result of taking the medication; and
584 (b) discontinuing the administration of the medication under Subsection (2).
- 585 (4) Subsections (1) through (3) do not apply to:
- 586 (a) the administration of glucagon in accordance with Section 53G-9-504;
587 (b) the administration of a seizure rescue medication in accordance with Section
588 53G-9-505;
589 (c) the administration of an [opiate] opioid antagonist in accordance with Title 26B,
590 Chapter 4, Part 5, Treatment Access; or
591 (d) the administration of an adrenal insufficiency medication in accordance with Section
592 53G-9-507.
- 593 Section 13. Section **58-17b-309** is amended to read:
594 **58-17b-309 (Effective 05/06/26). Exemptions from licensure.**
- 595 In addition to the exemptions from licensure in Section 58-1-307, the following
596 individuals may engage in the acts or practices described in this section without being licensed
597 under this chapter:
- 598 (1) a person selling or providing contact lenses in accordance with Section 58-16a-801;
599 (2) an animal shelter that:
- 600 (a) under the indirect supervision of a veterinarian, stores, handles, or administers a drug
601 used for euthanising an animal; and
602 (b) under the indirect supervision of a veterinarian who is under contract with the animal
603 shelter, stores, handles, or administers a rabies vaccine;
- 604 (3) an overdose outreach provider, as defined in Section 26B-4-501, that obtains, stores, or
605 furnishes an [opiate] opioid antagonist in accordance with Title 26B, Chapter 4, Part 5,
606 Treatment Access; and

607 (4) a dispensing practitioner, as defined in Section 58-88-201, dispensing a drug under
608 Chapter 88, Part 2, Dispensing Practice.

609 Section 14. Section **58-17b-309.7** is amended to read:

610 **58-17b-309.7 (Effective 05/06/26). Opioid treatment program -- Mobile**
611 **medication assisted treatment units.**

612 (1) As used in this section:

613 (a) "Covered provider" means an individual who is licensed to engage in:

614 (i) the practice of advanced practice registered nursing as defined in Section

615 58-31b-102;

616 (ii) the practice of registered nursing as defined in Section 58-31b-102; or

617 (iii) practice as a physician assistant as defined in Section 58-70a-102.

618 (b) "Mobile unit" means a mobile unit that provides medication, such as buprenorphine,
619 methadone, or naltrexone, to treat substance use withdrawal symptoms or a substance
620 use disorder.

621 (c) "Opioid treatment program" means a program or practitioner that is:

622 (i) engaged in dispensing an [opiate] opioiid medication assisted treatment for opioid
623 use disorder;

624 (ii) registered under 21 U.S.C. Sec. 823(g)(1);

625 (iii) licensed by the Division of Licensing and Background Checks within the
626 Department of Health and Human Services created in Section 26B-2-103; and

627 (iv) certified by the federal Substance Abuse and Mental Health Services
628 Administration in accordance with 42 C.F.R. 8.11.

629 (2) A covered provider may dispense [opiate] opioiid medication assisted treatment at an
630 opioid treatment program if the covered provider:

631 (a) is operating under the direction of a pharmacist;

632 (b) dispenses the [opiate] opioiid medication assisted treatment under the direction of a
633 pharmacist; and

634 (c) acts in accordance with division rules made under Subsection (4).

635 (3)(a) An opioid treatment program may operate one or more mobile units to serve
636 individuals without a fixed address and other individuals as appropriate.

637 (b) A mobile unit shall operate as an extension of, and under the registration, license,
638 and certification held by, the opioid treatment program.

639 (c) The pharmacist-in-charge who is responsible for directing the operation of the opioid
640 treatment program shall determine the number of mobile units that may be operated

- 641 as an extension of the opioid treatment program.
- 642 (d) A covered provider may dispense prescription medication assisted treatment only:
- 643 (i) pursuant to a valid prescription; and
- 644 (ii) in compliance with the requirements described in Subsection (2).
- 645 (e) Medication may not be left in a mobile unit during the hours that the mobile unit is
- 646 not in operation.
- 647 (f) An opioid treatment program that intends to operate a mobile unit shall notify the
- 648 division and board of that intention as soon as possible, but not later than one
- 649 business day before the mobile unit begins operating.
- 650 (g) An opioid treatment program that intends to discontinue operation of a mobile unit
- 651 shall notify the division and board of that intention as soon as possible, but not later
- 652 than one business day before the mobile unit discontinues operating.
- 653 (h) The Department of Health and Human Services may make rules, in accordance with
- 654 Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and consistent with this
- 655 section, to establish requirements for the operation of a mobile unit.
- 656 (4) The division shall, in consultation with practitioners who work in an opioid treatment
- 657 program, make rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 658 Rulemaking Act, to establish guidelines under which a covered provider may dispense [
- 659 ~~opiate~~ opioid] medication assisted treatment to a patient in an opioid treatment program
- 660 under this section.

661 Section 15. Section **58-17b-507** is amended to read:

662 **58-17b-507 (Effective 05/06/26). Opioid antagonist -- Immunity from liability --**

663 **Exclusion from unlawful or unprofessional conduct.**

664 (1) As used in this section:

665 (a) "Expired opioid antagonist" means an opioid antagonist that is no more than 24

666 months past the month and year of the opioid antagonist's expiration date.

667 ~~[(a)] (b)(i) "[~~Opiate~~] Opioid antagonist" means the same as that term is defined in~~

668 ~~Section 26B-4-501.~~

669 (ii) "opioid antagonist" includes an expired opioid antagonist.

670 ~~[(b)] (c) "[~~Opiate-related~~] Opioid-related drug overdose event" means the same as that~~

671 ~~term is defined in Section 26B-4-501.~~

672 (2) A person licensed under this chapter that dispenses an [~~opiate~~] opioid antagonist to an

673 individual with a prescription for an [~~opiate~~] opioid antagonist, to an overdose outreach

674 provider with a prescription for an [~~opiate~~] opioid antagonist, or pursuant to a standing

675 prescription drug order issued in accordance with Subsection 26B-4-510(2) is not liable
 676 for any civil damages resulting from the outcomes of the eventual administration of the [
 677 ~~opi~~ate] opioid antagonist to an individual who another individual believes is experiencing
 678 an [~~opi~~ate-related] opioid-related drug overdose event.

679 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 680 not establish a duty or standard of care in the prescribing, dispensing, or administration
 681 of an [~~opi~~ate] opioid antagonist.

682 (4) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to
 683 dispense an [~~opi~~ate] opioid antagonist to a person, including a person described in
 684 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), on behalf of an individual if the
 685 person obtaining the [~~opi~~ate] opioid antagonist has a prescription for the [~~opi~~ate] opioid
 686 antagonist from a licensed prescriber or the [~~opi~~ate] opioid antagonist is dispensed
 687 pursuant to a standing prescription drug order issued in accordance with Subsection
 688 26B-4-510(2).

689 (5) It is not unprofessional conduct or unlawful conduct for a licensee under this chapter to
 690 dispense an [~~opi~~ate] opioid antagonist to an overdose outreach provider if the overdose
 691 outreach provider has a prescription for the [~~opi~~ate] opioid antagonist from a licensed
 692 prescriber issued pursuant to Subsection 26B-4-509(2)(a)(iii).

693 Section 16. Section **58-17b-902** is amended to read:

694 **58-17b-902 (Effective 05/06/26). Definitions.**

695 As used in this part:

696 (1) "Assisted living facility" means the same as that term is defined in Section 26B-2-201.

697 (2) "Cancer drug" means a drug that controls or kills neoplastic cells and includes a drug
 698 used in chemotherapy to destroy cancer cells.

699 (3) "Charitable clinic" means a charitable nonprofit corporation that:

700 (a) holds a valid exemption from federal income taxation issued under Section 501(a),
 701 Internal Revenue Code;

702 (b) is exempt from federal income taxation under Section 501(c)(3), Internal Revenue
 703 Code;

704 (c) provides, on an outpatient basis, for a period of less than 24 consecutive hours, to an
 705 individual not residing or confined at a facility owned or operated by the charitable
 706 nonprofit corporation:

707 (i) advice;

708 (ii) counseling;

- 709 (iii) diagnosis;
- 710 (iv) treatment;
- 711 (v) surgery; or
- 712 (vi) care or services relating to the preservation or maintenance of health; and
- 713 (d) has a licensed outpatient pharmacy.
- 714 (4) "Charitable pharmacy" means an eligible pharmacy that is operated by a charitable
- 715 clinic.
- 716 (5) "County health department" means the same as that term is defined in Section
- 717 26A-1-102.
- 718 (6) "Donated prescription drug" means a prescription drug that an eligible donor or
- 719 individual donates to an eligible pharmacy under the program.
- 720 (7) "Eligible donor" means a donor that donates a prescription drug from within the state
- 721 and is:
- 722 (a) a nursing care facility;
- 723 (b) an assisted living facility;
- 724 (c) a licensed intermediate care facility for people with an intellectual disability;
- 725 (d) a manufacturer;
- 726 (e) a pharmaceutical wholesale distributor;
- 727 (f) an eligible pharmacy; or
- 728 (g) a physician's office.
- 729 (8) "Eligible pharmacy" means a pharmacy that:
- 730 (a) is registered by the division as eligible to participate in the program; and
- 731 (b)(i) is licensed in the state as a Class A pharmacy or a Class B pharmacy; or
- 732 (ii) is operated by:
- 733 (A) a county;
- 734 (B) a county health department;
- 735 (C) a pharmacy under contract with a county health department;
- 736 (D) the Department of Health and Human Services created in Section 26B-1-201;
- 737 or
- 738 (E) a charitable clinic.
- 739 (9)(a) "Eligible prescription drug" means a prescription drug, described in Section
- 740 58-17b-904, that is not:
- 741 (i) except as provided in Subsection (9)(b), a controlled substance; or
- 742 (ii) a drug that can only be dispensed to a patient registered with the drug's

- 743 manufacturer in accordance with federal Food and Drug Administration
744 requirements.
- 745 (b) "Eligible prescription drug" includes a medication-assisted treatment drug that may
746 be accepted, transferred, and dispensed under the program in accordance with federal
747 law.
- 748 (10) "Licensed intermediate care facility for people with an intellectual disability" means
749 the same as that term is defined in Section 58-17b-503.
- 750 (11) "Medically indigent individual" means an individual who:
751 (a)(i) does not have health insurance; and
752 (ii) lacks reasonable means to purchase prescribed medications; or
753 (b)(i) has health insurance; and
754 (ii) lacks reasonable means to pay the insured's portion of the cost of the prescribed
755 medications.
- 756 (12) "Medication-assisted treatment drug" means buprenorphine prescribed to treat
757 substance use withdrawal symptoms or an [opiate] opioid use disorder.
- 758 (13) "Nursing care facility" means the same as that term is defined in Section 26B-2-201.
- 759 (14) "Physician's office" means a fixed medical facility that:
760 (a) is staffed by a physician, physician's assistant, nurse practitioner, or registered nurse,
761 licensed under this title; and
762 (b) treats an individual who presents at, or is transported to, the facility.
- 763 (15) "Program" means the Charitable Prescription Drug Recycling Program created in
764 Section 58-17b-903.
- 765 (16) "Unit pack" means the same as that term is defined in Section 58-17b-503.
- 766 (17) "Unlawful conduct" means the same as that term is defined in Sections 58-1-501 and
767 58-17b-501.
- 768 (18) "Unprofessional conduct" means the same as that term is defined in Sections 58-1-501
769 and 58-17b-502.
- 770 Section 17. Section **58-31b-703** is amended to read:
771 **58-31b-703 (Effective 05/06/26). Opioid antagonist -- Exclusion from**
772 **unprofessional or unlawful conduct.**
- 773 (1) As used in this section:
774 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
775 (b) "Expired opioid antagonist" means an opioid antagonist that is no more than 24
776 months past the month and year of the opioid antagonist's expiration date.

777 [(b)] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.

778 [(e)] (d)(i) "[~~Op~~iate] Opioid antagonist" means the same as that term is defined in
779 Section 26B-4-501.

780 (ii) "Opioid antagonist" includes an expired opioid antagonist.

781 [(d)] (e) "[~~Op~~iate-related] Opioid-related drug overdose event" means the same as that
782 term is defined in Section 26B-4-501.

783 [(e)] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

784 (2) The prescribing or dispensing of an [~~op~~iate] opioid antagonist by a licensee under this
785 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
786 the [~~op~~iate] opioid antagonist:

787 (a) in a good faith effort to assist:

788 (i) an individual who is at increased risk of experiencing an [~~op~~iate-related]
789 opioid-related drug overdose event; or

790 (ii) a family member of, friend of, or other person, including a person described in
791 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
792 assist an individual who is at increased risk of experiencing an [~~op~~iate-related]
793 opioid-related drug overdose event; or

794 (b) to an overdose outreach provider pursuant to Section 26B-4-509.

795 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
796 not establish a duty or standard of care in the prescribing, dispensing, or administration
797 of an [~~op~~iate] opioid antagonist.

798 Section 18. Section **58-37-2** is amended to read:

799 **58-37-2 (Effective 05/06/26). Definitions.**

800 (1) As used in this chapter:

801 (a) "Administer" means the direct application of a controlled substance, whether by
802 injection, inhalation, ingestion, or any other means, to the body of a patient or
803 research subject by:

804 (i) a practitioner or, in the practitioner's presence, by the practitioner's authorized
805 agent; or

806 (ii) the patient or research subject at the direction and in the presence of the
807 practitioner.

808 (b) "Agent" means an authorized person who acts on behalf of or at the direction of a
809 manufacturer, distributor, or practitioner but does not include a motor carrier, public
810 warehouseman, or employee of any of them.

- 811 (c) "Consumption" means ingesting or having any measurable amount of a controlled
812 substance in a person's body, but this Subsection (1)(c) does not include the
813 metabolite of a controlled substance.
- 814 (d) "Continuing criminal enterprise" means any individual, sole proprietorship,
815 partnership, corporation, business trust, association, or other legal entity, and any
816 union or groups of individuals associated in fact although not a legal entity, and
817 includes illicit as well as licit entities created or maintained for the purpose of
818 engaging in conduct which constitutes the commission of episodes of activity made
819 unlawful by this chapter, Chapter 37a, Utah Drug Paraphernalia Act, Chapter 37b,
820 Imitation Controlled Substances Act, Chapter 37c, Utah Controlled Substance
821 Precursor Act, or Chapter 37d, Clandestine Drug Lab Act, which episodes are not
822 isolated, but have the same or similar purposes, results, participants, victims, methods
823 of commission, or otherwise are interrelated by distinguishing characteristics. Taken
824 together, the episodes shall demonstrate continuing unlawful conduct and be related
825 either to each other or to the enterprise.
- 826 (e) "Control" means to add, remove, or change the placement of a drug, substance, or
827 immediate precursor under Section 58-37-3.
- 828 (f)(i) "Controlled substance" means a drug or substance:
- 829 (A) included in Schedules I, II, III, IV, or V of Section 58-37-4;
- 830 (B) included in Schedules I, II, III, IV, or V of the federal Controlled Substances
831 Act, Title II, P.L. 91-513;
- 832 (C) that is a controlled substance analog; or
- 833 (D) listed in Section 58-37-4.2.
- 834 (ii) "Controlled substance" does not include:
- 835 (A) distilled spirits, wine, or malt beverages, as those terms are defined in Title
836 32B, Alcoholic Beverage Control Act;
- 837 (B) any drug intended for lawful use in the diagnosis, cure, mitigation, treatment,
838 or prevention of disease in human or other animals, which contains ephedrine,
839 pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if the drug is
840 lawfully purchased, sold, transferred, or furnished as an over-the-counter
841 medication without prescription; or
- 842 (C) dietary supplements, vitamins, minerals, herbs, or other similar substances
843 including concentrates or extracts, which:
- 844 (I) are not otherwise regulated by law; and

845 (II) may contain naturally occurring amounts of chemical or substances listed
846 in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah
847 Administrative Rulemaking Act.

848 (g)(i) "Controlled substance analog" means:

- 849 (A) a substance the chemical structure of which is substantially similar to the
850 chemical structure of a controlled substance listed in Schedules I and II of
851 Section 58-37-4, a substance listed in Section 58-37-4.2, or in Schedules I and
852 II of the federal Controlled Substances Act, Title II, P.L. 91-513;
- 853 (B) a substance that has a stimulant, depressant, or hallucinogenic effect on the
854 central nervous system substantially similar to the stimulant, depressant, or
855 hallucinogenic effect on the central nervous system of controlled substances
856 listed in Schedules I and II of Section 58-37-4, substances listed in Section
857 58-37-4.2, or substances listed in Schedules I and II of the federal Controlled
858 Substances Act, Title II, P.L. 91-513; or
- 859 (C) A substance that, with respect to a particular individual, is represented or
860 intended to have a stimulant, depressant, or hallucinogenic effect on the central
861 nervous system substantially similar to the stimulant, depressant, or
862 hallucinogenic effect on the central nervous system of controlled substances
863 listed in Schedules I and II of Section 58-37-4, substances listed in Section
864 58-37-4.2, or substances listed in Schedules I and II of the federal Controlled
865 Substances Act, Title II, P.L. 91-513.

866 (ii) "Controlled substance analog" does not include:

- 867 (A) a controlled substance currently scheduled in Schedules I through V of
868 Section 58-37-4;
- 869 (B) a substance for which there is an approved new drug application;
- 870 (C) a substance with respect to which an exemption is in effect for investigational
871 use by a particular person under Section 505 of the Food, Drug, and Cosmetic
872 Act, 21 U.S.C. 355, to the extent the conduct with respect to the substance is
873 permitted by the exemption;
- 874 (D) any substance to the extent not intended for human consumption before an
875 exemption takes effect with respect to the substance;
- 876 (E) any drug intended for lawful use in the diagnosis, cure, mitigation, treatment,
877 or prevention of disease in man or other animals, which contains ephedrine,
878 pseudoephedrine, norpseudoephedrine, or phenylpropanolamine if the drug is

879 lawfully purchased, sold, transferred, or furnished as an over-the-counter
 880 medication without prescription; or
 881 (F) dietary supplements, vitamins, minerals, herbs, or other similar substances
 882 including concentrates or extracts, which are not otherwise regulated by law,
 883 which may contain naturally occurring amounts of chemical or substances
 884 listed in this chapter, or in rules adopted pursuant to Title 63G, Chapter 3, Utah
 885 Administrative Rulemaking Act.

886 (h)(i) "Conviction" means a determination of guilt by verdict, whether jury or bench,
 887 or plea, whether guilty or no contest, for any offense proscribed by:

888 (A) this chapter;

889 (B) Chapter 37a, Utah Drug Paraphernalia Act;

890 (C) Chapter 37b, Imitation Controlled Substances Act;

891 (D) Chapter 37c, Utah Controlled Substance Precursor Act; or

892 (E) Chapter 37d, Clandestine Drug Lab Act; or

893 (ii) for any offense under the laws of the United States and any other state which, if
 894 committed in this state, would be an offense under:

895 (A) this chapter;

896 (B) Chapter 37a, Utah Drug Paraphernalia Act;

897 (C) Chapter 37b, Imitation Controlled Substances Act;

898 (D) Chapter 37c, Utah Controlled Substance Precursor Act; or

899 (E) Chapter 37d, Clandestine Drug Lab Act.

900 (i) "Counterfeit substance" means:

901 (i) any controlled substance or container or labeling of any controlled substance that:

902 (A) without authorization bears the trademark, trade name, or other identifying
 903 mark, imprint, number, device, or any likeness of them, of a manufacturer,
 904 distributor, or dispenser other than the person or persons who in fact
 905 manufactured, distributed, or dispensed the substance which falsely purports to
 906 be a controlled substance distributed by any other manufacturer, distributor, or
 907 dispenser; and

908 (B) a reasonable person would believe to be a controlled substance distributed by
 909 an authorized manufacturer, distributor, or dispenser based on the appearance
 910 of the substance as described under Subsection (1)(i)(i)(A) or the appearance of
 911 the container of that controlled substance; or

912 (ii) any substance other than under Subsection (1)(i)(i) that:

- 913 (A) is falsely represented to be any legally or illegally manufactured controlled
914 substance; and
- 915 (B) a reasonable person would believe to be a legal or illegal controlled substance.
- 916 (j) "Deliver" or "delivery" means the actual, constructive, or attempted transfer of a
917 controlled substance or a listed chemical, whether or not an agency relationship exists.
- 918 (k) "Department" means the Department of Commerce.
- 919 (l) "Depressant or stimulant substance" means:
- 920 (i) a drug which contains any quantity of barbituric acid or any of the salts of
921 barbituric acid;
- 922 (ii) a drug which contains any quantity of:
- 923 (A) amphetamine or any of its optical isomers;
- 924 (B) any salt of amphetamine or any salt of an optical isomer of amphetamine; or
- 925 (C) any substance which the Secretary of Health and Human Services or the
926 Attorney General of the United States after investigation has found and by
927 regulation designated habit-forming because of its stimulant effect on the
928 central nervous system;
- 929 (iii) lysergic acid diethylamide; or
- 930 (iv) any drug which contains any quantity of a substance which the Secretary of
931 Health and Human Services or the Attorney General of the United States after
932 investigation has found to have, and by regulation designated as having, a
933 potential for abuse because of its depressant or stimulant effect on the central
934 nervous system or its hallucinogenic effect.
- 935 (m) "Dispense" means the delivery of a controlled substance by a pharmacist to an
936 ultimate user pursuant to the lawful order or prescription of a practitioner, and
937 includes distributing to, leaving with, giving away, or disposing of that substance as
938 well as the packaging, labeling, or compounding necessary to prepare the substance
939 for delivery.
- 940 (n) "Dispenser" means a pharmacist who dispenses a controlled substance.
- 941 (o) "Distribute" means to deliver other than by administering or dispensing a controlled
942 substance or a listed chemical.
- 943 (p) "Distributor" means a person who distributes controlled substances.
- 944 (q) "Division" means the Division of Professional Licensing created in Section 58-1-103.
- 945 (r)(i) "Drug" means:
- 946 (A) a substance recognized in the official United States Pharmacopoeia, Official

- 947 Homeopathic Pharmacopoeia of the United States, or Official National
948 Formulary, or any supplement to any of them, intended for use in the
949 diagnosis, cure, mitigation, treatment, or prevention of disease in humans or
950 animals;
- 951 (B) a substance that is required by any applicable federal or state law or rule to be
952 dispensed by prescription only or is restricted to administration by practitioners
953 only;
- 954 (C) a substance other than food intended to affect the structure or any function of
955 the body of humans or other animals; and
- 956 (D) substances intended for use as a component of any substance specified in
957 Subsections (1)(r)(i)(A), (B), and (C).
- 958 (ii) "Drug" does not include dietary supplements.
- 959 (iii) "Drug" includes a food intended for human consumption that intentionally
960 contains a vaccine or vaccine material as provided in Section 4-5-107.
- 961 (s) "Drug dependent person" means any individual who unlawfully and habitually uses
962 any controlled substance to endanger the public morals, health, safety, or welfare, or
963 who is so dependent upon the use of controlled substances as to have lost the power
964 of self-control with reference to the individual's dependency.
- 965 (t)(i) "Food" means:
- 966 (A) any nutrient or substance of plant, mineral, or animal origin other than a drug
967 as specified in this chapter, and normally ingested by human beings; and
- 968 (B) foods for special dietary uses as exist by reason of a physical, physiological,
969 pathological, or other condition including the conditions of disease,
970 convalescence, pregnancy, lactation, allergy, hypersensitivity to food,
971 underweight, and overweight; uses for supplying a particular dietary need
972 which exist by reason of age including the ages of infancy and childbirth, and
973 also uses for supplementing and for fortifying the ordinary or unusual diet with
974 any vitamin, mineral, or other dietary property for use of a food.
- 975 (ii) Any particular use of a food is a special dietary use regardless of the nutritional
976 purposes.
- 977 (u) "Immediate precursor" means a substance which the Attorney General of the United
978 States has found to be, and by regulation designated as being, the principal compound
979 used or produced primarily for use in the manufacture of a controlled substance, or
980 which is an immediate chemical intermediary used or likely to be used in the

- 981 manufacture of a controlled substance, the control of which is necessary to prevent,
982 curtail, or limit the manufacture of the controlled substance.
- 983 (v) "Indian" means a member of an Indian tribe.
- 984 (w) "Indian religion" means a religion:
- 985 (i) the origin and interpretation of which is from within a traditional Indian culture or
986 community; and
- 987 (ii) that is practiced by Indians.
- 988 (x) "Indian tribe" means any tribe, band, nation, pueblo, or other organized group or
989 community of Indians, including any Alaska Native village, which is legally
990 recognized as eligible for and is consistent with the special programs, services, and
991 entitlements provided by the United States to Indians because of their status as
992 Indians.
- 993 (y) "Manufacture" means the production, preparation, propagation, compounding, or
994 processing of a controlled substance, either directly or indirectly by extraction from
995 substances of natural origin, or independently by means of chemical synthesis or by a
996 combination of extraction and chemical synthesis.
- 997 (z) "Manufacturer" includes any person who packages, repackages, or labels any
998 container of any controlled substance, except pharmacists who dispense or compound
999 prescription orders for delivery to the ultimate consumer.
- 1000 (aa)(i) "Marijuana" means all species of the genus cannabis and all parts of the genus,
1001 whether growing or not, including:
- 1002 (A) seeds;
- 1003 (B) resin extracted from any part of the plant, including the resin extracted from
1004 the mature stalks;
- 1005 (C) every compound, manufacture, salt, derivative, mixture, or preparation of the
1006 plant, seeds, or resin;
- 1007 (D) any synthetic equivalents of the substances contained in the plant cannabis
1008 sativa or any other species of the genus cannabis which are chemically
1009 indistinguishable and pharmacologically active; and
- 1010 (E) any component part or cannabinoid extracted or isolated from the plant,
1011 including extracted or isolated tetrahydrocannabinols.
- 1012 (ii) "Marijuana" does not include:
- 1013 (A) the mature stalks of the plant;
- 1014 (B) fiber produced from the stalks;

- 1015 (C) oil or cake made from the seeds of the plant;
- 1016 (D) except as provided in Subsection (1)(aa)(i), any other compound,
1017 manufacture, salt, derivative, mixture, or preparation of the mature stalks,
1018 fiber, oil or cake;
- 1019 (E) the sterilized seed of the plant which is incapable of germination;
- 1020 (F) any compound, mixture, or preparation approved by the federal Food and
1021 Drug Administration under the federal Food, Drug, and Cosmetic Act, 21
1022 U.S.C. Sec. 301 et seq. that is not listed in a schedule of controlled substances
1023 in Section 58-37-4 or in the federal Controlled Substances Act, Title II, P.L.
1024 91-513; or
- 1025 (G) transportable industrial hemp concentrate as that term is defined in Section
1026 4-41-102.
- 1027 (bb) "Money" means officially issued coin and currency of the United States or any
1028 foreign country.
- 1029 (cc) "Narcotic drug" means any of the following, whether produced directly or indirectly
1030 by extraction from substances of vegetable origin, or independently by means of
1031 chemical synthesis, or by a combination of extraction and chemical synthesis:
- 1032 (i) opium, coca leaves, and [~~opiates~~] opioids;
- 1033 (ii) a compound, manufacture, salt, derivative, or preparation of opium, coca leaves,
1034 or [~~opiates~~] opioids;
- 1035 (iii) opium poppy and poppy straw; or
- 1036 (iv) a substance, and any compound, manufacture, salt, derivative, or preparation of
1037 the substance, which is chemically identical with any of the substances referred to
1038 in Subsection (1)(cc)(i), (ii), or (iii), except narcotic drug does not include
1039 decocainized coca leaves or extracts of coca leaves which do not contain cocaine
1040 or ecgonine.
- 1041 (dd) "Negotiable instrument" means documents, containing an unconditional promise to
1042 pay a sum of money, which are legally transferable to another party by endorsement
1043 or delivery.
- 1044 (ee) "[~~Opiate~~] Opioid" means any drug or other substance having an addiction-forming or
1045 addiction-sustaining liability similar to morphine or being capable of conversion into
1046 a drug having addiction-forming or addiction-sustaining liability.
- 1047 (ff) "Opium poppy" means the plant of the species papaver somniferum L., except the
1048 seeds of the plant.

- 1049 (gg) "Person" means any corporation, association, partnership, trust, other institution or
1050 entity or one or more individuals.
- 1051 (hh) "Poppy straw" means all parts, except the seeds, of the opium poppy, after mowing.
- 1052 (ii) "Possession" or "use" means the joint or individual ownership, control, occupancy,
1053 holding, retaining, belonging, maintaining, or the application, inhalation, swallowing,
1054 injection, or consumption, as distinguished from distribution, of controlled
1055 substances and includes individual, joint, or group possession or use of controlled
1056 substances. For a person to be a possessor or user of a controlled substance, it is not
1057 required that the person be shown to have individually possessed, used, or controlled
1058 the substance, but it is sufficient if it is shown that the person jointly participated with
1059 one or more persons in the use, possession, or control of any substances with
1060 knowledge that the activity was occurring, or the controlled substance is found in a
1061 place or under circumstances indicating that the person had the ability and the intent
1062 to exercise dominion and control over the controlled substance.
- 1063 (jj) "Practitioner" means a physician, dentist, naturopathic physician, veterinarian,
1064 pharmacist, scientific investigator, pharmacy, hospital, or other person licensed,
1065 registered, or otherwise permitted to distribute, dispense, conduct research with
1066 respect to, administer, or use in teaching or chemical analysis a controlled substance
1067 in the course of professional practice or research in this state.
- 1068 (kk) "Prescribe" means to issue a prescription:
- 1069 (i) orally or in writing; or
- 1070 (ii) by telephone, facsimile transmission, computer, or other electronic means of
1071 communication as defined by division rule.
- 1072 (ll) "Prescription" means an order issued:
- 1073 (i) by a licensed practitioner, in the course of that practitioner's professional practice
1074 or by collaborative pharmacy practice agreement; and
- 1075 (ii) for a controlled substance or other prescription drug or device for use by a patient
1076 or an animal.
- 1077 (mm) "Production" means the manufacture, planting, cultivation, growing, or harvesting
1078 of a controlled substance.
- 1079 (nn) "Securities" means any stocks, bonds, notes, or other evidences of debt or of
1080 property.
- 1081 (oo) "State" means the state of Utah.
- 1082 (pp) "Ultimate user" means any person who lawfully possesses a controlled substance

1083 for the person's own use, for the use of a member of the person's household, or for
 1084 administration to an animal owned by the person or a member of the person's
 1085 household.

1086 (2) If a term used in this chapter is not defined, the definition and terms of Title 76, Utah
 1087 Criminal Code, shall apply.

1088 Section 19. Section **58-37-4** is amended to read:

1089 **58-37-4 (Effective 05/06/26). Schedules of controlled substances -- Schedules I**
 1090 **through V -- Findings required -- Specific substances included in schedules.**

1091 (1) There are established five schedules of controlled substances known as Schedules I, II,
 1092 III, IV, and V which consist of substances listed in this section.

1093 (2) Schedules I, II, III, IV, and V consist of the following drugs or other substances by the
 1094 official name, common or usual name, chemical name, or brand name designated:

1095 (a) Schedule I:

1096 (i) Unless specifically excepted or unless listed in another schedule, any of the
 1097 following [~~opiates~~] opioids, including their isomers, esters, ethers, salts, and salts
 1098 of isomers, esters, and ethers, when the existence of the isomers, esters, ethers,
 1099 and salts is possible within the specific chemical designation:

1100 (A) Acetyl-alpha-methylfentanyl

1101 (N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

1102 (B) Acetyl fentanyl: (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

1103 (C) Acetylmethadol;

1104 (D) Acryl fentanyl (N-(1-Phenethylpiperidin-4-yl)-N-phenylacrylamide);

1105 (E) Allylprodine;

1106 (F) Alphacetylmethadol, except levo-alphacetylmethadol also known as
 1107 levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM;

1108 (G) Alphameprodine;

1109 (H) Alphamethadol;

1110 (I) Alpha-methylfentanyl (N-[1-(alpha-methyl-beta-phenyl)ethyl-4-piperidyl]
 1111 propionanilide; 1-(1-methyl-2-phenylethyl)-4-(N-propanilido) piperidine);

1112 (J) Alpha-methylthiofentanyl (N-[1-methyl-2-(2-thienyl)ethyl-4-
 1113 piperidinyl]-N-phenylpropanamide);

1114 (K) Benzylpiperazine;

1115 (L) Benzethidine;

1116 (M) Betacetylmethadol;

- 1117 (N) Beta-hydroxyfentanyl (N-[1-(2-hydroxy-2-phenethyl)-4-
1118 piperidiny]l)-N-phenylpropanamide);
1119 (O) Beta-hydroxy-3-methylfentanyl, other name: N-[1-(2-hydroxy-2-
1120 phenethyl)-3-methyl-4-piperidiny]l)-N-phenylpropanamide;
1121 (P) Betameprodine;
1122 (Q) Betamethadol;
1123 (R) Betaprodine;
1124 (S) Butyryl fentanyl (N-(1-(2-phenylethyl)-4-piperidiny]l)-N-phenylbutyramide);
1125 (T) Clonitazene;
1126 (U) Cyclopropyl fentanyl
1127 (N-(1-Phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
1128 (V) Dextromoramide;
1129 (W) Diampromide;
1130 (X) Diethylthiambutene;
1131 (Y) Difenoxin;
1132 (Z) Dimenoxadol;
1133 (AA) Dimepheptanol;
1134 (BB) Dimethylthiambutene;
1135 (CC) Dioxaphetyl butyrate;
1136 (DD) Dipipanone;
1137 (EE) Ethylmethylthiambutene;
1138 (FF) Etizolam
1139 (1-Methyl-6-o-chlorophenyl-8-ethyl-4H-s-triazolo[3,4-c]thieno[2,3-e]1,4-diazepine);
1140 (GG) Etonitazene;
1141 (HH) Etoxeridine;
1142 (II) Furanyl fentanyl (N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]
1143 furan-2-carboxamide);
1144 (JJ) Furethidine;
1145 (KK) Hydroxypethidine;
1146 (LL) Ketobemidone;
1147 (MM) Levomoramide;
1148 (NN) Levophenacilmorphan;
1149 (OO) Methoxyacetyl fentanyl
1150 (2-Methoxy-N-(1-phenylethylpiperidiny]l-4-yl)-N-acetamide);

- 1151 (PP) Morpheridine;
- 1152 (QQ) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);
- 1153 (RR) Noracymethadol;
- 1154 (SS) Norlevorphanol;
- 1155 (TT) Normethadone;
- 1156 (UU) Norpipanone;
- 1157 (VV) Para-fluorofentanyl (N-(4-fluorophenyl)-N-[1-(2-phenethyl)-4- piperidinyl]
- 1158 propanamide);
- 1159 (WW) Para-fluoroisobutyryl fentanyl
- 1160 (N-(4-Fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);
- 1161 (XX) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);
- 1162 (YY) Phenadoxone;
- 1163 (ZZ) Phenampromide;
- 1164 (AAA) Phenibut;
- 1165 (BBB) Phenomorphan;
- 1166 (CCC) Phenoperidine;
- 1167 (DDD) Piritramide;
- 1168 (EEE) Proheptazine;
- 1169 (FFF) Properidine;
- 1170 (GGG) Propiram;
- 1171 (HHH) Racemoramide;
- 1172 (III) Tetrahydrofuran fentanyl
- 1173 (N-(1-Phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-carboxamide);
- 1174 (JJJ) Thiofentanyl (N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]- propanamide;
- 1175 (KKK) Tianeptine;
- 1176 (LLL) Tilidine;
- 1177 (MMM) Trimeperidine;
- 1178 (NNN) 3-methylfentanyl, including the optical and geometric isomers
- 1179 (N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]- N-phenylpropanamide);
- 1180 (OOO) 3-methylthiofentanyl
- 1181 (N-[(3-methyl-1-(2-thienyl)ethyl-4-piperidinyl]-N-phenylpropanamide);
- 1182 (PPP) 3,4-dichloro-N-[2-(dimethylamino)cyclohexyl]-N-methylbenzamide also
- 1183 known as U-47700; and
- 1184 (QQQ) 4-cyano CUMYL-BUTINACA.

- 1185 (ii) Unless specifically excepted or unless listed in another schedule, any of the
1186 following opium derivatives, their salts, isomers, and salts of isomers when the
1187 existence of the salts, isomers, and salts of isomers is possible within the specific
1188 chemical designation:
- 1189 (A) Acetorphine;
 - 1190 (B) Acetyldihydrocodeine;
 - 1191 (C) Benzylmorphine;
 - 1192 (D) Codeine methylbromide;
 - 1193 (E) Codeine-N-Oxide;
 - 1194 (F) Cyprenorphine;
 - 1195 (G) Desomorphine;
 - 1196 (H) Dihydromorphine;
 - 1197 (I) Drotebanol;
 - 1198 (J) Etorphine (except hydrochloride salt);
 - 1199 (K) Heroin;
 - 1200 (L) Hydromorphanol;
 - 1201 (M) Methyldesorphine;
 - 1202 (N) Methylhydromorphine;
 - 1203 (O) Morphine methylbromide;
 - 1204 (P) Morphine methylsulfonate;
 - 1205 (Q) Morphine-N-Oxide;
 - 1206 (R) Myrophine;
 - 1207 (S) Nicocodeine;
 - 1208 (T) Nicomorphine;
 - 1209 (U) Normorphine;
 - 1210 (V) Pholcodine; and
 - 1211 (W) Thebacon.
- 1212 (iii) Unless specifically excepted or unless listed in another schedule, any material,
1213 compound, mixture, or preparation which contains any quantity of the following
1214 hallucinogenic substances, or which contains any of their salts, isomers, and salts
1215 of isomers when the existence of the salts, isomers, and salts of isomers is possible
1216 within the specific chemical designation; as used in this Subsection (2)(a)(iii)
1217 only, "isomer" includes the optical, position, and geometric isomers:
- 1218 (A) Alpha-ethyltryptamine, some trade or other names: etryptamine; Monase; α

- 1219 -ethyl-1H-indole-3-ethanamine; 3-(2-aminobutyl) indole; α -ET; and AET;
- 1220 (B) 4-bromo-2,5-dimethoxy-amphetamine, some trade or other names:
- 1221 4-bromo-2,5-dimethoxy- α -methylphenethylamine; 4-bromo-2,5-DMA;
- 1222 (C) 4-bromo-2,5-dimethoxyphenethylamine, some trade or other names:
- 1223 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; alpha-desmethyl DOB;
- 1224 2C-B, Nexus;
- 1225 (D) 2,5-dimethoxyamphetamine, some trade or other names: 2,5-dimethoxy- α
- 1226 -methylphenethylamine; 2,5-DMA;
- 1227 (E) 2,5-dimethoxy-4-ethylamphetamine, some trade or other names: DOET;
- 1228 (F) 4-methoxyamphetamine, some trade or other names: 4-methoxy- α
- 1229 -methylphenethylamine; paramethoxyamphetamine, PMA;
- 1230 (G) 5-methoxy-3,4-methylenedioxyamphetamine;
- 1231 (H) 4-methyl-2,5-dimethoxy-amphetamine, some trade and other names:
- 1232 4-methyl-2,5-dimethoxy- α -methylphenethylamine; "DOM"; and "STP";
- 1233 (I) 3,4-methylenedioxy amphetamine;
- 1234 (J) 3,4-methylenedioxymethamphetamine (MDMA);
- 1235 (K) 3,4-methylenedioxy-N-ethylamphetamine, also known as N-ethyl-
- 1236 alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE,
- 1237 MDEA;
- 1238 (L) N-hydroxy-3,4-methylenedioxyamphetamine, also known as
- 1239 N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine, and N-hydroxy
- 1240 MDA;
- 1241 (M) 3,4,5-trimethoxy amphetamine;
- 1242 (N) Bufotenine, some trade and other names: 3-(β
- 1243 -Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol;
- 1244 N, N-dimethylserotonin; 5-hydroxy-N,N-dimethyltryptamine; mappine;
- 1245 (O) Diethyltryptamine, some trade and other names: N,N-Diethyltryptamine; DET;
- 1246 (P) Dimethyltryptamine, some trade or other names: DMT;
- 1247 (Q) Ibogaine, some trade and other names: 7-Ethyl-6,6 β
- 1248 ,7,8,9,10,12,13-octahydro-2-methoxy-6,9-methano-5H-pyrido [1', 2':1,2]
- 1249 azepino [5,4-b] indole; Tabernanthe iboga;
- 1250 (R) Lysergic acid diethylamide;
- 1251 (S) Marijuana;
- 1252 (T) Mescaline;

- 1253 (U) Parahexyl, some trade or other names:
1254 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran;
1255 Synhexyl;
- 1256 (V) Peyote, meaning all parts of the plant presently classified botanically as
1257 *Lophophora williamsii* Lemaire, whether growing or not, the seeds thereof, any
1258 extract from any part of such plant, and every compound, manufacture, salts,
1259 derivative, mixture, or preparation of such plant, its seeds or extracts
1260 (Interprets 21 USC 812(c), Schedule I(c) (12));
- 1261 (W) N-ethyl-3-piperidyl benzilate;
- 1262 (X) N-methyl-3-piperidyl benzilate;
- 1263 (Y) Psilocybin;
- 1264 (Z) Psilocyn;
- 1265 (AA) Tetrahydrocannabinols, naturally contained in a plant of the genus *Cannabis*
1266 (*cannabis* plant), except for marijuana as defined in Subsection 58-37-2
1267 (1)(aa)(i)(E), as well as synthetic equivalents of the substances contained in the
1268 *cannabis* plant, or in the resinous extractives of *Cannabis*, sp. and/or synthetic
1269 substances, derivatives, and their isomers with similar chemical structure and
1270 pharmacological activity to those substances contained in the plant, such as the
1271 following: $\Delta 1$ cis or trans tetrahydrocannabinol, and their optical isomers $\Delta 6$ cis or
1272 trans tetrahydrocannabinol, and their optical isomers $\Delta 3,4$ cis or trans
1273 tetrahydrocannabinol, and its optical isomers, and since nomenclature of these
1274 substances is not internationally standardized, compounds of these structures,
1275 regardless of numerical designation of atomic positions covered;
- 1276 (BB) Ethylamine analog of phencyclidine, some trade or other names:
1277 N-ethyl-1-phenylcyclohexylamine, (1-phenylcyclohexyl)ethylamine,
1278 N-(1-phenylcyclohexyl)ethylamine, cyclohexamine, PCE;
- 1279 (CC) Pyrrolidine analog of phencyclidine, some trade or other names:
1280 1-(1-phenylcyclohexyl)-pyrrolidine, PCPy, PHP;
- 1281 (DD) Thiophene analog of phencyclidine, some trade or other names:
1282 1-[1-(2-thienyl)-cyclohexyl]-piperidine, 2-thienyl analog of phencyclidine,
1283 TPCP, TCP; and
- 1284 (EE) 1-[1-(2-thienyl)cyclohexyl]pyrrolidine, some other names: TCPy.
- 1285 (iv) Unless specifically excepted or unless listed in another schedule, any material
1286 compound, mixture, or preparation which contains any quantity of the following

- 1287 substances having a depressant effect on the central nervous system, including its
1288 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
1289 salts of isomers is possible within the specific chemical designation:
- 1290 (A) Mecloqualone; and
1291 (B) Methaqualone.
- 1292 (v) Any material, compound, mixture, or preparation containing any quantity of the
1293 following substances having a stimulant effect on the central nervous system,
1294 including their salts, isomers, and salts of isomers:
- 1295 (A) Aminorex, some other names: aminoxaphen; 2-amino-5-phenyl-2-oxazoline;
1296 or 4,5-dihydro-5-phenyl-2-oxazolamine;
1297 (B) Cathinone, some trade or other names: 2-amino-1-phenyl-1-propanone,
1298 alpha-aminopropiophenone, 2-aminopropiophenone, and norephedrone;
1299 (C) Fenethylamine;
1300 (D) Methcathinone, some other names: 2-(methylamino)-propionophenone;
1301 alpha-(methylamino)propionophenone; 2-(methylamino)-1-phenylpropan-1-one;
1302 alpha-N-methylaminopropionophenone; monomethylpropion; ephedrone;
1303 N-methylcathinone; methylcathinone; AL-464; AL-422; AL-463 and UR1432,
1304 its salts, optical isomers, and salts of optical isomers;
1305 (E) (\pm)cis-4-methylaminorex ((\pm)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);
1306 (F) N-ethylamphetamine; and
1307 (G) N,N-dimethylamphetamine, also known as
1308 N,N-alpha-trimethyl-benzeneethanamine; N,N-alpha-trimethylphenethylamine.
- 1309 (vi) Any material, compound, mixture, or preparation which contains any quantity of
1310 the following substances, including their optical isomers, salts, and salts of
1311 isomers, subject to temporary emergency scheduling:
- 1312 (A) N-[1-benzyl-4-piperidyl]-N-phenylpropanamide (benzylfentanyl); and
1313 (B) N-[1-(2-thienyl)methyl-4-piperidyl]-N-phenylpropanamide (thienylfentanyl).
- 1314 (vii) Unless specifically excepted or unless listed in another schedule, any material,
1315 compound, mixture, or preparation which contains any quantity of gamma
1316 hydroxy butyrate (gamma hydrobutyric acid), including its salts, isomers, and
1317 salts of isomers.
- 1318 (b) Schedule II:
- 1319 (i) Unless specifically excepted or unless listed in another schedule, any of the
1320 following substances whether produced directly or indirectly by extraction from

- 1321 substances of vegetable origin, or independently by means of chemical synthesis,
1322 or by a combination of extraction and chemical synthesis:
- 1323 (A) Opium and opiate, and any salt, compound, derivative, or preparation of
1324 opium or opiate, excluding apomorphine, dextrorphan, nalbuphine, nalmefene,
1325 naloxone, and naltrexone, and their respective salts, but including:
- 1326 (I) Raw opium;
1327 (II) Opium extracts;
1328 (III) Opium fluid;
1329 (IV) Powdered opium;
1330 (V) Granulated opium;
1331 (VI) Tincture of opium;
1332 (VII) Codeine;
1333 (VIII) Ethylmorphine;
1334 (IX) Etorphine hydrochloride;
1335 (X) Hydrocodone;
1336 (XI) Hydromorphone;
1337 (XII) Metopon;
1338 (XIII) Morphine;
1339 (XIV) Oxycodone;
1340 (XV) Oxymorphone; and
1341 (XVI) Thebaine;
- 1342 (B) Any salt, compound, derivative, or preparation which is chemically equivalent
1343 or identical with any of the substances referred to in Subsection (2)(b)(i)(A),
1344 except that these substances may not include the isoquinoline alkaloids of
1345 opium;
- 1346 (C) Opium poppy and poppy straw;
- 1347 (D) Coca leaves and any salt, compound, derivative, or preparation of coca leaves,
1348 and any salt, compound, derivative, or preparation which is chemically
1349 equivalent or identical with any of these substances, and includes cocaine and
1350 ecgonine, their salts, isomers, derivatives, and salts of isomers and derivatives,
1351 whether derived from the coca plant or synthetically produced, except the
1352 substances may not include decocainized coca leaves or extraction of coca
1353 leaves, which extractions do not contain cocaine or ecgonine; and
1354 (E) Concentrate of poppy straw, which means the crude extract of poppy straw in

1355 either liquid, solid, or powder form which contains the phenanthrene alkaloids
1356 of the opium poppy.

1357 (ii) Unless specifically excepted or unless listed in another schedule, any of the
1358 following [~~opiates~~] opioids, including their isomers, esters, ethers, salts, and salts
1359 of isomers, esters, and ethers, when the existence of the isomers, esters, ethers,
1360 and salts is possible within the specific chemical designation, except dextrophan
1361 and levopropoxyphene:

1362 (A) Alfentanil;

1363 (B) Alphaprodine;

1364 (C) Anileridine;

1365 (D) Bezitramide;

1366 (E) Bulk dextropropoxyphene (nondosage forms);

1367 (F) Carfentanil;

1368 (G) Dihydrocodeine;

1369 (H) Diphenoxylate;

1370 (I) Fentanyl;

1371 (J) Isomethadone;

1372 (K) Levo-alpha-acetylmethadol, some other names: levo-alpha-acetylmethadol,
1373 levomethadyl acetate, or LAAM;

1374 (L) Levomethorphan;

1375 (M) Levorphanol;

1376 (N) Metazocine;

1377 (O) Methadone;

1378 (P) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane;

1379 (Q) Moramide-Intermediate, 2-methyl-3-morpholino-1,
1380 1-diphenylpropane-carboxylic acid;

1381 (R) Pethidine (meperidine);

1382 (S) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

1383 (T) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

1384 (U) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

1385 (V) Phenazocine;

1386 (W) Piminodine;

1387 (X) Racemethorphan;

1388 (Y) Racemorphan;

- 1389 (Z) Remifentanyl; and
1390 (AA) Sufentanyl.
- 1391 (iii) Unless specifically excepted or unless listed in another schedule, any material,
1392 compound, mixture, or preparation which contains any quantity of the following
1393 substances having a stimulant effect on the central nervous system:
1394 (A) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
1395 (B) Methamphetamine, its salts, isomers, and salts of its isomers;
1396 (C) Phenmetrazine and its salts; and
1397 (D) Methylphenidate.
- 1398 (iv) Unless specifically excepted or unless listed in another schedule, any material,
1399 compound, mixture, or preparation which contains any quantity of the following
1400 substances having a depressant effect on the central nervous system, including its
1401 salts, isomers, and salts of isomers when the existence of the salts, isomers, and
1402 salts of isomers is possible within the specific chemical designation:
1403 (A) Amobarbital;
1404 (B) Glutethimide;
1405 (C) Pentobarbital;
1406 (D) Phencyclidine;
1407 (E) Phencyclidine immediate precursors: 1-phenylcyclohexylamine and
1408 1-piperidinocyclohexanecarbonitrile (PCC); and
1409 (F) Secobarbital.
- 1410 (v)(A) Unless specifically excepted or unless listed in another schedule, any
1411 material, compound, mixture, or preparation which contains any quantity of
1412 Phenylacetone.
1413 (B) Some of these substances may be known by trade or other names:
1414 phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone.
- 1415 (vi) Nabilone, another name for nabilone: (\pm
1416)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,
1417 6-dimethyl-9H-dibenzo[b,d]pyran-9-one.
- 1418 (vii) A drug product or preparation that contains any component of marijuana,
1419 including tetrahydrocannabinol, and is approved by the United States Food and
1420 Drug Administration and scheduled by the Drug Enforcement Administration in
1421 Schedule II of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 1422 (c) Schedule III:

- 1423 (i) Unless specifically excepted or unless listed in another schedule, any material,
1424 compound, mixture, or preparation which contains any quantity of the following
1425 substances having a stimulant effect on the central nervous system, including its
1426 salts, isomers whether optical, position, or geometric, and salts of the isomers
1427 when the existence of the salts, isomers, and salts of isomers is possible within the
1428 specific chemical designation:
- 1429 (A) Those compounds, mixtures, or preparations in dosage unit form containing
1430 any stimulant substances listed in Schedule II, which compounds, mixtures, or
1431 preparations were listed on August 25, 1971, as excepted compounds under
1432 Section 1308.32 of Title 21 of the Code of Federal Regulations, and any other
1433 drug of the quantitative composition shown in that list for those drugs or which
1434 is the same except that it contains a lesser quantity of controlled substances;
- 1435 (B) Benzphetamine;
- 1436 (C) Chlorphentermine;
- 1437 (D) Clortermine; and
- 1438 (E) Phendimetrazine.
- 1439 (ii) Unless specifically excepted or unless listed in another schedule, any material,
1440 compound, mixture, or preparation which contains any quantity of the following
1441 substances having a depressant effect on the central nervous system:
- 1442 (A) Any compound, mixture, or preparation containing amobarbital, secobarbital,
1443 pentobarbital, or any salt of any of them, and one or more other active
1444 medicinal ingredients which are not listed in any schedule;
- 1445 (B) Any suppository dosage form containing amobarbital, secobarbital, or
1446 pentobarbital, or any salt of any of these drugs which is approved by the United
1447 States Food and Drug Administration for marketing only as a suppository;
- 1448 (C) Any substance which contains any quantity of a derivative of barbituric acid
1449 or any salt of any of them;
- 1450 (D) Chlorhexadol;
- 1451 (E) Buprenorphine;
- 1452 (F) Any drug product containing gamma hydroxybutyric acid, including its salts,
1453 isomers, and salts of isomers, for which an application is approved under the
1454 federal Food, Drug, and Cosmetic Act, Section 505;
- 1455 (G) Ketamine, its salts, isomers, and salts of isomers, some other names for
1456 ketamine: \pm -2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone;

- 1457 (H) Lysergic acid;
- 1458 (I) Lysergic acid amide;
- 1459 (J) Methyprylon;
- 1460 (K) Sulfondiethylmethane;
- 1461 (L) Sulfonethylmethane;
- 1462 (M) Sulfonmethane; and
- 1463 (N) Tiletamine and zolazepam or any of their salts, some trade or other names for
- 1464 a tiletamine-zolazepam combination product: Telazol, some trade or other
- 1465 names for tiletamine: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone, some trade
- 1466 or other names for zolazepam:
- 1467 4-(2-fluorophenyl)-6,8-dihydro-1,3,8-trimethylpyrazolo-[3,4-e]
- 1468 [1,4]-diazepin-7(1H)-one, flupyrzapon.
- 1469 (iii) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in
- 1470 a U.S. Food and Drug Administration approved drug product, some other names
- 1471 for dronabinol:
- 1472 (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol,
- 1473 or (-)-delta-9-(trans)-tetrahydrocannabinol.
- 1474 (iv) Nalorphine.
- 1475 (v) Unless specifically excepted or unless listed in another schedule, any material,
- 1476 compound, mixture, or preparation containing limited quantities of any of the
- 1477 following narcotic drugs, or their salts calculated as the free anhydrous base or
- 1478 alkaloid:
- 1479 (A) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
- 1480 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline
- 1481 alkaloid of opium;
- 1482 (B) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90
- 1483 milligrams per dosage unit, with one or more active non-narcotic ingredients in
- 1484 recognized therapeutic amounts;
- 1485 (C) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
- 1486 more than 15 milligrams per dosage unit, with a fourfold or greater quantity of
- 1487 an isoquinoline alkaloid of opium;
- 1488 (D) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not
- 1489 more than 15 milligrams per dosage unit, with one or more active, non-narcotic
- 1490 ingredients in recognized therapeutic amounts;

- 1491 (E) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more
1492 than 90 milligrams per dosage unit, with one or more active non-narcotic
1493 ingredients in recognized therapeutic amounts;
- 1494 (F) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more
1495 than 15 milligrams per dosage unit, with one or more active, non-narcotic
1496 ingredients in recognized therapeutic amounts;
- 1497 (G) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
1498 or not more than 25 milligrams per dosage unit, with one or more active,
1499 non-narcotic ingredients in recognized therapeutic amounts; and
- 1500 (H) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
1501 with one or more active, non-narcotic ingredients in recognized therapeutic
1502 amounts.
- 1503 (vi) Unless specifically excepted or unless listed in another schedule, anabolic
1504 steroids including any of the following or any isomer, ester, salt, or derivative of
1505 the following that promotes muscle growth:
- 1506 (A) Boldenone;
- 1507 (B) Chlorotestosterone (4-chlortestosterone);
- 1508 (C) Clostebol;
- 1509 (D) Dehydrochlormethyltestosterone;
- 1510 (E) Dihydrotestosterone (4-dihydrotestosterone);
- 1511 (F) Drostanolone;
- 1512 (G) Ethylestrenol;
- 1513 (H) Fluoxymesterone;
- 1514 (I) Formebolone (formebolone);
- 1515 (J) Mesterolone;
- 1516 (K) Methandienone;
- 1517 (L) Methandranone;
- 1518 (M) Methandriol;
- 1519 (N) Methandrostenolone;
- 1520 (O) Methenolone;
- 1521 (P) Methyltestosterone;
- 1522 (Q) Mibolerone;
- 1523 (R) Nandrolone;
- 1524 (S) Norethandrolone;

- 1525 (T) Oxandrolone;
- 1526 (U) Oxymesterone;
- 1527 (V) Oxymetholone;
- 1528 (W) Stanolone;
- 1529 (X) Stanozolol;
- 1530 (Y) Testolactone;
- 1531 (Z) Testosterone; and
- 1532 (AA) Trenbolone.
- 1533 (vii) Anabolic steroids expressly intended for administration through implants to
- 1534 cattle or other nonhuman species, and approved by the Secretary of Health and
- 1535 Human Services for use, may not be classified as a controlled substance.
- 1536 (viii) A drug product or preparation that contains any component of marijuana,
- 1537 including tetrahydrocannabinol, and is approved by the United States Food and
- 1538 Drug Administration and scheduled by the Drug Enforcement Administration in
- 1539 Schedule III of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 1540 (ix) Nabiximols.
- 1541 (d) Schedule IV:
- 1542 (i) Unless specifically excepted or unless listed in another schedule, any material,
- 1543 compound, mixture, or preparation containing not more than 1 milligram of
- 1544 difenoxin and not less than 25 micrograms of atropine sulfate per dosage unit, or
- 1545 any salts of any of them.
- 1546 (ii) Unless specifically excepted or unless listed in another schedule, any material,
- 1547 compound, mixture, or preparation which contains any quantity of the following
- 1548 substances, including its salts, isomers, and salts of isomers when the existence of
- 1549 the salts, isomers, and salts of isomers is possible within the specific chemical
- 1550 designation:
- 1551 (A) Alprazolam;
- 1552 (B) Barbital;
- 1553 (C) Bromazepam;
- 1554 (D) Butorphanol;
- 1555 (E) Camazepam;
- 1556 (F) Carisoprodol;
- 1557 (G) Chloral betaine;
- 1558 (H) Chloral hydrate;

- 1559 (I) Chlordiazepoxide;
- 1560 (J) Clobazam;
- 1561 (K) Clonazepam;
- 1562 (L) Clorazepate;
- 1563 (M) Clotiazepam;
- 1564 (N) Cloxazolam;
- 1565 (O) Delorazepam;
- 1566 (P) Diazepam;
- 1567 (Q) Dichloralphenazone;
- 1568 (R) Estazolam;
- 1569 (S) Ethchlorvynol;
- 1570 (T) Ethinamate;
- 1571 (U) Ethyl loflazepate;
- 1572 (V) Fludiazepam;
- 1573 (W) Flunitrazepam;
- 1574 (X) Flurazepam;
- 1575 (Y) Halazepam;
- 1576 (Z) Haloxazolam;
- 1577 (AA) Ketazolam;
- 1578 (BB) Loprazolam;
- 1579 (CC) Lorazepam;
- 1580 (DD) Lormetazepam;
- 1581 (EE) Mebutamate;
- 1582 (FF) Medazepam;
- 1583 (GG) Meprobamate;
- 1584 (HH) Methohexital;
- 1585 (II) Methylphenobarbital (mephobarbital);
- 1586 (JJ) Midazolam;
- 1587 (KK) Nimetazepam;
- 1588 (LL) Nitrazepam;
- 1589 (MM) Nordiazepam;
- 1590 (NN) Oxazepam;
- 1591 (OO) Oxazolam;
- 1592 (PP) Paraldehyde;

- 1593 (QQ) Pentazocine;
- 1594 (RR) Petrichloral;
- 1595 (SS) Phenobarbital;
- 1596 (TT) Pinazepam;
- 1597 (UU) Prazepam;
- 1598 (VV) Quazepam;
- 1599 (WW) Temazepam;
- 1600 (XX) Tetrazepam;
- 1601 (YY) Tramadol;
- 1602 (ZZ) Triazolam;
- 1603 (AAA) Zaleplon; and
- 1604 (BBB) Zolpidem.
- 1605 (iii) Any material, compound, mixture, or preparation of fenfluramine which contains
- 1606 any quantity of the following substances, including its salts, isomers whether
- 1607 optical, position, or geometric, and salts of the isomers when the existence of the
- 1608 salts, isomers, and salts of isomers is possible.
- 1609 (iv) Unless specifically excepted or unless listed in another schedule, any material,
- 1610 compound, mixture, or preparation which contains any quantity of the following
- 1611 substances having a stimulant effect on the central nervous system, including its
- 1612 salts, isomers whether optical, position, or geometric isomers, and salts of the
- 1613 isomers when the existence of the salts, isomers, and salts of isomers is possible
- 1614 within the specific chemical designation:
- 1615 (A) Cathine ((+)-norpseudoephedrine);
- 1616 (B) Diethylpropion;
- 1617 (C) Fencamfamine;
- 1618 (D) Fenproporex;
- 1619 (E) Mazindol;
- 1620 (F) Mefenorex;
- 1621 (G) Modafinil;
- 1622 (H) Pemoline, including organometallic complexes and chelates thereof;
- 1623 (I) Phentermine;
- 1624 (J) Pipradrol;
- 1625 (K) Sibutramine; and
- 1626 (L) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

- 1627 (v) Unless specifically excepted or unless listed in another schedule, any material,
1628 compound, mixture, or preparation which contains any quantity of
1629 dextropropoxyphene (alpha-(+)-4-dimethylamino-1,
1630 2-diphenyl-3-methyl-2-propionoxybutane), including its salts.
- 1631 (vi) A drug product or preparation that contains any component of marijuana and is
1632 approved by the United States Food and Drug Administration and scheduled by
1633 the Drug Enforcement Administration in Schedule IV of the federal Controlled
1634 Substances Act, Title II, P.L. 91-513.
- 1635 (e) Schedule V:
- 1636 (i) Any compound, mixture, or preparation containing any of the following limited
1637 quantities of narcotic drugs, or their salts calculated as the free anhydrous base or
1638 alkaloid, which includes one or more non-narcotic active medicinal ingredients in
1639 sufficient proportion to confer upon the compound, mixture, or preparation
1640 valuable medicinal qualities other than those possessed by the narcotic drug alone:
- 1641 (A) not more than 200 milligrams of codeine per 100 milliliters or per 100 grams;
1642 (B) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
1643 grams;
1644 (C) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
1645 grams;
1646 (D) not more than 2.5 milligrams of diphenoxylate and not less than 25
1647 micrograms of atropine sulfate per dosage unit;
1648 (E) not more than 100 milligrams of opium per 100 milliliters or per 100 grams;
1649 (F) not more than 0.5 milligram of difenoxin and not less than 25 micrograms of
1650 atropine sulfate per dosage unit; and
1651 (G) unless specifically exempted or excluded or unless listed in another schedule,
1652 any material, compound, mixture, or preparation which contains Pyrovalerone
1653 having a stimulant effect on the central nervous system, including its salts,
1654 isomers, and salts of isomers.
- 1655 (ii) A drug product or preparation that contains any component of marijuana,
1656 including cannabidiol, and is approved by the United States Food and Drug
1657 Administration and scheduled by the Drug Enforcement Administration in
1658 Schedule V of the federal Controlled Substances Act, Title II, P.L. 91-513.
- 1659 (iii) Gabapentin.

1660 Section 20. Section **58-37-6** is amended to read:

1661 **58-37-6 (Effective 05/06/26) (Partially Repealed 07/01/32). License to**
1662 **manufacture, produce, distribute, dispense, administer, or conduct research -- Issuance**
1663 **by division -- Denial, suspension, or revocation -- Records required -- Prescriptions.**

1664 (1)(a) The division may adopt rules relating to the licensing and control of the
1665 manufacture, distribution, production, prescription, administration, dispensing,
1666 conducting of research with, and performing of laboratory analysis upon controlled
1667 substances within this state.

1668 (b) The division may assess reasonable fees to defray the cost of issuing original and
1669 renewal licenses under this chapter [~~pursuant to~~] in accordance with Section 63J-1-504.

1670 (2)(a)(i) Every person who manufactures, produces, distributes, prescribes, dispenses,
1671 administers, conducts research with, or performs laboratory analysis upon any
1672 controlled substance in Schedules I through V within this state, or who proposes
1673 to engage in manufacturing, producing, distributing, prescribing, dispensing,
1674 administering, conducting research with, or performing laboratory analysis upon
1675 controlled substances included in Schedules I through V within this state shall
1676 obtain a license issued by the division.

1677 (ii) The division shall issue each license under this chapter in accordance with a
1678 two-year renewal cycle established by rule. The division may by rule extend or
1679 shorten a renewal period by as much as one year to stagger the renewal cycles it
1680 administers.

1681 (b) Persons licensed to manufacture, produce, distribute, prescribe, dispense, administer,
1682 conduct research with, or perform laboratory analysis upon controlled substances in
1683 Schedules I through V within this state may possess, manufacture, produce,
1684 distribute, prescribe, dispense, administer, conduct research with, or perform
1685 laboratory analysis upon those substances to the extent authorized by their license
1686 and in conformity with this chapter.

1687 (c) The following persons are not required to obtain a license and may lawfully possess
1688 controlled substances included in Schedules II through V under this section:

1689 (i) an agent or employee, except a sales representative, of any registered
1690 manufacturer, distributor, or dispenser of any controlled substance, if the agent or
1691 employee is acting in the usual course of the agent or employee's business or
1692 employment; however, nothing in this subsection shall be interpreted to permit an
1693 agent, employee, sales representative, or detail man to maintain an inventory of
1694 controlled substances separate from the location of the person's employer's

- 1695 registered and licensed place of business;
- 1696 (ii) a motor carrier or warehouseman, or an employee of a motor carrier or
1697 warehouseman, who possesses a controlled substance in the usual course of the
1698 person's business or employment; and
- 1699 (iii) an ultimate user, or a person who possesses any controlled substance pursuant to
1700 a lawful order of a practitioner.
- 1701 (d) The division may enact rules waiving the license requirement for certain
1702 manufacturers, producers, distributors, prescribers, dispensers, administrators,
1703 research practitioners, or laboratories performing analysis if waiving the license
1704 requirement is consistent with public health and safety.
- 1705 (e) A separate license is required at each principal place of business or professional
1706 practice where the applicant manufactures, produces, distributes, dispenses, conducts
1707 research with, or performs laboratory analysis upon controlled substances.
- 1708 (f) The division may enact rules providing for the inspection of a licensee or applicant's
1709 establishment, and may inspect the establishment according to those rules.
- 1710 (3)(a)(i) Upon proper application, the division shall license a qualified applicant to
1711 manufacture, produce, distribute, conduct research with, or perform laboratory
1712 analysis upon controlled substances included in Schedules I through V, unless it
1713 determines that issuance of a license is inconsistent with the public interest.
- 1714 (ii) The division may not issue a license to any person to prescribe, dispense, or
1715 administer a Schedule I controlled substance except under Subsection (3)(a)(i).
- 1716 (iii) In determining public interest under this Subsection (3)(a), the division shall
1717 consider whether the applicant has:
- 1718 (A) maintained effective controls against diversion of controlled substances and
1719 any Schedule I or II substance compounded from any controlled substance into
1720 channels other than legitimate medical, scientific, or industrial channels;
- 1721 (B) complied with applicable state and local law;
- 1722 (C) been convicted under federal or state laws relating to the manufacture,
1723 distribution, or dispensing of substances;
- 1724 (D) past experience in the manufacture of controlled dangerous substances;
- 1725 (E) established effective controls against diversion; and
- 1726 (F) complied with any other factors that the division establishes that promote the
1727 public health and safety.
- 1728 (b) Licenses granted under Subsection (3)(a) do not entitle a licensee to manufacture,

- 1729 produce, distribute, conduct research with, or perform laboratory analysis upon
1730 controlled substances in Schedule I other than those specified in the license.
- 1731 (c)(i) Practitioners shall be licensed to administer, dispense, or conduct research with
1732 substances in Schedules II through V if they are authorized to administer,
1733 dispense, or conduct research under the laws of this state.
- 1734 (ii) The division need not require a separate license for practitioners engaging in
1735 research with nonnarcotic controlled substances in Schedules II through V where
1736 the licensee is already licensed under this chapter in another capacity.
- 1737 (iii) With respect to research involving narcotic substances in Schedules II through V,
1738 or where the division by rule requires a separate license for research of
1739 nonnarcotic substances in Schedules II through V, a practitioner shall apply to the
1740 division prior to conducting research.
- 1741 (iv) Licensing for purposes of bona fide research with controlled substances by a
1742 practitioner considered qualified may be denied only on a ground specified in
1743 Subsection (4), or upon evidence that the applicant will abuse or unlawfully
1744 transfer or fail to safeguard adequately the practitioner's supply of substances
1745 against diversion from medical or scientific use.
- 1746 (v) Practitioners registered under federal law to conduct research in Schedule I
1747 substances may conduct research in Schedule I substances within this state upon
1748 providing the division with evidence of federal registration.
- 1749 (d) Compliance by manufacturers, producers, and distributors with the provisions of
1750 federal law respecting registration, excluding fees, entitles them to be licensed under
1751 this chapter.
- 1752 (e) The division shall initially license those persons who own or operate an
1753 establishment engaged in the manufacture, production, distribution, dispensation, or
1754 administration of controlled substances prior to April 3, 1980, and who are licensed
1755 by the state.
- 1756 (4)(a) Any license issued [~~pursuant to~~] in accordance with Subsection (2) or (3) may be
1757 denied, suspended, placed on probation, or revoked by the division upon finding that
1758 the applicant or licensee has:
- 1759 (i) materially falsified any application filed or required pursuant to this chapter;
1760 (ii) been convicted of an offense under this chapter or any law of the United States, or
1761 any state, relating to any substance defined as a controlled substance;
1762 (iii) been convicted of a felony under any other law of the United States or any state

- 1763 within five years of the date of the issuance of the license;
- 1764 (iv) had a federal registration or license denied, suspended, or revoked by competent
1765 federal authority and is no longer authorized to manufacture, distribute, prescribe,
1766 or dispense controlled substances;
- 1767 (v) had the licensee's license suspended or revoked by competent authority of another
1768 state for violation of laws or regulations comparable to those of this state relating
1769 to the manufacture, distribution, or dispensing of controlled substances;
- 1770 (vi) violated any division rule that reflects adversely on the licensee's reliability and
1771 integrity with respect to controlled substances;
- 1772 (vii) refused inspection of records required to be maintained under this chapter by a
1773 person authorized to inspect them; or
- 1774 (viii) prescribed, dispensed, administered, or injected an anabolic steroid for the
1775 purpose of manipulating human hormonal structure so as to:
- 1776 (A) increase muscle mass, strength, or weight without medical necessity and
1777 without a written prescription by any practitioner in the course of the
1778 practitioner's professional practice; or
- 1779 (B) improve performance in any form of human exercise, sport, or game.
- 1780 (b) The division may limit revocation or suspension of a license to a particular
1781 controlled substance with respect to which grounds for revocation or suspension exist.
- 1782 (c)(i) Proceedings to deny, revoke, or suspend a license shall be conducted [~~pursuant~~
1783 ~~to~~] in accordance with this section and in accordance with the procedures set forth
1784 in Title 58, Chapter 1, Division of Professional Licensing Act, and conducted in
1785 conjunction with the appropriate representative committee designated by the
1786 director of the department.
- 1787 (ii) Nothing in this Subsection (4)(c) gives the Division of Professional Licensing
1788 exclusive authority in proceedings to deny, revoke, or suspend licenses, except
1789 where the division is designated by law to perform those functions, or, when not
1790 designated by law, is designated by the executive director of the Department of
1791 Commerce to conduct the proceedings.
- 1792 (d)(i) The division may suspend any license simultaneously with the institution of
1793 proceedings under this section if it finds there is an imminent danger to the public
1794 health or safety.
- 1795 (ii) Suspension shall continue in effect until the conclusion of proceedings, including
1796 judicial review, unless withdrawn by the division or dissolved by a court of

- 1797 competent jurisdiction.
- 1798 (e)(i) If a license is suspended or revoked under this Subsection (4), all controlled
1799 substances owned or possessed by the licensee may be placed under seal in the
1800 discretion of the division.
- 1801 (ii) Disposition may not be made of substances under seal until the time for taking an
1802 appeal has lapsed, or until all appeals have been concluded, unless a court, upon
1803 application, orders the sale of perishable substances and the proceeds deposited
1804 with the court.
- 1805 (iii) If a revocation order becomes final, all controlled substances shall be forfeited.
- 1806 (f) The division shall notify promptly the United States Drug Enforcement
1807 Administration of all orders suspending or revoking a license and all forfeitures of
1808 controlled substances.
- 1809 (g) If an individual's United States Drug Enforcement Administration registration is
1810 denied, revoked, surrendered, or suspended, the division shall immediately suspend
1811 the individual's controlled substance license, which shall only be reinstated by the
1812 division upon reinstatement of the federal registration, unless the division has taken
1813 further administrative action under Subsection (4)(a)(iv), which would be grounds for
1814 the continued denial of the controlled substance license.
- 1815 (5)(a) A person licensed under Subsection (2) or (3) shall maintain records and
1816 inventories in conformance with the record keeping and inventory requirements of
1817 federal and state law and any additional rules issued by the division.
- 1818 (b)(i) A physician, dentist, naturopathic physician, veterinarian, practitioner, or other
1819 individual who is authorized to administer or professionally use a controlled
1820 substance shall keep a record of the drugs received by the individual and a record
1821 of all drugs administered, dispensed, or professionally used by the individual
1822 otherwise than by a prescription.
- 1823 (ii) An individual using small quantities or solutions or other preparations of those
1824 drugs for local application has complied with this Subsection (5)(b) if the
1825 individual keeps a record of the quantity, character, and potency of those solutions
1826 or preparations purchased or prepared by the individual, and of the dates when
1827 purchased or prepared.
- 1828 (6) Controlled substances in Schedules I through V may be distributed only by a licensee
1829 and pursuant to an order form prepared in compliance with division rules or a lawful
1830 order under the rules and regulations of the United States.

- 1831 (7)(a) An individual may not write or authorize a prescription for a controlled substance
1832 unless the individual is:
- 1833 (i) a practitioner authorized to prescribe drugs and medicine under the laws of this
1834 state or under the laws of another state having similar standards; and
 - 1835 (ii) licensed under this chapter or under the laws of another state having similar
1836 standards.
- 1837 (b) An individual other than a pharmacist licensed under the laws of this state, or the
1838 pharmacist's licensed intern, as required by Sections 58-17b-303 and 58-17b-304,
1839 may not dispense a controlled substance.
- 1840 (c)(i) A controlled substance may not be dispensed without the written prescription of
1841 a practitioner, if the written prescription is required by the federal Controlled
1842 Substances Act.
- 1843 (ii) [~~That~~] The written prescription described in Subsection (7)(c)(i) shall be made in
1844 accordance with Subsection (7)(a) and in conformity with Subsection (7)(d).
 - 1845 (iii) In emergency situations, as defined by division rule, controlled substances may
1846 be dispensed upon oral prescription of a practitioner, if reduced promptly to
1847 writing on forms designated by the division and filed by the pharmacy.
 - 1848 (iv) Prescriptions reduced to writing by a pharmacist shall be in conformity with
1849 Subsection (7)(d).
- 1850 (d) Except for emergency situations designated by the division, an individual may not
1851 issue, fill, compound, or dispense a prescription for a controlled substance unless the
1852 prescription is signed by the prescriber in ink or indelible pencil or is signed with an
1853 electronic signature of the prescriber as authorized by division rule, and contains the
1854 following information:
- 1855 (i) the name, address, and registry number of the prescriber;
 - 1856 (ii) the name, address, and age of the person to whom or for whom the prescription is
1857 issued;
 - 1858 (iii) the date of issuance of the prescription; and
 - 1859 (iv) the name, quantity, and specific directions for use by the ultimate user of the
1860 controlled substance.
- 1861 (e) A prescription may not be written, issued, filled, or dispensed for a Schedule I
1862 controlled substance unless:
- 1863 (i) the individual who writes the prescription is licensed under Subsection (2); and
 - 1864 (ii) the prescribed controlled substance is to be used in research.

- 1865 (f) Except when administered directly to an ultimate user by a licensed practitioner,
1866 controlled substances are subject to the restrictions of this Subsection (7)(f).
- 1867 (i) A prescription for a Schedule II substance may not be refilled.
- 1868 (ii) A Schedule II controlled substance may not be filled in a quantity to exceed a
1869 one-month's supply, as directed on the daily dosage rate of the prescriptions.
- 1870 (iii)(A) A prescription for a Schedule II or Schedule III controlled substance that
1871 is an [opioid] opioid and that is issued for an acute condition shall be
1872 completely or partially filled in a quantity not to exceed a seven-day supply as
1873 directed on the daily dosage rate of the prescription.
- 1874 (B) Subsection (7)(f)(iii)(A) does not apply to prescriptions issued for complex or
1875 chronic conditions which are documented as being complex or chronic in the
1876 medical record.
- 1877 (C) A pharmacist is not required to verify that a prescription is in compliance with
1878 this Subsection (7)(f)(iii).
- 1879 (iv) A Schedule III or IV controlled substance may be filled only within six months
1880 of issuance, and may not be refilled more than six months after the date of its
1881 original issuance or be refilled more than five times after the date of the
1882 prescription unless renewed by the practitioner.
- 1883 (v) All other controlled substances in Schedule V may be refilled as the prescriber's
1884 prescription directs, but they may not be refilled one year after the date the
1885 prescription was issued unless renewed by the practitioner.
- 1886 (vi) Any prescription for a Schedule II substance may not be dispensed if it is not
1887 presented to a pharmacist for dispensing by a pharmacist or a pharmacy intern
1888 within 30 days after the date the prescription was issued, or 30 days after the
1889 dispensing date, if that date is specified separately from the date of issue.
- 1890 (vii) A practitioner may issue more than one prescription at the same time for the
1891 same Schedule II controlled substance, but only under the following conditions:
- 1892 (A) no more than three prescriptions for the same Schedule II controlled substance
1893 may be issued at the same time;
- 1894 (B) no one prescription may exceed a 30-day supply; and
- 1895 (C) a second or third prescription shall include the date of issuance and the date
1896 for dispensing.
- 1897 (g) An order for a controlled substance in Schedules II through V for use by an inpatient
1898 or an outpatient of a licensed hospital is exempt from all requirements of this

- 1899 Subsection (7) if the order is:
- 1900 (i) issued or made by a prescribing practitioner who holds an unrestricted registration
- 1901 with the federal Drug Enforcement Administration, and an active Utah controlled
- 1902 substance license in good standing issued by the division under this section, or a
- 1903 medical resident who is exempted from licensure under Subsection 58-1-307(1)(c);
- 1904 (ii) authorized by the prescribing practitioner treating the patient and the prescribing
- 1905 practitioner designates the quantity ordered;
- 1906 (iii) entered upon the record of the patient, the record is signed by the prescriber
- 1907 affirming the prescriber's authorization of the order within 48 hours after filling or
- 1908 administering the order, and the patient's record reflects the quantity actually
- 1909 administered; and
- 1910 (iv) filled and dispensed by a pharmacist practicing the pharmacist's profession
- 1911 within the physical structure of the hospital, or the order is taken from a supply
- 1912 lawfully maintained by the hospital and the amount taken from the supply is
- 1913 administered directly to the patient authorized to receive it.
- 1914 (h) A practitioner licensed under this chapter may not prescribe, administer, or dispense
- 1915 a controlled substance to a child, without first obtaining the consent required in
- 1916 Section 78B-3-406 of a parent, guardian, or person standing in loco parentis of the
- 1917 child except in cases of an emergency. For purposes of Subsection (7)(h), "child" has
- 1918 the same meaning as defined in Section 80-1-102, and "emergency" means any
- 1919 physical condition requiring the administration of a controlled substance for
- 1920 immediate relief of pain or suffering.
- 1921 (i) A practitioner licensed under this chapter may not prescribe or administer dosages of
- 1922 a controlled substance in excess of medically recognized quantities necessary to treat
- 1923 the ailment, malady, or condition of the ultimate user.
- 1924 (j) A practitioner licensed under this chapter may not prescribe, administer, or dispense
- 1925 any controlled substance to another person knowing that the other person is using a
- 1926 false name, address, or other personal information for the purpose of securing the
- 1927 controlled substance.
- 1928 (k) A person who is licensed under this chapter to manufacture, distribute, or dispense a
- 1929 controlled substance may not manufacture, distribute, or dispense a controlled
- 1930 substance to another licensee or any other authorized person not authorized by this
- 1931 license.
- 1932 (l) A person licensed under this chapter may not omit, remove, alter, or obliterate a

- 1933 symbol required by this chapter or by a rule issued under this chapter.
- 1934 (m) A person licensed under this chapter may not refuse or fail to make, keep, or furnish
1935 any record notification, order form, statement, invoice, or information required under
1936 this chapter.
- 1937 (n) A person licensed under this chapter may not refuse entry into any premises for
1938 inspection as authorized by this chapter.
- 1939 (o) A person licensed under this chapter may not furnish false or fraudulent material
1940 information in any application, report, or other document required to be kept by this
1941 chapter or willfully make any false statement in any prescription, order, report, or
1942 record required by this chapter.
- 1943 (8)(a)(i) Any person licensed under this chapter who is found by the division to have
1944 violated any of the provisions of Subsections (7)(k) through (o) or Subsection (10)
1945 is subject to a penalty not to exceed \$5,000. The division shall determine the
1946 procedure for adjudication of any violations in accordance with Sections 58-1-106
1947 and 58-1-108.
- 1948 (ii) The division shall deposit all penalties collected under Subsection (8)(a)(i) into
1949 the General Fund as a dedicated credit to be used by the division under Subsection
1950 58-37f-502(1).
- 1951 (iii) The director may collect a penalty that is not paid by:
1952 (A) referring the matter to a collection agency; or
1953 (B) bringing an action in the district court of the county where the person against
1954 whom the penalty is imposed resides or in the county where the office of the
1955 director is located.
- 1956 (iv) A county attorney or the attorney general of the state shall provide legal
1957 assistance and advice to the director in an action to collect a penalty.
- 1958 (v) A court shall award reasonable attorney fees and costs to the prevailing party in
1959 an action brought by the division to collect a penalty.
- 1960 (b) Any person who knowingly and intentionally violates Subsections (7)(h) through (j)
1961 or Subsection (10) is:
1962 (i) upon first conviction, guilty of a class B misdemeanor;
1963 (ii) upon second conviction, guilty of a class A misdemeanor; and
1964 (iii) on third or subsequent conviction, guilty of a third degree felony.
- 1965 (c) Any person who knowingly and intentionally violates Subsections (7)(k) through (o)
1966 shall upon conviction be guilty of a third degree felony.

- 1967 (9) Any information communicated to any licensed practitioner in an attempt to unlawfully
 1968 procure, or to procure the administration of, a controlled substance is not considered to
 1969 be a privileged communication.
- 1970 (10) A person holding a valid license under this chapter who is engaged in medical research
 1971 may produce, possess, administer, prescribe, or dispense a controlled substance for
 1972 research purposes as licensed under Subsection (2) but may not otherwise prescribe or
 1973 dispense a controlled substance listed in Section 58-37-4.2.
- 1974 (11)(a) As used in this Subsection (11):
- 1975 (i) "Database" means the controlled substance database created in Section 58-37f-201.
 1976 (ii) "High risk prescription" means a prescription for an [opiate] opioid or a
 1977 benzodiazepine that is written to continue for longer than 30 consecutive days.
 1978 [~~(ii) "Database" means the controlled substance database created in Section~~
 1979 ~~58-37f-201.~~]
- 1980 (b) A practitioner who issues a high risk prescription to a patient shall, before issuing the
 1981 high risk prescription to the patient, verify in the database that the patient does not
 1982 have a high risk prescription from a different practitioner that is currently active.
- 1983 (c) If the database shows that the patient has received a high risk prescription that is
 1984 currently active from a different practitioner, the practitioner may not issue a high
 1985 risk prescription to the patient unless the practitioner:
- 1986 (i) contacts and consults with each practitioner who issued a high risk prescription
 1987 that is currently active to the patient;
- 1988 (ii) documents in the patient's medical record that the practitioner made contact with
 1989 each practitioner in accordance with Subsection (11)(c)(i); and
- 1990 (iii) documents in the patient's medical record the reason why the practitioner
 1991 believes that the patient needs multiple high risk prescriptions from different
 1992 practitioners.
- 1993 (d) A practitioner shall satisfy the requirement described in Subsection (11)(c) in a
 1994 timely manner, which may be after the practitioner issues the high risk prescription to
 1995 the patient.
- 1996 Section 21. Section **58-37-7** is amended to read:
- 1997 **58-37-7 (Effective 05/06/26). Labeling and packaging controlled substance --**
 1998 **Informational pamphlet for opioids -- Naloxone education and offer to dispense.**
- 1999 (1) A person licensed pursuant to this act may not distribute a controlled substance unless it
 2000 is packaged and labeled in compliance with the requirements of Section 305 of the

- 2001 Federal Comprehensive Drug Abuse Prevention and Control Act of 1970.
- 2002 (2) No person except a pharmacist for the purpose of filling a prescription shall alter,
2003 deface, or remove any label affixed by the manufacturer.
- 2004 (3) Whenever a pharmacy sells or dispenses any controlled substance on a prescription
2005 issued by a practitioner, the pharmacy shall affix to the container in which the substance
2006 is sold or dispensed:
- 2007 (a) a label showing the:
- 2008 (i) pharmacy name and address;
- 2009 (ii) serial number; and
- 2010 (iii) date of initial filling;
- 2011 (b) the prescription number, the name of the patient, or if the patient is an animal, the
2012 name of the owner of the animal and the species of the animal;
- 2013 (c) the name of the practitioner by whom the prescription was written;
- 2014 (d) any directions stated on the prescription; and
- 2015 (e) any directions required by rules and regulations promulgated by the department.
- 2016 (4) Whenever a pharmacy sells or dispenses a Schedule II or Schedule III controlled
2017 substance that is an [opiate] opioid, the pharmacy shall:
- 2018 (a) affix a warning to the container or the lid for the container in which the substance is
2019 sold or dispensed that contains the following text:
- 2020 (i) "Caution: Opioid. Risk of overdose and addiction"; or
- 2021 (ii) any other language that is approved by the Department of Health and Human
2022 Services;
- 2023 (b) beginning January 1, 2024:
- 2024 (i) offer to counsel the patient or the patient's representative on the use and
2025 availability of an [opiate] opioid antagonist as defined in Section 26B-4-501; and
- 2026 (ii) offer to dispense an [opiate] opioid antagonist as defined in Section 26B-4-501 to
2027 the patient or the patient's representative, under a prescription from a practitioner
2028 or under Section 26B-4-510, if the patient:
- 2029 (A) receives a single prescription for 50 morphine milligram equivalents or more
2030 per day, calculated in accordance with guidelines developed by the United
2031 States Centers for Disease Control and Prevention;
- 2032 (B) is being dispensed an opioid and the pharmacy dispensed a benzodiazepine to
2033 the patient in the previous 30 day period; or
- 2034 (C) is being dispensed a benzodiazepine and the pharmacy dispensed an opioid to

2035 the patient in the previous 30 day period.

2036 (5)(a) A pharmacy who sells or dispenses a Schedule II or Schedule III controlled
2037 substance that is an [opiate] opioid shall, if available from the Department of Health
2038 and Human Services, prominently display at the point of sale the informational
2039 pamphlet developed by the Department of Health and Human Services under Section
2040 26B-4-514.

2041 (b) The board and the Department of Health and Human Services shall encourage
2042 pharmacies to use the informational pamphlet to engage in patient counseling
2043 regarding the risks associated with taking [opiates] opioids.

2044 (c) The requirement in Subsection (5)(a) does not apply to a pharmacy if the pharmacy
2045 is unable to obtain the informational pamphlet from the Department of Health and
2046 Human Services for any reason.

2047 (6) A person may not alter the face or remove any label so long as any of the original
2048 contents remain.

2049 (7)(a) An individual to whom or for whose use any controlled substance has been
2050 prescribed, sold, or dispensed by a practitioner and the owner of any animal for
2051 which any controlled substance has been prescribed, sold, or dispensed by a
2052 veterinarian may lawfully possess it only in the container in which it was delivered to
2053 the individual by the person selling or dispensing it.

2054 (b) It is a defense to a prosecution under this subsection that the person being prosecuted
2055 produces in court a valid prescription for the controlled substance or the original
2056 container with the label attached.

2057 Section 22. Section **58-37-8.2** is amended to read:

2058 **58-37-8.2 (Effective 05/06/26). Duty to report drug diversion.**

2059 (1) As used in this section:

2060 (a) "Diversion" means a practitioner's transfer of a significant amount of drugs to
2061 another individual for an unlawful purpose.

2062 (b) "Drug" means a Schedule II or Schedule III controlled substance, as defined in
2063 Section 58-37-4, that is an [opiate] opioid.

2064 (c) "HIPAA" means the same as that term is defined in Section 26B-3-126.

2065 (d) "[Opiate] Opioid" means the same as that term is defined in Section 58-37-2.

2066 (e) "Practitioner" means an individual:

2067 (i) licensed, registered, or otherwise authorized by the appropriate jurisdiction to
2068 administer, dispense, distribute, or prescribe a drug in the course of professional

2069 practice; or
2070 (ii) employed by a person who is licensed, registered, or otherwise authorized by the
2071 appropriate jurisdiction to administer, dispense, distribute, or prescribe a drug in
2072 the course of professional practice or standard operations.

2073 (f) "Significant amount" means an aggregate amount equal to, or more than, 500
2074 morphine milligram equivalents calculated in accordance with guidelines developed
2075 by the Centers for Disease Control and Prevention.

2076 (2) An individual is guilty of a class B misdemeanor if the individual:

2077 (a) knows that a practitioner is involved in diversion; and

2078 (b) knowingly fails to report the diversion to a peace officer or law enforcement agency.

2079 (3) Subsection (2) does not apply to the extent that an individual is prohibited from
2080 reporting by 42 C.F.R. Part 2 or HIPAA.

2081 Section 23. Section **58-37-19** is amended to read:

2082 **58-37-19 (Effective 05/06/26). Opioid prescription consultation -- Prescription**
2083 **for opioid antagonist required.**

2084 (1) As used in this section:

2085 (a) "Initial [opiate] opioid prescription" means a prescription for an [opiate] opioid to a
2086 patient who:

2087 (i) has never previously been issued a prescription for an [opiate] opioid; or

2088 (ii) was previously issued a prescription for an [opiate] opioid, but the date on which
2089 the current prescription is being issued is more than one year after the date on
2090 which an [opiate] opioid was previously prescribed or administered to the patient.

2091 (b) "[Opiate] Opioid antagonist" means the same as that term is defined in Section
2092 26B-4-501.

2093 (c) "Prescriber" means an individual authorized to prescribe a controlled substance under
2094 this chapter.

2095 (2) Except as provided in Subsection (3), a prescriber may not issue an initial [opiate] opioid
2096 prescription without discussing with the patient, or the patient's parent or guardian if the
2097 patient is under 18 years old and is not an emancipated minor:

2098 (a) the risks of addiction and overdose associated with [opiate] opioid drugs;

2099 (b) the dangers of taking [opiates] opioids with alcohol, benzodiazepines, and other
2100 central nervous system depressants;

2101 (c) the reasons why the prescription is necessary;

2102 (d) alternative treatments that may be available; and

- 2103 (e) other risks associated with the use of the drugs being prescribed.
- 2104 (3) Subsection (2) does not apply to a prescription for:
- 2105 (a) a patient who is currently in active treatment for cancer;
- 2106 (b) a patient who is receiving hospice care from a licensed hospice as defined in Section
- 2107 26B-2-201; or
- 2108 (c) a medication that is being prescribed to a patient for the treatment of the patient's
- 2109 substance abuse or [opioid] opioid dependence.
- 2110 (4)(a) Beginning January 1, 2024, a prescriber shall offer to prescribe or dispense an [
- 2111 opioid] opioid antagonist to a patient if the patient receives an initial [opioid] opioid
- 2112 prescription for:
- 2113 (i) 50 morphine milligram equivalents or more per day, calculated in accordance with
- 2114 guidelines developed by the United States Centers for Disease Control and
- 2115 Prevention; or
- 2116 (ii) any [opioid] opioid if the practitioner is also prescribing a benzodiazepine to the
- 2117 patient.
- 2118 (b) Subsection (4)(a) does not apply if the initial [opioid] opioid prescription:
- 2119 (i) is administered directly to an ultimate user by a licensed practitioner; or
- 2120 (ii) is for a three-day supply or less.
- 2121 (c) This Subsection (4) does not require a patient to purchase or obtain an [opioid] opioid
- 2122 antagonist as a condition of receiving the patient's initial [opioid] opioid prescription.
- 2123 Section 24. Section **58-67-702** is amended to read:
- 2124 **58-67-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
- 2125 **unprofessional conduct.**
- 2126 (1) As used in this section:
- 2127 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.
- 2128 (b) "Expired opioid antagonist" means an opioid antagonist that is no more than 24
- 2129 months past the month and year of the opioid antagonist's expiration date.
- 2130 [(b)] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.
- 2131 [(e)] (d)(i) "[Opioid] Opioid antagonist" means the same as that term is defined in
- 2132 Section 26B-4-501.
- 2133 (ii) "Opioid antagonist" includes an expired opioid antagonist.
- 2134 [(d)] (e) "[Opioid-related] Opioid-related drug overdose event" means the same as that
- 2135 term is defined in Section 26B-4-501.
- 2136 [(e)] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2137 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
 2138 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
 2139 the [~~opiate~~] opioid antagonist:

2140 (a) in a good faith effort to assist:

2141 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2142 opioid-related drug overdose event; or

2143 (ii) a family member of, friend of, or other person, including a person described in
 2144 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2145 assist an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2146 opioid-related drug overdose event; or

2147 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).

2148 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2149 not establish a duty or standard of care in the prescribing, dispensing, or administration
 2150 of an [~~opiate~~] opioid antagonist.

2151 Section 25. Section **58-68-702** is amended to read:

2152 **58-68-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
 2153 **unprofessional conduct.**

2154 (1) As used in this section:

2155 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

2156 (b) "Expired opioid antagonist" means an opioid antagonist that is no more than 24
 2157 months past the month and year of the opioid antagonist's expiration date.

2158 [~~(b)~~] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.

2159 [~~(c)~~] (d) "[~~Op~~iate] Opioid antagonist" means the same as that term is defined in Section
 2160 26B-4-501.

2161 [~~(d)~~] (e) "[~~Op~~iate-related] Opioid-related drug overdose event" means the same as that
 2162 term is defined in Section 26B-4-501.

2163 [~~(e)~~] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2164 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
 2165 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
 2166 the [~~opiate~~] opioid antagonist:

2167 (a) in a good faith effort to assist:

2168 (i) an individual who is at increased risk of experiencing an [~~opiate-related~~]
 2169 opioid-related drug overdose event; or

2170 (ii) a family member of, friend of, or other person, including a person described in

2171 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2172 assist an individual who is at increased risk of experiencing an ~~[opioid-related]~~
 2173 opioid-related drug overdose event; or

2174 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).

2175 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2176 not establish a duty or standard of care in the prescribing, dispensing, or administration
 2177 of an ~~[opioid]~~ opioid antagonist.

2178 Section 26. Section **58-69-702** is amended to read:

2179 **58-69-702 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
 2180 **unprofessional conduct.**

2181 (1) As used in this section:

2182 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

2183 (b) "Expired opioid antagonist" means an opioid antagonist that is no more than 24
 2184 months past the month and year of the opioid antagonist's expiration date.

2185 ~~[(b)]~~ (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.

2186 ~~[(e)]~~ (d)(i) "~~[Opioid]~~ Opioid antagonist" means the same as that term is defined in
 2187 Section 26B-4-501.

2188 (ii) "Opioid antagonist" includes an expired opioid antagonist.

2189 ~~[(d)]~~ (e) "~~[Opioid-related]~~ Opioid-related drug overdose event" means the same as that
 2190 term is defined in Section 26B-4-501.

2191 ~~[(e)]~~ (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2192 (2) The prescribing or dispensing of an ~~[opioid]~~ opioid antagonist by an individual licensed
 2193 under this chapter to engage in the practice of dentistry is not unprofessional or unlawful
 2194 conduct if the licensee prescribed or dispensed the ~~[opioid]~~ opioid antagonist:

2195 (a) in a good faith effort to assist:

2196 (i) an individual who is at increased risk of experiencing an ~~[opioid-related]~~
 2197 opioid-related drug overdose event; or

2198 (ii) a family member of, friend of, or other person, including a person described in
 2199 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2200 assist an individual who is at increased risk of experiencing an ~~[opioid-related]~~
 2201 opioid-related drug overdose event; or

2202 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).

2203 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2204 not establish a duty or standard of care in the prescribing, dispensing, or administration

2205 of an [~~opiate~~] opioid antagonist.

2206 Section 27. Section **58-70a-505** is amended to read:

2207 **58-70a-505 (Effective 05/06/26). Opioid antagonist -- Exclusion from unlawful or**
 2208 **unprofessional conduct.**

2209 (1) As used in this section:

2210 (a) "Dispense" means the same as that term is defined in Section 58-17b-102.

2211 (b) "Expired opioid antagonist" means an opioid antagonist that is no more than 24
 2212 months past the month and year of the opioid antagonist's expiration date.

2213 [~~(b)~~] (c) "Increased risk" means the same as that term is defined in Section 26B-4-501.

2214 [~~(c)~~] (d)(i) "~~[Opiate]~~ Opioid antagonist" means the same as that term is defined in
 2215 Section 26B-4-501.

2216 (ii) "Opioid antagonist" includes an expired opioid antagonist.

2217 [~~(d)~~] (e) "~~[Opiate-related]~~ Opioid-related drug overdose event" means the same as that
 2218 term is defined in Section 26B-4-501.

2219 [~~(e)~~] (f) "Prescribe" means the same as that term is defined in Section 58-17b-102.

2220 (2) The prescribing or dispensing of an [~~opiate~~] opioid antagonist by a licensee under this
 2221 chapter is not unprofessional or unlawful conduct if the licensee prescribed or dispensed
 2222 the [~~opiate~~] opioid antagonist:

2223 (a) in a good faith effort to assist:

2224 (i) an individual who is at increased risk of experiencing an [~~opiate-related]~~
 2225 opioid-related drug overdose event; or

2226 (ii) a family member of, friend of, or other person, including a person described in
 2227 Subsections 26B-4-512(1)(a)(i)(A) through (1)(a)(i)(F), that is in a position to
 2228 assist an individual who is at increased risk of experiencing an [~~opiate-related]~~
 2229 opioid-related drug overdose event; or

2230 (b) to an overdose outreach provider pursuant to Subsection 26B-4-509(2)(a)(iii).

2231 (3) The provisions of this section and Title 26B, Chapter 4, Part 5, Treatment Access, do
 2232 not establish a duty or standard of care in the prescribing, dispensing, or administration
 2233 of an [~~opiate~~] opioid antagonist.

2234 Section 28. Section **63I-1-258** is amended to read:

2235 **63I-1-258 (Effective 05/06/26). Repeal dates: Title 58.**

2236 (1) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed
 2237 July 1, 2026.

2238 (2) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2035.

- 2239 (3) Title 58, Chapter 20b, Environmental Health Scientist Act, is repealed July 1, 2028.
- 2240 (4) Section 58-37-3.5, Drugs for behavioral health treatment, is repealed July 1, 2027.
- 2241 (5) Subsection 58-37-6(7)(f)(iii), regarding a seven-day [~~opiate~~] opioid supply restriction, is
2242 repealed July 1, 2032.
- 2243 (6) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, 2033.
- 2244 (7) Title 58, Chapter 41, Speech-Language Pathology and Audiology Licensing Act, is
2245 repealed July 1, 2029.
- 2246 (8) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1,
2247 2033.
- 2248 (9) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2034.
- 2249 (10) Subsection 58-47b-102(8), defining massage assistant, is repealed July 1, 2029.
- 2250 (11) Subsection 58-47b-102(9), defining massage assistant-in-training, is repealed July 1,
2251 2029.
- 2252 (12) Subsection 58-47b-302(1), regarding applicant for a massage assistant-in-training, is
2253 repealed July 1, 2029.
- 2254 (13) Subsection 58-47b-302(2), regarding applicant for a massage assistant, is repealed July
2255 1, 2029.
- 2256 (14) Subsection 58-47b-303(3)(b), regarding expiration of a massage assistant-in-training
2257 license, is repealed July 1, 2029.
- 2258 (15) Subsection 58-55-201(2), regarding the Alarm System and Security Licensing
2259 Advisory Board, is repealed July 1, 2027.
- 2260 (16) Title 58, Chapter 61, Part 7, Behavior Analyst Licensing Act, is repealed July 1, 2026.
2261 Section 29. Section **63J-1-602.2** is amended to read:
- 2262 **63J-1-602.2 (Effective 05/06/26) (Partially Repealed 07/01/29). List of nonlapsing**
2263 **appropriations to programs.**
- 2264 Appropriations made to the following programs are nonlapsing:
- 2265 (1) The Legislature and the Legislature's committees.
- 2266 (2) The State Board of Education, including all appropriations to agencies, line items, and
2267 programs under the jurisdiction of the State Board of Education, in accordance with
2268 Section 53F-9-103.
- 2269 (3) The Rangeland Improvement Act created in Section 4-20-101.
- 2270 (4) The Percent-for-Art Program created in Section 9-6-404.
- 2271 (5) The LeRay McAllister Working Farm and Ranch Fund Program created in Title 4,
2272 Chapter 46, Part 3, LeRay McAllister Working Farm and Ranch Fund.

- 2273 (6) The Utah Lake Authority created in Section 11-65-201.
- 2274 (7) Dedicated credits accrued to the Utah Marriage Commission as provided under
2275 Subsection 17-66-303(2)(d)(ii).
- 2276 (8) The Wildlife Land and Water Acquisition Program created in Section 23A-6-205.
- 2277 (9) Sanctions collected as dedicated credits from Medicaid providers under Subsection
2278 26B-3-108(7).
- 2279 (10) The primary care grant program created in Section 26B-4-310.
- 2280 (11) The [Opiate] Opioid Overdose Outreach Pilot Program created in Section 26B-4-512.
- 2281 (12) The Utah Health Care Workforce Financial Assistance Program created in Section
2282 26B-4-702.
- 2283 (13) The Rural Physician Loan Repayment Program created in Section 26B-4-703.
- 2284 (14) The Utah Medical Education Council for the:
- 2285 (a) administration of the Utah Medical Education Program created in Section 26B-4-707;
2286 (b) provision of medical residency grants described in Section 26B-4-711; and
2287 (c) provision of the forensic psychiatric fellowship grant described in Section 26B-4-712.
- 2288 (15) The Division of Services for People with Disabilities, as provided in Section 26B-6-402.
- 2289 (16) The Communication Habits to reduce Adolescent Threats (CHAT) Pilot Program
2290 created in Section 26B-7-122.
- 2291 (17) Funds that the Department of Alcoholic Beverage Services retains in accordance with
2292 Subsection 32B-2-301(8)(a) or (b).
- 2293 (18) The General Assistance program administered by the Department of Workforce
2294 Services, as provided in Section 35A-3-401.
- 2295 (19) The Utah National Guard, created in Title 39A, National Guard and Militia Act.
- 2296 (20) The Search and Rescue Financial Assistance Program, as provided in Section
2297 53-2a-1102.
- 2298 (21) The Emergency Medical Services Grant Program, as provided in Section 53-2d-207.
- 2299 (22) The Motorcycle Rider Education Program, as provided in Section 53-3-905.
- 2300 (23) The Utah Board of Higher Education for teacher preparation programs, as provided in
2301 Section 53H-5-402.
- 2302 (24) Innovation grants under Section 53G-10-608, except as provided in Subsection
2303 53G-10-608(3).
- 2304 (25) The Division of Fleet Operations for the purpose of upgrading underground storage
2305 tanks under Section 63A-9-401.
- 2306 (26) The Division of Technology Services for technology innovation as provided under

- 2307 Section 63A-16-903.
- 2308 (27) The State Capitol Preservation Board created by Section 63O-2-201.
- 2309 (28) The Office of Administrative Rules for publishing, as provided in Section 63G-3-402.
- 2310 (29) The Colorado River Authority of Utah, created in Title 63M, Chapter 14, Colorado
- 2311 River Authority of Utah Act.
- 2312 (30) The Governor's Office of Economic Opportunity to fund the Enterprise Zone Act, as
- 2313 provided in Title 63N, Chapter 2, Part 2, Enterprise Zone Act.
- 2314 (31) The Governor's Office of Economic Opportunity's Rural Employment Expansion
- 2315 Program, as described in Title 63N, Chapter 4, Part 4, Rural Employment Expansion
- 2316 Program.
- 2317 (32) County correctional facility contracting program for state inmates as described in
- 2318 Section 64-13e-103.
- 2319 (33) County correctional facility reimbursement program for state probationary inmates and
- 2320 state parole inmates as described in Section 64-13e-104.
- 2321 (34) Programs for the Jordan River Recreation Area as described in Section 65A-2-8.
- 2322 (35) The Division of Human Resource Management user training program, as provided in
- 2323 Section 63A-17-106.
- 2324 (36) A public safety answering point's emergency telecommunications service fund, as
- 2325 provided in Section 69-2-301.
- 2326 (37) The Traffic Noise Abatement Program created in Section 72-6-112.
- 2327 (38) The money appropriated from the Navajo Water Rights Negotiation Account to the
- 2328 Division of Water Rights, created in Section 73-2-1.1, for purposes of participating in a
- 2329 settlement of federal reserved water right claims.
- 2330 (39) The Judicial Council for compensation for special prosecutors, as provided in Section
- 2331 77-10a-19.
- 2332 (40) A state rehabilitative employment program, as provided in Section 78A-6-210.
- 2333 (41) The Utah Geological Survey, as provided in Section 79-3-401.
- 2334 (42) The Bonneville Shoreline Trail Program created under Section 79-5-503.
- 2335 (43) Adoption document access as provided in Sections 81-13-103, 81-13-504, and
- 2336 81-13-505.
- 2337 (44) Indigent defense as provided in Title 78B, Chapter 22, Part 4, Utah Indigent Defense
- 2338 Commission.
- 2339 (45) The program established by the Division of Facilities Construction and Management
- 2340 under Section 63A-5b-703 under which state agencies receive an appropriation and pay

- 2341 lease payments for the use and occupancy of buildings owned by the Division of
2342 Facilities Construction and Management.
- 2343 (46) The State Tax Commission for reimbursing counties for deferrals in accordance with
2344 Section 59-2-1802.5.
- 2345 (47) The Veterinarian Education Loan Repayment Program created in Section 4-2-902.
2346 Section 30. Section **64-13-45** is amended to read:
2347 **64-13-45 (Effective 05/06/26). Department reporting requirements.**
- 2348 (1) As used in this section:
- 2349 (a) "Biological sex at birth" means the same as that term is defined in Section 26B-8-101.
- 2350 (b)(i) "In-custody death" means an inmate death that occurs while the inmate is in the
2351 custody of the department.
- 2352 (ii) "In-custody death" includes an inmate death that occurs while the inmate is:
2353 (A) being transported for medical care; or
2354 (B) receiving medical care outside of a correctional facility, other than a county
2355 jail.
- 2356 (c) "Inmate" means an individual who is processed or booked into custody or housed in
2357 the department or a correctional facility other than a county jail.
- 2358 (d) "[~~Opiate~~] Opioid" means the same as that term is defined in Section 58-37-2.
- 2359 (e) "Transgender inmate" means the same as that term is defined in Section 64-13-7.
- 2360 (2) The department shall submit a report to the State Commission on Criminal and Juvenile
2361 Justice created in Section 63M-7-201 before June 15 of each year that includes:
- 2362 (a) the number of in-custody deaths that occurred during the preceding calendar year,
2363 including:
- 2364 (i) the known, or discoverable on reasonable inquiry, causes and contributing factors
2365 of each of the in-custody deaths described in Subsection (2)(a); and
2366 (ii) the department's policy for notifying an inmate's next of kin after the inmate's
2367 in-custody death;
- 2368 (b) the department policies, procedures, and protocols:
- 2369 (i) for treatment of an inmate experiencing withdrawal from alcohol or substance use,
2370 including use of [~~opiates~~] opioids;
- 2371 (ii) that relate to the department's provision, or lack of provision, of medications used
2372 to treat, mitigate, or address an inmate's symptoms of withdrawal, including
2373 methadone and all forms of buprenorphine and naltrexone; and
2374 (iii) that relate to screening, assessment, and treatment of an inmate for a substance

- 2375 use disorder or mental health disorder;
- 2376 (c) the number of inmates who gave birth and were restrained in accordance with
- 2377 Section 64-13-46, including:
- 2378 (i) the types of restraints used; and
- 2379 (ii) whether the use of restraints was to prevent escape or to ensure the safety of the
- 2380 inmate, medical or corrections staff, or the public;
- 2381 (d) the number of transgender inmates that are assigned to a living area with inmates
- 2382 whose biological sex at birth do not correspond with the transgender inmate's
- 2383 biological sex at birth in accordance with Section 64-13-7, including:
- 2384 (i) the results of the individualized security analysis conducted for each transgender
- 2385 inmate in accordance with Subsection 64-13-7(5)(a); and
- 2386 (ii) a detailed explanation regarding how the security conditions described in
- 2387 Subsection 64-13-7(5)(b) are met for each transgender inmate;
- 2388 (e) the number of transgender inmates that were:
- 2389 (i) assigned to a living area with inmates whose biological sex at birth do not
- 2390 correspond with the transgender inmate's biological sex at birth; and
- 2391 (ii) removed and assigned to a living area with inmates whose biological sex at birth
- 2392 corresponds with the transgender inmate's biological sex at birth in accordance
- 2393 with Subsection 64-13-7(6); and
- 2394 (f) any report the department provides or is required to provide under federal law or
- 2395 regulation relating to inmate deaths.
- 2396 (3) The State Commission on Criminal and Juvenile Justice shall:
- 2397 (a) compile the information from the reports described in Subsection (2);
- 2398 (b) omit or redact any identifying information of an inmate in the compilation to the
- 2399 extent omission or redaction is necessary to comply with state and federal law ; and
- 2400 (c) submit the compilation to the Law Enforcement and Criminal Justice Interim
- 2401 Committee and the Utah Substance Use and Mental Health Advisory Committee
- 2402 before November 1 of each year.
- 2403 (4) The State Commission on Criminal and Juvenile Justice may not provide access to or
- 2404 use the department's policies, procedures, or protocols submitted under this section in a
- 2405 manner or for a purpose not described in this section.

2406 Section 31. **Effective Date.**

2407 This bill takes effect on May 6, 2026.