

**PARTIAL FILLING OF A SCHEDULE II CONTROLLED
SUBSTANCE PRESCRIPTION**

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stewart E. Barlow

Senate Sponsor: _____

LONG TITLE

General Description:

This bill establishes limits on federally authorized partial filling of Schedule II controlled substance prescriptions.

Highlighted Provisions:

This bill:

- specifies the conditions under which certain Schedule II controlled substance prescriptions may be partially filled; and
- requires rulemaking.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

58-17b-610.6, Utah Code Annotated 1953

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

Section 1. Section **58-17b-610.6** is enacted to read:

58-17b-610.6. Partial filling of a Schedule II controlled substance prescription.



(1) For purposes of this section, "Schedule II controlled substance" means a substance classified as a Schedule II controlled substance by the federal Controlled Substances Act, Title II, Pub.L. No. 91-513 et seq., or Section 58-37-4.

(2) A prescription for a Schedule II controlled substance for a patient in a long-term care facility or a patient with a terminal illness may be partially filled in accordance with federal law.

(3) A prescription for a Schedule II controlled substance for a patient other than a patient described in Subsection (2) may be partially filled:

(a) at the request of the patient or the practitioner who issued the prescription;

(b) not more than twice;

(c) unless the practitioner specifies otherwise:

(i) the first time in an amount equal to, or closely approximating, 25% of the supply prescribed; and

(ii) the second time in an amount equal to, or closely approximating, 75% of the supply prescribed;

(d) for the first time or a second time no later than 30 days after the prescription is issued;

(e) only if the amount prescribed does not exceed a 14-day supply; and

(f) in accordance with federal law and rules made under Subsection (5).

(4) The sum of the amounts dispensed by the partial filling of a prescription under Subsection (3) may not exceed the total amount prescribed.

(5) The division shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

(a) specifying how to record the date, quantity supplied, and quantity remaining of a prescription partially filled under Subsection (3); and

(b) otherwise necessary for the implementation of Subsections (2) and (3).

Legislative Review Note
Office of Legislative Research and General Counsel