

Representative Norman K. Thurston proposes the following substitute bill:

PRESCRIPTION DRUG IMPORTATION PROGRAM

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K. Thurston

Senate Sponsor: Curtis S. Bramble

6	Cosponsors:	Suzanne Harrison	Raymond P. Ward
7	Stewart E. Barlow	Marie H. Poulson	Mike Winder
8	Jennifer Dailey-Provost	Marc K. Roberts	

LONG TITLE

General Description:

This bill requires the Department of Health to submit certain requests regarding import prescription drugs.

Highlighted Provisions:

This bill:

- ▶ requires the Department of Health to request certification for the importation of prescription drugs; and
- ▶ creates a sunset date for the provisions of this bill.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



25 **63I-1-226**, as last amended by Laws of Utah 2018, Chapters 180, 281, 384, 430, and
26 468

27 ENACTS:

28 **23-1-41**, Utah Code Annotated 1953

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

31 Section 1. Section **23-1-41** is enacted to read:

32 **23-1-41. Request for certification of Canadian drug importation.**

33 (1) Before October 1, 2019, the department shall submit a request to the secretary of
34 the United States Department of Health and Human Services to:

35 (a) certify to the United States Congress under 21 U.S.C. Sec. 384(l) that a wholesale
36 importation program can be implemented in a manner that:

37 (i) poses no additional risk to the public's health and safety; and

38 (ii) results in a significant reduction in the cost of covered products to the Utah
39 consumer; and

40 (b) review information in the department's request to determine whether the request
41 meets the requirements in 21 U.S.C. Sec. 384(l).

42 (2) The request described in Subsection (1) shall contain:

43 (a) the findings of any prescription drug importation study that is available to the
44 department;

45 (b) a description of how the Utah prescription drug importation program will be
46 designed by the department to:

47 (i) comply with existing state and federal law; and

48 (ii) ensure no additional risk to the public's health and safety; and

49 (c) an estimate of the reduction in the cost of covered products and health insurance
50 premiums to Utah consumers.

51 (3) If the department does not believe that the department will be able to submit the
52 request described in Subsection (1) before October 1, 2019, the department shall report to the
53 Health and Human Services Interim Committee before October 1, 2019, on:

54 (a) the reason for the delay in submitting the request;

55 (b) any steps that the department has taken to prepare the request; and

56 (c) when the department believes that the request will be ready for submission.

57 (4) If the request described in Subsection (1) is not granted by the secretary, the
58 department shall submit a new request in accordance with the requirements in Subsection (1)
59 on or before October 1 of each year until the earlier of:

60 (a) authorization of the request under Subsection (1); or

61 (b) October 1, 2024.

62 (5) On or before December 1 of each year that the department submits a request under
63 Subsection (1) or (4), the department shall submit a written report to the Health and Human
64 Services Interim Committee regarding the results of the request and any updated findings and
65 recommendations.

66 (6) The department shall seek grant funding to prepare a request under this section.

67 Section 2. Section **63I-1-226** is amended to read:

68 **63I-1-226. Repeal dates, Title 26.**

69 (1) Section 26-1-40 is repealed July 1, 2019.

70 (2) Section 26-1-41 is repealed January 1, 2025.

71 [~~2~~] (3) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed
72 July 1, 2025.

73 [~~3~~] (4) Section 26-10-11 is repealed July 1, 2020.

74 [~~4~~] (5) Subsection 26-18-417(3) is repealed July 1, 2020.

75 [~~5~~] (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,
76 2024.

77 [~~6~~] (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,
78 2024.

79 [~~7~~] (8) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is
80 repealed July 1, 2024.

81 [~~8~~] (9) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1,
82 2019.

83 [~~9~~] (10) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed January 1,
84 2019.

85 [~~10~~] (11) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is
86 repealed July 1, 2026.