

1 **CONTROLLED SUBSTANCE DATABASE NOTIFICATION**

2 **AMENDMENTS**

3 2019 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kim F. Coleman**

6 Senate Sponsor: _____

8 **LONG TITLE**

9 **General Description:**

10 This bill amends provisions related to information in the Controlled Substance
11 Database.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ defines terms;
- 15 ▶ authorizes a practitioner to request that the Division of Occupational and
16 Professional Licensing alert users of the Controlled Substance Database that a
17 patient is at elevated risk of misusing a prescription drug; and
- 18 ▶ specifies how a request may be submitted, accessed, or deleted.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 ENACTS:

25 **58-37f-705**, Utah Code Annotated 1953

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



28 Section 1. Section **58-37f-705** is enacted to read:

29 **58-37f-705. Notification of elevated risk of addiction to a controlled substance.**

30 (1) As used in this section, "practitioner" means a dispenser or a prescriber as those
31 terms are defined in Section [58-37f-304](#).

32 (2) (a) Before July 1, 2020, the division shall program the database to notify a
33 practitioner that a patient is exhibiting behaviors that indicate a high risk that the patient is
34 addicted to a controlled substance.

35 (b) The notification in Subsection (2)(a) shall be included in a patient's profile in the
36 database if a practitioner submits sufficient information, as defined by the division by rule
37 made in collaboration with the Department of Health and the Controlled Substances Advisory
38 Committee created in Section [58-38a-201](#), to indicate that the patient is exhibiting behaviors
39 that indicate a high risk that the patient is addicted to a controlled substance.

40 (3) A practitioner submitting information to the division under Subsection (2)(b):

41 (a) shall submit:

42 (i) the patient's name and information required by division rule to accurately identify
43 the patient;

44 (ii) the practitioner's name, phone number, email address, and other contact
45 information required by division rule;

46 (iii) the reason for the practitioner's belief that the patient is addicted to a controlled
47 substance; and

48 (iv) recommendations for other prescribers, including a description of the types of
49 controlled substances that should not be prescribed to the patient; and

50 (b) may not disclose confidential patient information in violation of the provisions of
51 the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110
52 Stat. 1936, as amended, or other applicable law.

53 (4) The notification described in Subsection (2)(a) shall include a mechanism for the
54 user to obtain the information about the patient that a practitioner submitted to the division
55 under Subsection (3).

56 (5) (a) A practitioner who submits information under Subsection (3) may, at any time,
57 request that the division permanently remove from the database:

58 (i) a portion of the information; or

59 (ii) the notification and all of the information associated with the notification.

60 (b) The division shall delete the information within five days after the day on which the

61 division receives the request to delete information under Subsection (5)(a).