



Utah

State-Specific Controlled Substance Requirements

Updated 6/25/23

<p>Biennial Inventory (DEA):</p>	<p>A physical inventory of all controlled substances on hand must be taken at least every <u>two years</u>. The biennial inventory may be taken on any date, which is within two years of the previous biennial or initial inventory. [21 CFR 1304.11]</p> <p>NOTE:</p> <ul style="list-style-type: none"> • Separate biennial inventories must be completed for schedule II and schedule III-V controlled substances. • Biennials may be conducted more frequently than every two years. As a recommendation, conduct your DEA biennial inventory at the same time you conduct your annual inventory for the state. • Biennial inventories must be conducted by the DEA registrant, or their designee who has been granted Power of Attorney, along with an authorized witness. <p>Biennial inventories must indicate whether they are conducted at the start or close of business.</p>
<p>Annual Inventory (UT):</p>	<p>Requirement for annual controlled substances inventory shall be within 12 months following the inventory date of each year and may be taken within four days of the specified inventory date and shall include stocks including out-of-date drugs and drugs in automated pharmacy systems. Utah Admin. Code 156-17b-605</p>
<p>CE:</p>	<p><u>Veterinarian</u>: 24 hours every 2 years <u>General medicine topics</u>: 24 hours if approved by national, state, and local associations</p> <ul style="list-style-type: none"> • Online or home study: 24 hours allowed, All 24 hours can be obtained online. • All 24 CE hours must be directly related to professional practice • No more than 6 CE hours can be in the topic of practice management. • 1 CE hour must be devoted to topics that improve diversity, equity, and inclusion in the veterinary workplace for clients, employees, and recruitment. <p>See Section 156-28-304a for board approved CE parameters.</p> <p>1 CE hour must be specifically related to recognizing opioid use and dependency in office staff, clients and co-workers per Section 156-28-304a(1)(b).</p> <p><u>Veterinarian Tech</u>: N/A</p> <p>The licensees shall maintain their CE records for two years after the end of the two-year renewal cycle that the continuing education is due.</p>
<p>Compounding:</p>	<p>"8.2.10 Compounding of a controlled substance by a practitioner is permitted as long as the United States Pharmacopoeia (USP) 795 and 797 standards and guidelines are followed." 24 Del. Admin. Code § 8.0</p> <p><u>Compounding</u> is <u>any manipulation</u> of a drug beyond that stipulated on the drug label. Veterinary drugs should only be compounded based on a licensed veterinarian's prescription, and to meet the medical needs of a specific patient. Manipulation might include mixing, diluting, concentrating, flavoring, or changing a drug's dosage form. Examples of compounding include:</p> <ul style="list-style-type: none"> • Mixing two injectable drugs in the same syringe • Creating an oral suspension from crushed tablets or an injectable solution • Adding flavoring to a commercially available drug • Creating a transdermal gel for a drug typically taken through other routes • Mixing two solutions for instilling into the ear



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	<p><u>UT Compounding:</u></p> <p>(a) "<u>Compounding</u>" means the preparation, mixing, assembling, packaging, or labeling of a limited quantity drug, sterile product, or device:</p> <ul style="list-style-type: none"> (i) as the result of a practitioner's prescription order or initiative based on the practitioner, patient, or pharmacist relationship in the course of professional practice; (ii) for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale or dispensing; or (iii) in anticipation of prescription drug orders based on routine, regularly observed prescribing patterns. <p>(b) "<u>Compounding</u>" does not include:</p> <ul style="list-style-type: none"> (i) the preparation of prescription drugs by a pharmacist or pharmacy intern for sale to another pharmacist or pharmaceutical facility; (ii) the preparation by a pharmacist or pharmacy intern of any prescription drug in a dosage form which is regularly and commonly available from a manufacturer in quantities and strengths prescribed by a practitioner; or (iii) the preparation of a prescription drug, sterile product, or device which has been withdrawn from the market for safety reasons.
<p>Dispensing:</p>	<p>"<u>Dispense</u>" means the interpretation, evaluation, and implementation of a prescription drug order or device or nonprescription drug or device under a lawful order of a practitioner in a suitable container appropriately labeled for subsequent administration to or use by a patient, research subject, or an animal.</p> <p>(23) "<u>Dispensing medical practitioner</u>" means an individual who is:</p> <ul style="list-style-type: none"> (a) currently licensed as: <ul style="list-style-type: none"> (i) a physician and surgeon under Chapter 67, Utah Medical Practice Act; (ii) an osteopathic physician and surgeon under Chapter 68, Utah Osteopathic Medical Practice Act; (iii) a physician assistant under Chapter 70a, Utah Physician Assistant Act; (iv) a nurse practitioner under Chapter 31b, Nurse Practice Act; or (v) an optometrist under Chapter 16a, Utah Optometry Practice Act, if the optometrist is acting within the scope of practice for an optometrist; and (b) licensed by the division under the Pharmacy Practice Act to engage in the practice of a dispensing medical practitioner. <p>(24) "<u>Dispensing medical practitioner clinic pharmacy</u>" means a closed-door pharmacy located within a licensed dispensing medical practitioner's place of practice.</p> <p>(25) "<u>Distribute</u>" means to deliver a drug or device other than by administering or dispensing.</p>
<p>Diversion Reporting:</p>	<p>" A licensee who experiences any theft, including diversion, or significant loss of controlled substances shall immediately:</p> <ul style="list-style-type: none"> (a) file the appropriate forms with the DEA, with a copy to the Division directed to the attention of the Investigation Bureau; and (b) report the incident to the local law enforcement agency. <p>" Utah Admin. Code 156-37-602</p>
<p>Euthanasia:</p>	<p>Euthanasia may be performed by:</p> <ul style="list-style-type: none"> ▪ Licensed Veterinarians ▪ Animal Shelter Employee who is acting under the indirect supervision of a licensed veterinarian



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Ownership:	Non-veterinarian ownership is allowed but a licensed veterinarian is required to be on the clinic/hospital premises permit as the licensee responsible for the clinic.
Power of Attorney:	The power of attorney document must be signed by the principal before a notary public. If the principal is not able to physically sign the document, then another person acting at the principal's direction in the principal's conscious presence may sign the document before a notary public.
Prescribing:	<p>"Prescribe" means to issue a prescription:</p> <ul style="list-style-type: none"> (a) orally or in writing; or (b) by telephone, facsimile transmission, computer, or other electronic means of communication as defined by division rule. <p>(63) "Prescription" means an order issued:</p> <ul style="list-style-type: none"> (a) by a licensed practitioner in the course of that practitioner's professional practice or by collaborative pharmacy practice agreement; and (b) for a controlled substance or other prescription drug or device for use by a patient or an animal. <p>(64) "Prescription device" means an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, and any component part or accessory, which is required under federal or state law to be prescribed by a practitioner and dispensed by or through a person or entity licensed under this chapter or exempt from licensure under this chapter.</p> <p>(65) "Prescription drug" means a drug that is required by federal or state law or rule to be dispensed only by prescription or is restricted to administration only by practitioners.</p> <p><u>E-prescribing</u>: mandated e-prescribing for all controlled substances took effect on January 1, 2022. Licensed veterinarians are exempt under Chapter 28, Veterinary Practice Act;</p>
PMP (UT CSDB):	Utah Controlled Substances Database Program (UT CSDB). Enrollment in the PDMP is required for prescribers, and its use is required for both prescribers and dispensers. Veterinarians can voluntarily enroll in PDMP as data requesters.
Recordkeeping:	<p><u>Patient records</u>: the medical records of a patient must be maintained for a minimum of five years from the date the patient was last treated. ." Utah Admin. Code 156-37-602</p> <p><u>Controlled substance records</u>: Each record required by federal and state laws or rules shall be maintained by the licensee for five years.</p> <p><u>Prescription records</u>: may be maintained electronically if the original of each prescription, including telephone prescriptions, is maintained in a physical file and contains the information required by federal and state law" Utah Admin. Code 156-37-602</p>
State-Scheduled CS's:	Butalbital & Butalbital containing products are a schedule III controlled substance.
State CS License:	<p>Utah does require DEA registrant practitioners to obtain a second state controlled substance license prior to a DEA registration to practice in Utah.</p> <p>Apply for a UT CSL</p> <p><u>Renewal</u>: Licenses expire on May 31 of odd years.</p> <p>At least 60 days prior to the expiration date of a license, DOPL will mail a renewal notice to the licensee's address of record as provided to DOPL by the individual licensee. (Failure to notify DOPL of an address change could prevent a licensee from timely receiving renewal notification and other important correspondence from DOPL.)</p> <p><u>Renewal Fee</u>: \$133</p>



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<p>Supervision:</p>	<p>"<u>Direct supervision</u>" means a veterinarian licensed under this chapter is present and available for face-to-face contact with the patient and person being supervised, at the time the patient is receiving veterinary care.</p> <p>"<u>Immediate supervision</u>" means the veterinarian licensed under this chapter is present with the individual being supervised, while the individual is performing the delegated tasks.</p> <p>"<u>Indirect supervision</u>" means a veterinarian licensed under this chapter:</p> <ul style="list-style-type: none"> (a) has given either written or verbal instructions for veterinary care of a patient to the person being supervised; and (b) is available to the person being supervised by telephone or other electronic means of communication during the period of time in which the veterinary care is given to the patient. <p>(4) <u>Levels of supervision are defined as follows:</u></p> <p>(a) "<u>Direct supervision</u>" and "<u>immediate supervision</u>" mean the supervising licensee is present and available for face-to-face communication with the person being supervised when and where occupational or professional services are being provided.</p> <p>(b) "<u>Indirect supervision</u>" means the supervising licensee:</p> <ul style="list-style-type: none"> (i) has given either written or verbal instructions to the person being supervised; (ii) is present in the facility or located on the same premises where the person being supervised is providing services; and (iii) is available to provide immediate face-to-face communication with the person being supervised as necessary. <p>(c) "<u>General supervision</u>" means that the supervising licensee:</p> <ul style="list-style-type: none"> (i) has authorized the work to be performed by the person being supervised; (ii) is available for consultation with the person being supervised by personal face-to-face contact, or direct voice contact by electronic or other means, without regard to whether the supervising licensee is present in the facility or located on the same premises where the person being supervised is providing services; (iii) can provide any necessary consultation within a reasonable period of time; and (iv) personal contact is routine. <p>(5) "<u>Supervising licensee</u>" means a licensee who has satisfied the requirements to act as a supervisor and has agreed to supervise an unlicensed individual or a licensee in a classification or licensure status that requires supervision in accordance with this chapter</p> <p>Supervision requirements</p>
<p>Telemedicine:</p>	<p>No existing law. Where telemedicine occurs is not defined.</p>
<p>Veterinary Professional License:</p>	<p><u>Veterinary:</u></p> <ul style="list-style-type: none"> ▪ Renewal: renewed every two years. Licenses expire on September 30 of even years. ▪ September 30, 2024 is the next license renewal deadline in Utah. <p><u>Display:</u> 58-28-303. A licensed veterinarian shall display the veterinarian's license in a conspicuous place in the veterinarian's principal place of business. The division may revoke any license which is not displayed in accordance with this section.</p> <p>Utah Veterinary License Application Renew a License Update License Application for Inactive Licensure</p> <p><u>Veterinary Technician:</u> Prior to 2020, Credentialed Veterinary Technicians were not recognized in Utah. In October 2020 the Utah Veterinary State Practice Act was updated to include a State</p>



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	<p>Certified Veterinary Technician. While the roles of "veterinary technician" and "veterinary assistant" are still interchangeable in the eyes of Utah law, the term "Certified Veterinary Technician" are protected in the state practice act. At this time, Utah does not require that Veterinary Technicians take the Veterinary Technician National Exam (VTNE) test.</p> <ul style="list-style-type: none"> ▪ Renewal: renewed every two years. Licenses expire on September 30 of even years. ▪ September 30, 2024 is the next license renewal deadline in Utah. <p>Veterinary Technician License Application</p>
<p>VCPR:</p>	<p>VCPR must be established in-person and only applies to one veterinarian.</p> <p>"Veterinarian-client-patient relationship" means:</p> <p>(a) a veterinarian licensed under this chapter has assumed responsibility for making clinical judgements regarding the health of an animal and the need for medical treatment of an animal, and the client has agreed to follow the veterinarian's instructions;</p> <p>(b) the veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal, including knowledge of the keeping and care of the animal as a result of recent personal examination of the animal or by medically appropriate visits to the premises where the animal is housed; and</p> <p>(c) The veterinarian has arranged for emergency coverage for follow-up evaluation in the event of adverse reaction or the failure of the treatment regimen (U.C.A. 1953 § 58-28-102).</p> <p>A licensee may only practice under a veterinarian-client-patient relationship and a veterinarian-client-patient relationship may not be established solely by telephone or other electronic means. (U.C.A. 1953 § 58-28-604)</p>

Information and Resources

FEDERAL:

Drug Enforcement Administration, Denver Division
 12154 East Easter Avenue
 Centennial
 Denver, CO 80112
 Phone: (720) 895-4040

Local DEA Offices

- Salt Lake City - (801) 524-4156
- St. George - (435) 673-6255

Federal Law: www.deadiversion.usdoj.gov

Controlled Substances Act: [21 USC 801 – 904](#)

Code of Federal Regulations: [21 CFR Part 1300 – 1399](#)

NDC drug: www.fda.gov/Drugs/DevelopmentApprovalProcess/UCM070829

Diversion Control Division: <https://www.deadiversion.usdoj.gov/schedules/>



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STATE:

Utah Board of Veterinary Medicine website: <https://dopl.utah.gov/vet/>

Utah Board of Pharmacy website: <https://dopl.utah.gov/pharm/index.html>