

UTAH BOARD OF PHARMACY

Newsletter to Promote Pharmacy and Drug Law Compliance.

Utah Legislative Update 2026: Improving Drug Access and PBM Reform

By Joseph Simpson, PharmD Candidate, Class of 2026, University of Utah College of Pharmacy

Another legislative season has come and gone here in the state of Utah, with the 2026 session ending the first week of March. Several bills passed this year that impact the health care landscape in Utah. Eight bills – four house bills (HBs) and four senate bills (SBs) – specifically impact the profession of pharmacy.

HB 97 – This bill deals with medications used in operating rooms, emergency rooms, and ambulatory surgical facilities. If the drug is an antibiotic, anti-inflammatory, dilation eye drop, or an eye drop used for glaucoma, it may be sent home with a patient as long as it is labeled appropriately according to the Utah Pharmacy Practice Act. If the drug does go home with a patient, the patient

must be counseled on how to best use and administer the drug.

HB 264 – This bill, titled Prescription Medication Amendments, clarifies standing orders and the criteria for issuing them. First, there needs to be a clear clinical indication. Second, the medication being prescribed needs to be for a Food and Drug Administration (FDA)-approved indication. Finally, the medication needs to be clinically appropriate. This bill also broadens the language of how a doctor may indicate the desire for drug substitution when a pharmacy fills a prescription. Lastly, as of May 6, 2026, prescriptions will not expire until two years after the date of issuance.

Access the National Pharmacy Compliance News

A Service of the National Association of Boards of Pharmacy Foundation® (NABPF®)



Utah Legislative Update 2026: Improving Drug Access and PBM Reform

(cont)

HB 356 – A cleanup bill based on the legislation related to 340B drugs passed a few years ago. This bill extends some protections to contracted pharmacies. As a result, drug manufacturers may not require documentation or contract specifics above and beyond federal regulation, and the documents requested may not hinder the acquisition or distribution of a 340B drug.

HB 527 – Also included is HB 527 Pharmacy Pricing Amendments, or the pharmacy benefit manager (PBM) bill from this legislative session. Upon request, PBMs must make available a list that contains information on drugs subject to a maximum allowable cost (MAC), including the name of the drug, the MAC, and the National Drug Code. This list needs to be electronic, accessible via computer, and searchable. A PBM needs to provide a phone number, email, and website for appeal submission, and these appeals need to go directly to the PBM. For denied appeals, a PBM needs to provide the specific basis on which a drug may be purchased at or below the MAC. For any upheld appeal, the PBM must allow the reversal and retransmission of a claim at no additional cost to the pharmacy. Any violation may be fined up to \$2,500 per day per violation.

SB 83 – This bill aligns the state and federal scheduled drug lists in one specific circumstance.

For any Schedule I drug, if it gains FDA approval for a medical indication and is rescheduled to a schedule other than Schedule I, that change automatically takes effect in Utah.

SB 87 – This bill improves access to naloxone by allowing for the prescribing, dispensing, and administering of expired opioid antagonists up to 24 months past the printed manufacturer expiration date. If dispensed, education is required about the efficacy and risks of expired opioid antagonists.

SB 261 – This bill contains the amendments to the Pharmacy Practice Act here in the state of Utah. Collaborative practice agreements are now allowed to include the initiation of therapy. The prescriptive authority of pharmacists has been expanded to include epinephrine and vaccines. Finally, the Utah Board of Pharmacy is given authority to approve and implement a real-time, electronic tracking system for online pseudoephedrine sales. This system will need to be free of charge for the state, pharmacies, and law enforcement. Use of this system is not mandatory, but if a pharmacy does not use the system, it may not sell pseudoephedrine online.

Bills passed this year by the legislature and signed by the governor typically become effective on May 6, 2026.

DOPL Pharmacy Investigations – Inspection Reminder

By the Utah Division of Professional Licensing (DOPL) Pharmacy Investigations Team

One of the most frequent deficiencies identified during pharmacy inspections is the failure to maintain an accurate and accessible roster of licensed personnel. Per Pharmacy Practice Act Rule Section **R156-17b-614a(5)(a)-(b)**, pharmacies are legally required to keep a current record of all staff members engaged in the practice of pharmacy.

To ensure compliance and operational transparency, this list must adhere to the following standards:

1) **Mandatory Data Points**

The record is not merely a list of names; it must specifically include the following:

- **Legal Name:** The full name of each individual licensee

DOPL Pharmacy Investigations – Inspection Reminder (cont)

- **License Classification:** The specific role (eg, pharmacist, pharmacy intern, or pharmacy technician)
- **License Number:** The unique identifier issued by Utah Department of Commerce DOPL
- **Expiration Date:** The current validity period to prove the license is active

2) Accessibility and Format

While pharmacies have the flexibility to maintain this documentation in either a **paper or electronic format**, the primary requirement is that it remains “**readily retrievable.**” In

the context of an inspection, this means the staff on duty must be able to produce the document immediately upon request, without significant delay or technical hurdles.

3) Continuous Maintenance

Because the regulation specifies a “**current**” list, the document must be updated in real time to reflect new hires, terminations, or license renewals. Failing to capture these changes can result in an inspection deficiency violation, even if a partial list exists.

If you have any questions, please contact the DOPL Pharmacy Investigations team.

Recognition of Service: Carrie Dunford

DOPL and the Utah Board of Pharmacy extend their profound thanks to **Carrie Dunford** for her distinguished service. Carrie’s commitment to DOPL and the Board’s shared mission – upholding pharmacy standards

and protecting public health and safety – has been exemplary. Through her insightful leadership and steady judgment, Carrie played a vital role in shaping decisions that balanced the needs of the pharmacy profession with

the safety of the communities we serve. We thank her for her significant contributions and lasting impact.

The Utah Board of Pharmacy News is published by the Utah Board of Pharmacy and the National Association of Boards of Pharmacy Foundation® (NABPF®) to promote compliance of pharmacy and drug law. The opinions and views expressed in this publication do not necessarily reflect the official views, opinions, or policies of NABPF or the Board unless expressly so stated.

Utah Board of Pharmacy - State News Editor

doplbureau3@utah.gov

dopl.utah.gov/pharm/index.html

Lemrey “Al” Carter, PharmD, MS, RPh - National News Editor & Executive Editor

Megan Pellegrini - Publications and Editorial Manager

PO Box 146741 | Salt Lake City, UT 84114-6741