

## License Reciprocity: During State of Emergency

### Utah Code Ann. 58-1-307(4)-(5)

When an emergency declaration is in effect, the Utah Division of Occupational and Professional Licensing can suspend licensure requirements for individuals licensed in another state. An individual permitted to practice without a license must stay within their home state's scope of practice while providing aid or assistance in Utah. The Utah Division of Occupational and Professional Licensing can also modify the scope of practice for certain health care providers and can suspend licensure requirements for medical reserve corps personnel, volunteer health practitioners, and other individuals who are licensed in another state. Certain health care practitioners must distribute medicine or medical devices during the emergency and must be under the direction of a local or state health department in order to be granted licensure exemption.

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### Exemptions from licensure

(4) Upon the declaration of a national, state, or local emergency, a public health emergency as defined in Section 26-23b-102, or a declaration by the president of the United States or other federal official requesting public health-related activities, the division in collaboration with the board may:

(a) suspend the requirements for permanent or temporary licensure of individuals who are licensed in another state for the duration of the emergency while engaged in the scope of practice for which they are licensed in the other state;

(b) modify, under the circumstances described in this Subsection (4) and Subsection (5), the scope of practice restrictions under this title for individuals who are licensed under this title as:

(i) a physician under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act;

(ii) a nurse under Chapter 31b, Nurse Practice Act, or Chapter 31c, Nurse Licensure Compact;

- (iii) a certified nurse midwife under Chapter 44a, Nurse Midwife Practice Act;
- (iv) a pharmacist, pharmacy technician, or pharmacy intern under Chapter 17b, Pharmacy Practice Act;
- (v) a respiratory therapist under Chapter 57, Respiratory Care Practices Act;
- (vi) a dentist and dental hygienist under Chapter 69, Dentist and Dental Hygienist Practice Act; and
- (vii) a physician assistant under Chapter 70a, Physician Assistant Act;

(c) suspend the requirements for licensure under this title and modify the scope of practice in the circumstances described in this Subsection (4) and Subsection (5) for medical services personnel or paramedics required to be certified under Section 26-8a-302;

(d) suspend requirements in Subsections 58-17b-620(3) through (6) which require certain prescriptive procedures;

(e) exempt or modify the requirement for licensure of an individual who is activated as a member of a medical reserve corps during a time of emergency as provided in Section 26A-1-126; and

(f) exempt or modify the requirement for licensure of an individual who is registered as a volunteer health practitioner as provided in Title 26, Chapter 49, Uniform Emergency Volunteer Health Practitioners Act.

(5) Individuals exempt under Subsection (4)(c) and individuals operating under modified scope of practice provisions under Subsection (4)(b):

(a) are exempt from licensure or subject to modified scope of practice for the duration of the emergency;

(b) must be engaged in the distribution of medicines or medical devices in response to the emergency or declaration; and

(c) must be employed by or volunteering for:

(i) a local or state department of health; or

(ii) a host entity as defined in Section 26-49-102.