

58-17b-307 Qualification for licensure -- Criminal background checks.

- (1) An applicant for licensure under this chapter shall:
 - (a) submit fingerprint cards in a form acceptable to the division at the time the license application is filed; and
 - (b) consent to a fingerprint background check regarding the application by the:
 - (i) Utah Bureau of Criminal Identification; and
 - (ii) Federal Bureau of Investigation.
- (2) The division shall request the Department of Public Safety to complete a Federal Bureau of Investigation criminal background check for each applicant through the National Criminal History System (NCIC) or any successor system.
- (3) For purposes of conducting the criminal background check required in Subsection (1), the division shall have direct access to criminal background information maintained under Title 53, Chapter 10, Part 2, Bureau of Criminal Identification.
- (4)
 - (a) A new pharmacist, pharmacy intern, or pharmacy technician license issued under this section is conditional, pending completion of the criminal background check.
 - (b) Notwithstanding Title 63G, Chapter 4, Administrative Procedures Act, if the criminal background check required in Subsection (1), discloses the applicant has failed to accurately disclose a criminal history, the license is immediately and automatically revoked upon notice to the licensee by the division.
- (5) A person whose conditional license has been revoked under Subsection (4) is entitled to a postrevocation hearing to challenge the revocation. The division shall conduct the hearing in accordance with Title 63G, Chapter 4, Administrative Procedures Act.

Amended by Chapter 93, 2012 General Session