

Penalties for Prescription Fraud in Utah

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In Utah, the State legislature has reduced simple [drug possession](#) statutes so that in most circumstances, a charge for the possession of a controlled drug substance has been reduced to a misdemeanor. However, **a charge for prescription drug fraud is still considered a felony and has serious legal consequences.** A felony conviction often leads to multiple probation potentials as well as hefty fines and sentences that commonly include jail or prison time.

If you are facing prescription fraud charges, you need an experienced Utah criminal defense attorney with a winning record. Contact Wasatch Defense Lawyers for a FREE, No-Obligation Case Review at 801-845-3241 today!

Types of Prescription Fraud in Utah

The exact definition of *prescription fraud* can cast a wide umbrella. Overall, prescription fraud includes the following actions in the state of Utah:

- Stealing blank prescription forms from a doctor's office, hospital, or another health services institution.
- Impersonating a medical professional to call in a prescription.
- Forging a prescription.
- Using a forged prescription.
- Changing an existed prescription in any way.

The following factors will influence what punishment is given for any type of drug offense, including prescription fraud:

- The exact crime you are convicted.
- The location of the offense.
- The number of prior convictions.

- The amount of the controlled substance involved in the charges.
- The schedule of the involved controlled substance (from I to V).
- Whether or not minors were involved.
- If bodily harm to someone else was involved in the process of the offense

There are other aggravating and mitigating factors to consider as well. An aggravating factor might be that the charged individual is a repeat offender or that he or she assaulted a particularly vulnerable victim in the act of the offense and caused them bodily harm. Another mitigating factor would be if the accused was carrying a firearm during the offense. These conditions may stipulate a harsher sentence for the individual.

On the other hand, certain mitigating factors may help lower the sentence. For example, the charged may be a first time offender, or they may have been under mental or physical strain. Even showing genuine remorse can be a mitigating factor in a case.

Minimum Punishment Ranges in the State of Utah

Even multiple mitigating factors cannot expunge a prescription drug fraud misdemeanor or felony. There are certain minimum basic punishment ranges for every state. In Utah, punishment will likely include imprisonment and/or fines. These are the minimum charges for the different degrees of crime:

- **Class B Misdemeanors:** Up to 6 months imprisonment; fines up to \$1,000.
- **Class A Misdemeanors:** Up to 1 year imprisonment; fines up to \$2,500.
- **Third Degree Felonies:** Up to 5 years imprisonment; fines not more than \$5,000.
- **Second Degree Felonies:** Up to 15 years imprisonment; fines not more than \$10,000.
- **First Degree Felonies:** Up to life imprisonment (minimum of five years); fines up to \$10,000.

Schedules of Controlled Substances in Utah

All drugs — whether prescription, street, or otherwise — are classified into different schedules. In Utah, these schedules range from *schedule i* to *schedule v*. Each drug is categorized based on the following factors:

- Likelihood for abuse.
- Addictiveness.
- Known medical uses.

The lower the schedule number (toward *schedule i*), the more [addictive the substances are and the more severe the penalties are for drug offenses](#) having to do with those drugs. At the *schedule v* end, the substances are less addictive, and offenses involving those substances are less serious.

Here is an outline of the qualifications for each schedule i-v:

Schedule I Substances:

- High potential for abuse.
- No accepted medical uses in the U.S.
- Examples: *Marijuana, LSD, opium, cocaine, Peyote, heroin.*

Schedule II Substances:

- High potential for abuse.
- Some accepted medical uses in the U.S.

- Examples: *Ketamine, GHB.*

Schedule III Substances:

- Lower potential for abuse (when compared to *schedule i* or *schedule ii* drugs).
- Definite accepted medical uses in the U.S.
- Examples: *anabolic steroids.*

Schedule IV Substances:

- Lower potential for abuse (when compared to *schedule iii* drugs).
- Definite accepted medical uses in the U.S.
- Examples: *Ambien, Xanax.*

Schedule V Substances:

- Least potential for abuse.
- Definite and frequent accepted medical uses in the U.S.
- Examples: *Medicines that contain small amounts of opium or codeine.*

Getting Help for Prescription Fraud in Utah

If you are currently facing charges for prescription fraud in Utah, it's essential that you speak with an experienced lawyer about your defense options. Keep in mind that the faster you act, the better outcome will result for you as you face your charges. [Contact Wasatch Defense Lawyers](#) convenience for a free consultation.