

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4736**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 17745, 17751, 17754, and 17757 (MCL 333.17745,
333.17751, 333.17754, and 333.17757), sections 17745, 17751, and
17757 as amended by 2013 PA 186 and section 17754 as amended by
2013 PA 268, and by adding section 5110.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5110. (1) TO PROTECT AND PROMOTE THE PUBLIC HEALTH OF
2 INDIVIDUALS IN THIS STATE, EXPEDITED PARTNER THERAPY IS AUTHORIZED
3 AS PROVIDED IN THIS SECTION. EXPEDITED PARTNER THERAPY IS
4 AUTHORIZED TO PROTECT INDIVIDUALS IN THIS STATE FROM THE SPREAD OF
5 SEXUALLY TRANSMITTED INFECTIONS, WHICH CAN CAUSE INFERTILITY AND
6 ECTOPIC PREGNANCIES. THE DEPARTMENT MAY PROMULGATE RULES UNDER THE
7 ADMINISTRATIVE PROCEDURES ACT OF 1969 THAT IT DETERMINES NECESSARY
8 TO IMPLEMENT AND ADMINISTER THIS SECTION. IN ADDITION TO THE

1 REQUIREMENTS OF SECTION 5111, THE DEPARTMENT SHALL INCLUDE IN THE
2 LIST OF REPORTABLE DISEASES, INFECTIONS, AND DISABILITIES A
3 SEPARATE LIST OF SEXUALLY TRANSMITTED INFECTIONS FOR WHICH
4 EXPEDITED PARTNER THERAPY AS AUTHORIZED IN THIS SECTION IS
5 APPROPRIATE. IN DEVELOPING THE LIST, THE DEPARTMENT SHALL CONSULT
6 WITH THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION AND
7 HEALTH PROFESSIONALS IN THIS STATE.

8 (2) IN ADDITION TO TREATING HIS OR HER PATIENT, A HEALTH
9 PROFESSIONAL MAY PROVIDE EXPEDITED PARTNER THERAPY IF ALL OF THE
10 FOLLOWING REQUIREMENTS ARE MET:

11 (A) THE PATIENT HAS A LABORATORY-CONFIRMED OR SUSPECTED
12 CLINICAL DIAGNOSIS OF A SEXUALLY TRANSMITTED INFECTION.

13 (B) THE PATIENT INDICATES THAT HE OR SHE HAS A PARTNER WITH
14 WHOM THE PATIENT HAS ENGAGED IN SEXUAL ACTIVITY WITHIN THE 60-DAY
15 PERIOD IMMEDIATELY BEFORE THE DIAGNOSIS OF A SEXUALLY TRANSMITTED
16 INFECTION.

17 (C) THE PATIENT INDICATES THAT HIS OR HER PARTNER IS UNABLE OR
18 IS UNLIKELY TO SEEK CLINICAL SERVICES IN A TIMELY MANNER.

19 (3) A HEALTH PROFESSIONAL WHO PROVIDES EXPEDITED PARTNER
20 THERAPY AS AUTHORIZED IN THIS SECTION SHALL DO ALL OF THE
21 FOLLOWING:

22 (A) DISPENSE OR PRESCRIBE THE THERAPY IN THE NAME OF THE
23 PARTNER, IF KNOWN, WITHOUT THE PHYSICAL EXAMINATION OF THE PARTNER
24 BY THE HEALTH PROFESSIONAL. NOTWITHSTANDING ANY PROVISION OF THIS
25 ACT OR RULES TO THE CONTRARY, IF THE NAME OF THE PARTNER IS NOT
26 KNOWN, THE HEALTH PROFESSIONAL SHALL DISPENSE OR PRESCRIBE THE
27 THERAPY IN THE NAME OF "EXPEDITED PARTNER THERAPY".

1 (B) CONVEY TO THE PATIENT THAT IT IS IMPORTANT TO NOTIFY HIS
2 OR HER PARTNER OF HIS OR HER DIAGNOSIS AND THAT IT IS IMPORTANT FOR
3 THE PARTNER TO OBTAIN MEDICAL CARE FOR A COMPLETE EVALUATION,
4 TESTING FOR SEXUALLY TRANSMITTED INFECTIONS, COUNSELING, AND
5 TREATMENT.

6 (C) DISTRIBUTE TO THE PATIENT THE INFORMATION SHEET DEVELOPED
7 UNDER SUBSECTION (4).

8 (4) THE DEPARTMENT SHALL DEVELOP AND DISTRIBUTE TO LOCAL
9 HEALTH DEPARTMENTS AND, UPON REQUEST, DISTRIBUTE TO HEALTH
10 PROFESSIONALS SUBJECT TO THIS SECTION AN INFORMATION SHEET THAT
11 INCLUDES ALL OF THE FOLLOWING INFORMATION:

12 (A) A DESCRIPTION OF EXPEDITED PARTNER THERAPY AND ITS
13 PURPOSE.

14 (B) A STATEMENT THAT A COMMON THERAPY FOR CERTAIN SEXUALLY
15 TRANSMITTED INFECTIONS IS ANTIBIOTIC THERAPY AND THAT, IF THE
16 EXPEDITED PARTNER THERAPY DISPENSED OR PRESCRIBED FOR THE READER
17 INCLUDES ANTIBIOTIC THERAPY, THE INFORMATION SHEET CONTAINS
18 IMPORTANT WARNINGS AND INFORMATION OF WHICH THE READER SHOULD BE
19 AWARE.

20 (C) A WARNING THAT IDENTIFIES CONTRAINDICATIONS FOR EXPEDITED
21 PARTNER THERAPY.

22 (D) A WARNING ABOUT THE DANGERS OF ADMINISTERING CERTAIN
23 ANTIBIOTIC THERAPIES TO A PREGNANT INDIVIDUAL.

24 (E) INFORMATION ABOUT ANTIBIOTICS DISPENSED OR PRESCRIBED IN
25 ANTIBIOTIC THERAPY AND DOSAGES OF THOSE ANTIBIOTICS DISPENSED OR
26 PRESCRIBED.

27 (F) A WARNING ABOUT THE RISK OF ALLERGIES TO AND DRUG

1 INTERACTIONS WITH ANTIBIOTICS DESCRIBED IN SUBDIVISION (E).

2 (G) INFORMATION ABOUT SEXUALLY TRANSMITTED INFECTIONS, THE
3 TREATMENT OF DIAGNOSED SEXUALLY TRANSMITTED INFECTIONS, AND THE
4 PREVENTION OF SEXUALLY TRANSMITTED INFECTIONS.

5 (H) A NOTICE THAT THE PARTNER SHOULD BE TESTED FOR SEXUALLY
6 TRANSMITTED INFECTIONS.

7 (I) A NOTICE OF THE RISK TO THE PATIENT, HIS OR HER PARTNER,
8 AND OTHERS, INCLUDING THE PUBLIC HEALTH, IF A SEXUALLY TRANSMITTED
9 INFECTION IS NOT COMPLETELY TREATED.

10 (J) A NOTICE OF THE RESPONSIBILITY OF THE PATIENT TO NOTIFY
11 HIS OR HER SEXUAL PARTNERS OF THE RISK OF SEXUALLY TRANSMITTED
12 INFECTIONS AND THE IMPORTANCE OF EXAMINATION AND TREATMENT FOR
13 SEXUALLY TRANSMITTED INFECTIONS.

14 (K) A STATEMENT ADVISING ANY INDIVIDUAL WHO HAS ANY QUESTIONS
15 REGARDING ANYTHING IN THE INFORMATION SHEET TO CONTACT HIS OR HER
16 HEALTH PROFESSIONAL OR LOCAL HEALTH DEPARTMENT.

17 (L) A STATEMENT THAT THE COST OF DRUGS DISPENSED PURSUANT TO A
18 PRESCRIPTION ISSUED IN THE NAME OF EXPEDITED PARTNER THERAPY MUST
19 BE PAID BY THE INDIVIDUAL FILLING THE PRESCRIPTION IF THAT
20 INDIVIDUAL DOES NOT HAVE PRESCRIPTION DRUG COVERAGE UNDER A HEALTH
21 BENEFIT PLAN OR THIRD-PARTY REIMBURSEMENT ARRANGEMENT.

22 (5) THIS SECTION DOES NOT REQUIRE A HEALTH BENEFIT PLAN OR
23 THIRD-PARTY REIMBURSEMENT ARRANGEMENT TO PAY FOR OR PROVIDE
24 REIMBURSEMENT FOR EXPEDITED PARTNER THERAPY AUTHORIZED UNDER THIS
25 SECTION UNLESS THE PARTNER WHO RECEIVES THE THERAPY IS LISTED AS A
26 MEMBER, SUBSCRIBER, CONTRACT HOLDER, OR BENEFICIARY UNDER THE
27 HEALTH BENEFIT PLAN OR THIRD-PARTY REIMBURSEMENT ARRANGEMENT.

1 (6) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A HEALTH
2 PROFESSIONAL WHO PROVIDES EXPEDITED PARTNER THERAPY AS AUTHORIZED
3 IN THIS SECTION IS NOT LIABLE FOR DAMAGES IN A CIVIL ACTION OR
4 SUBJECT TO ADMINISTRATIVE ACTION UNDER SECTIONS 16221 AND 16226 FOR
5 PERSONAL INJURY, DEATH, OR OTHER CONSEQUENCES ARISING FROM OR
6 RELATED IN ANY WAY TO THE PROVISION OF EXPEDITED PARTNER THERAPY BY
7 THE HEALTH PROFESSIONAL. THIS SUBSECTION DOES NOT APPLY IF THE
8 ACTION OF THE HEALTH PROFESSIONAL IN PROVIDING EXPEDITED PARTNER
9 THERAPY IS GROSS NEGLIGENCE.

10 (7) AS USED IN THIS SECTION:

11 (A) "EXPEDITED PARTNER THERAPY" IS THE INDIRECT TREATMENT OF A
12 PARTNER OF A PATIENT WHO HAS BEEN DIAGNOSED AS HAVING A SEXUALLY
13 TRANSMITTED INFECTION THROUGH THE DISPENSING OR PRESCRIBING OF
14 ANTIBIOTIC DRUG OR OTHER TREATMENT THAT IS THE STANDARD OF CARE FOR
15 SEXUALLY TRANSMITTED INFECTIONS IN ACCORDANCE WITH GUIDELINES
16 ESTABLISHED BY THE FEDERAL CENTERS FOR DISEASE CONTROL AND
17 PREVENTION FOR THE TREATMENT OF THE PARTNER WITHOUT THE PHYSICAL
18 EXAMINATION OF THE PARTNER BY A HEALTH PROFESSIONAL.

19 (B) "HEALTH PROFESSIONAL" MEANS ANY OF THE FOLLOWING:

20 (i) AN INDIVIDUAL LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE IN
21 A HEALTH PROFESSION UNDER ARTICLE 15 AND WHOSE SCOPE OF PRACTICE
22 INCLUDES THE DIAGNOSIS AND TREATMENT OF SEXUALLY TRANSMITTED
23 INFECTIONS.

24 (ii) FOR THE PURPOSE OF DISPENSING THERAPY UNDER THIS SECTION,
25 A PHARMACIST WHO IS LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE IN
26 THE PRACTICE OF PHARMACY UNDER ARTICLE 15.

27 (C) "SEXUAL ACTIVITY" INCLUDES SEXUAL CONTACT AND SEXUAL

1 PENETRATION AS THOSE TERMS ARE DEFINED IN SECTION 5129.

2 (D) "SEXUALLY TRANSMITTED INFECTION" MEANS 1 OF THE FOLLOWING:

3 (i) UNTIL THE DEPARTMENT ESTABLISHES A SEPARATE LIST UNDER
4 SUBSECTION (1), A SEXUALLY TRANSMITTED INFECTION FOR WHICH THE
5 FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDS THE
6 USE OF EXPEDITED PARTNER THERAPY.

7 (ii) ON AND AFTER THE DATE THE DEPARTMENT ESTABLISHES A
8 SEPARATE LIST UNDER SUBSECTION (1), A SEXUALLY TRANSMITTED
9 INFECTION INCLUDED IN THAT LIST.

10 Sec. 17745. (1) Except as otherwise provided in this
11 subsection, a prescriber who wishes to dispense prescription drugs
12 shall obtain from the board a drug control license for each
13 location in which the storage and dispensing of prescription drugs
14 occur. A drug control license is not necessary if the dispensing
15 occurs in the emergency department, emergency room, or trauma
16 center of a hospital licensed under article 17 or if the dispensing
17 involves only the issuance of complimentary starter dose drugs.

18 (2) Except as otherwise **AUTHORIZED FOR EXPEDITED PARTNER**
19 **THERAPY IN SECTION 5110 OR AS** provided in section 17744a, a
20 dispensing prescriber shall dispense prescription drugs only to his
21 or her own patients.

22 (3) A dispensing prescriber shall include in a patient's chart
23 or clinical record a complete record, including prescription drug
24 names, dosages, and quantities, of all prescription drugs dispensed
25 directly by the dispensing prescriber or indirectly under his or
26 her delegatory authority. If prescription drugs are dispensed under
27 the prescriber's delegatory authority, the delegatee who dispenses

1 the prescription drugs shall initial the patient's chart, clinical
2 record, or log of prescription drugs dispensed. In a patient's
3 chart or clinical record, a dispensing prescriber shall distinguish
4 between prescription drugs dispensed to the patient, prescription
5 drugs prescribed for the patient, **PRESCRIPTION DRUGS DISPENSED OR**
6 **PRESCRIBED FOR EXPEDITED PARTNER THERAPY AS AUTHORIZED IN SECTION**
7 **5110**, and prescription drugs dispensed or prescribed as authorized
8 under section 17744a. A dispensing prescriber shall retain
9 information required under this subsection for not less than 5
10 years after the information is entered in the patient's chart or
11 clinical record.

12 (4) A dispensing prescriber shall store prescription drugs
13 under conditions that will maintain their stability, integrity, and
14 effectiveness and will assure that the prescription drugs are free
15 of contamination, deterioration, and adulteration.

16 (5) A dispensing prescriber shall store prescription drugs in
17 a substantially constructed, securely lockable cabinet. Access to
18 the cabinet shall be limited to individuals authorized to dispense
19 prescription drugs in compliance with this part and article 7.

20 (6) Unless otherwise requested by a patient, a dispensing
21 prescriber shall dispense a prescription drug in a safety closure
22 container that complies with the poison prevention packaging act of
23 1970, 15 USC 1471 to 1477.

24 (7) A dispensing prescriber shall dispense a drug in a
25 container that bears a label containing all of the following
26 information:

27 (a) The name and address of the location from which the

1 prescription drug is dispensed.

2 (b) Except as otherwise authorized under section 5110 OR
3 17744a, the patient's name and record number.

4 (c) The date the prescription drug was dispensed.

5 (d) The prescriber's name or, if dispensed under the
6 prescriber's delegatory authority, the name of the delegatee.

7 (e) The directions for use.

8 (f) The name and strength of the prescription drug.

9 (g) The quantity dispensed.

10 (h) The expiration date of the prescription drug or the
11 statement required under section 17756.

12 (8) A dispensing prescriber who dispenses a complimentary
13 starter dose drug to a patient shall give the patient ~~at least all~~
14 ~~of the following~~ information **REQUIRED IN THIS SUBSECTION**, either by
15 dispensing the complimentary starter dose drug to the patient in a
16 container that bears a label containing the **REQUIRED** information or
17 by giving the patient a written document that may include, but is
18 not limited to, a preprinted insert that comes with the
19 complimentary starter dose drug, ~~—AND~~ that contains ~~all of the~~
20 ~~following~~ **REQUIRED** information. **THE INFORMATION REQUIRED TO BE**
21 **GIVEN TO THE PATIENT UNDER THIS SUBSECTION INCLUDES ALL OF THE**
22 **FOLLOWING:**

23 (a) The name and strength of the complimentary starter dose
24 drug.

25 (b) Directions for the patient's use of the complimentary
26 starter dose drug.

27 (c) The expiration date of the complimentary starter dose drug

1 or the statement required under section 17756.

2 (9) The information required under subsection (8) is in
3 addition to, and does not supersede or modify, other state or
4 federal law regulating the labeling of prescription drugs.

5 (10) In addition to meeting the requirements of this part, a
6 dispensing prescriber who dispenses controlled substances shall
7 comply with section 7303a.

8 (11) The board may periodically inspect locations from which
9 prescription drugs are dispensed.

10 (12) The act, task, or function of dispensing prescription
11 drugs shall be delegated only as provided in this part and sections
12 16215, 17048, 17076, 17212, and 17548.

13 (13) A supervising physician may delegate in writing to a
14 pharmacist practicing in a hospital pharmacy within a hospital
15 licensed under article 17 the receipt of complimentary starter dose
16 drugs other than controlled substances as defined by article 7 or
17 federal law. When the delegated receipt of complimentary starter
18 dose drugs occurs, both the pharmacist's name and the supervising
19 physician's name shall be used, recorded, or otherwise indicated in
20 connection with each receipt. A pharmacist described in this
21 subsection may dispense a prescription for complimentary starter
22 dose drugs written or transmitted by facsimile, electronic
23 transmission, or other means of communication by a prescriber.

24 (14) As used in this section, "complimentary starter dose"
25 means a prescription drug packaged, dispensed, and distributed in
26 accordance with state and federal law that is provided to a
27 dispensing prescriber free of charge by a manufacturer or

1 distributor and dispensed free of charge by the dispensing
2 prescriber to his or her patients.

3 Sec. 17751. (1) A pharmacist shall not dispense a drug
4 requiring a prescription under the federal act or a law of this
5 state except under authority of an original prescription or an
6 equivalent record of an original prescription approved by the
7 board.

8 (2) Subject to subsection (5), a pharmacist may dispense a
9 prescription written and signed; written or created in an
10 electronic format, signed, and transmitted by facsimile; or
11 transmitted electronically or by other means of communication by a
12 physician prescriber or dentist prescriber in a state other than
13 Michigan, but not including a prescription for a controlled
14 substance as defined in section 7104 except under circumstances
15 described in section 17763(e), only if the pharmacist in the
16 exercise of his or her professional judgment determines all of the
17 following:

18 (a) Except as otherwise authorized under section **5110 OR**
19 17744a, that the prescription was issued pursuant to an existing
20 physician-patient or dentist-patient relationship.

21 (b) That the prescription is authentic.

22 (c) That the prescribed drug is appropriate and necessary for
23 the treatment of an acute, chronic, or recurrent condition.

24 (3) A pharmacist or a prescriber shall dispense a prescription
25 only if the prescription falls within the scope of practice of the
26 prescriber.

27 (4) A pharmacist shall not knowingly dispense a prescription

1 after the death of the prescriber or patient.

2 (5) A pharmacist shall not dispense a drug or device under a
3 prescription transmitted by facsimile or created in electronic
4 format and printed out for use by the patient unless the document
5 is manually signed by the prescriber. This subsection does not
6 apply to a prescription that is transmitted by a computer to a
7 facsimile machine if that prescription complies with section 17754.

8 (6) After consultation with and agreement from the prescriber,
9 a pharmacist may add or change a patient's address, dosage form,
10 drug strength, drug quantity, directions for use, or issue date
11 with regard to a prescription. A pharmacist shall note the details
12 of the consultation and agreement required under this subsection on
13 the prescription and shall maintain that documentation with the
14 prescription as required in section 17752. A pharmacist shall not
15 change the patient's name, controlled substance prescribed unless
16 authorized to dispense a lower cost generically equivalent drug
17 product under section 17755, or the prescriber's signature with
18 regard to a prescription.

19 (7) A prescription that is contained within a patient's chart
20 in a health facility or agency licensed under article 17 or other
21 medical institution and that is transmitted to a pharmacy under
22 section 17744 is the original prescription. If all other
23 requirements of this part are met, a pharmacist shall dispense a
24 drug or device under a prescription described in this subsection. A
25 pharmacist may dispense a drug or device under a prescription
26 described in this subsection even if the prescription does not
27 contain the quantity ordered. If a prescription described in this

1 subsection does not contain the quantity ordered, the pharmacist
2 shall consult with the prescriber to determine an agreed-upon
3 quantity. The pharmacist shall record the quantity dispensed on the
4 prescription and shall maintain that documentation with the
5 prescription as required in section 17752.

6 Sec. 17754. (1) Except as otherwise provided under article 7,
7 article 8, and the federal act, a prescription may be transmitted
8 electronically if the prescription is transmitted in compliance
9 with the health insurance portability and accountability act of
10 1996, Public Law 104-191, or regulations promulgated under that
11 act, 45 CFR parts 160 and 164, by a prescriber or his or her agent
12 and the data are not altered or modified in the transmission
13 process. The electronically transmitted prescription shall include
14 all of the following information:

15 (a) The name, address, and telephone number of the prescriber.

16 (b) Except as otherwise authorized under section **5110 OR**
17 17744a, the full name of the patient for whom the prescription is
18 issued.

19 (c) An electronic signature or other identifier that
20 specifically identifies and authenticates the prescriber or his or
21 her agent.

22 (d) The time and date of the transmission.

23 (e) The identity of the pharmacy intended to receive the
24 transmission.

25 (f) Any other information required by the federal act or state
26 law.

27 (2) The electronic equipment or system utilized in the

1 transmission and communication of prescriptions shall provide
2 adequate confidentiality safeguards and be maintained to protect
3 patient confidentiality as required under any applicable federal
4 and state law and to ensure against unauthorized access. The
5 electronic transmission of a prescription shall be communicated in
6 a retrievable, recognizable form acceptable to the intended
7 recipient. The electronic form utilized in the transmission of a
8 prescription shall not include "dispense as written" or "d.a.w." as
9 the default setting.

10 (3) Before dispensing a prescription that is electronically
11 transmitted, the pharmacist shall exercise professional judgment
12 regarding the accuracy, validity, and authenticity of the
13 transmitted prescription.

14 (4) An electronically transmitted prescription that meets the
15 requirements of this section is the original prescription.

16 Sec. 17757. (1) Upon a request made in person or by telephone,
17 a pharmacist engaged in the business of selling drugs at retail
18 shall provide the current selling price of a drug dispensed by that
19 pharmacy or comparative current selling prices of generic and brand
20 name drugs dispensed by that pharmacy. The information shall be
21 provided to the person making the request before a drug is
22 dispensed to the person. A person who makes a request for price
23 information under this subsection is not obligated to purchase the
24 drug for which the price or comparative prices are requested.

25 (2) A pharmacist engaged in the business of selling drugs at
26 retail shall conspicuously display the notice described in
27 subsection (3) at each counter over which prescription drugs are

1 dispensed.

2 (3) The notice required under subsection (2) shall be in
3 substantially the following form:

4 NOTICE TO CONSUMERS

5 ABOUT PRESCRIPTION DRUGS

6 Under Michigan law, you have the right to find out the price
7 of a prescription drug before the pharmacist fills the
8 prescription. You are under no obligation to have the prescription
9 filled here and may use this price information to shop around at
10 other pharmacies. You may request price information in person or by
11 telephone.

12 Every pharmacy has the current selling prices of both generic
13 and brand name drugs dispensed by the pharmacy.

14 Ask your pharmacist if a lower-cost generic drug is available
15 to fill your prescription. A generic drug contains the same
16 medicine as a brand name drug and is a suitable substitute in most
17 instances.

18 A generic drug may not be dispensed by your pharmacist if your
19 doctor has written "dispense as written" or the initials "d.a.w."
20 on the prescription.

21 If you have questions about the drugs that have been
22 prescribed for you, ask your doctor or pharmacist for more
23 information.

24 To avoid dangerous drug interactions, let your doctor and
25 pharmacist know about any other medications you are taking. This is
26 especially important if you have more than 1 doctor or have
27 prescriptions filled at more than 1 pharmacy.

1 (4) The notice required under subsection (2) shall also
2 contain the address and phone number of the board and the
3 department. The text of the notice shall be in at least 32-point
4 bold type and shall be printed on paper at least 11 inches by 17
5 inches in size. The notice may be printed on multiple pages.

6 (5) A copy of the notice required under subsection (2) shall
7 be provided to each licensee by the department. The department
8 shall provide additional copies if needed. A person may duplicate
9 or reproduce the notice if the duplication or reproduction is a
10 true copy of the notice as produced by the department, without any
11 additions or deletions.

12 (6) The pharmacist shall furnish to the purchaser of a
13 prescription drug at the time the drug is delivered to the
14 purchaser a receipt evidencing the transactions ~~, which~~ **THAT**
15 contains all of the following:

16 (a) The brand name of the drug, if applicable.

17 (b) The name of the manufacturer or the supplier of the drug,
18 if the drug does not have a brand name.

19 (c) The strength of the drug, if significant.

20 (d) The quantity dispensed, if applicable.

21 (e) The name and address of the pharmacy.

22 (f) The serial number of the prescription.

23 (g) The date the prescription was originally dispensed.

24 (h) The name of the prescriber or, if prescribed under the
25 prescriber's delegatory authority, the name of the delegatee.

26 (i) Except as otherwise authorized under section **5110 OR**
27 17744a, the name of the patient for whom the drug was prescribed.

1 (j) The price for which the drug was sold to the purchaser.

2 (7) The items required under subsection (6)(a), (b), and (c)
3 may be omitted **FROM A RECEIPT** by a pharmacist only if the omission
4 is expressly required by the prescriber. The pharmacist shall
5 retain a copy of each receipt **FURNISHED UNDER SUBSECTION (6)** for 90
6 days. The inclusion of the items required under subsection (6) on
7 the prescription container label is a valid receipt to the
8 purchaser. Including the items required under subsection (6) on the
9 written prescription form and retaining the form constitutes
10 retention of a copy of the receipt.

11 (8) The board may promulgate rules to implement this section.

12 Enacting section 1. This amendatory act takes effect January
13 1, 2015.