

**SUBSTITUTE FOR
HOUSE BILL NO. 4405**

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 17751a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 17751A. (1) A PHARMACIST MAY REFUSE TO DISPENSE A**
2 **PRESCRIPTION FOR A CONTROLLED SUBSTANCE LISTED IN SCHEDULES 2 TO 5**
3 **OF PART 72 IF THE PHARMACIST HAS A REASONABLE AND GOOD-FAITH BELIEF**
4 **THAT THE PRESCRIPTION WAS NOT WRITTEN BY A PRESCRIBER IN GOOD FAITH**
5 **OR HAS A REASONABLE AND GOOD-FAITH BELIEF THAT THE PRESCRIPTION IS**
6 **BEING FILLED FOR A PURPOSE THAT IS NOT A MEDICAL PURPOSE.**

7 **(2) A PHARMACIST WHO REFUSES TO DISPENSE A PRESCRIPTION AS**
8 **PROVIDED UNDER SUBSECTION (1) IS NOT LIABLE FOR DAMAGES IN A CIVIL**
9 **ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY ARISING**
10 **FROM THE PHARMACIST'S REFUSAL TO DISPENSE THE PRESCRIPTION.**

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.