

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.