

**SUBSTITUTE FOR  
HOUSE BILL NO. 5616**

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 17773, 20817, and  
21537.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 17773. (1) Any unused portion of a facility-provided drug  
2 that is dispensed for an ophthalmic surgical procedure performed on  
3 or for ophthalmic medical care provided to a patient in a hospital  
4 or freestanding surgical outpatient facility licensed under article  
5 17 must be offered to the patient on the patient's discharge from  
6 the hospital or freestanding surgical outpatient facility if all of  
7 the following apply:

8       (a) The hospital or freestanding surgical outpatient facility



1 orders the facility-provided drug for an ophthalmic surgical  
2 procedure for the patient that is performed on an in-patient basis  
3 or for ophthalmic medical care that the patient receives from the  
4 hospital or freestanding surgical outpatient facility on an in-  
5 patient basis.

6 (b) The facility-provided drug is administered to the patient  
7 at the hospital or freestanding surgical outpatient facility.

8 (c) The unused portion of the facility-provided drug is  
9 required for the patient's continued treatment.

10 (2) If a pharmacist, rather than a dispensing prescriber,  
11 dispenses a facility-provided drug that is offered to a patient  
12 under subsection (1), the pharmacist shall ensure that the drug is  
13 provided to the patient in a container that is labeled in the same  
14 manner as required in section 17745(7) for a drug dispensed by a  
15 dispensing prescriber.

16 (3) The prescriber of the facility-provided drug shall counsel  
17 the patient on the directions for the patient's use of the  
18 facility-provided drug. If a pharmacist dispenses the facility-  
19 provided drug, any counseling requirement on the pharmacist is  
20 waived.

21 (4) As used in this section, "facility-provided drug" means a  
22 drug that meets both of the following requirements:

23 (a) The drug is an eye drop or eye ointment.

24 (b) The drug is not a pharmaceutical compounded under section  
25 17748b.

26 Sec. 20817. A freestanding surgical outpatient facility shall  
27 comply with section 17773.

28 Sec. 21537. A hospital shall comply with section 17773.

