



**House  
Legislative  
Analysis  
Section**

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**PRESCRIPTION DRUG ABUSE**

House Bill 4500 (Substitute H-4)  
Sponsor: Rep. David M. Gubow

**RECEIVED**

**JUN 12 1987**

House Bill 4512 (Substitute H-1)  
Sponsor: Rep. William Browne

Mich. State Law Library

House Bill 4533 (Substitute H-5)  
Sponsor: Rep. Ken DeBeaussiaert

House Bill 4554 as introduced  
Sponsor: Rep. Dennis M. Dutko

First Analysis (5-28-87)  
Committee: Public Health

H.B. 4500 (5-28-87)

**THE APPARENT PROBLEM:**

The abuse of prescription drugs is a nationwide problem. According to a report by the U.S. Comptroller General, more Americans have abused or misused prescription drugs than they have illegal drugs such as cocaine, hallucinogens, or heroin.

A state Prescription Abuse Data Synthesis committee (known as "PADS") was formed by gubernatorial directive in 1983 to coordinate the efforts and resources of state and federal agencies, law enforcement officials, and state professional associations in order to analyze the problem of prescription drug abuse and to recommend solutions. The committee held a conference on prescription drug diversion and abuse in 1985 and published reports and recommendations in 1984 and 1985. With the cooperation of the Department of Licensing and Regulation, a number of the committee's recommendations have been developed into proposed legislation.

**THE CONTENT OF THE BILLS:**

House Bill 4500 (H-4) would impose a three-year prohibition on people who had been convicted for a criminal offense relating to prescription drugs from having a "direct financial interest" in the manufacture, distribution, prescription, or dispensation of prescription drugs or from working at a job that involved direct access to prescription drugs. Violators would be subject to a civil fine of up to \$25,000.

MCL 333.7311

House Bill 4512 (H-1) would require mandatory minimum 3-year revocation of the prescription drug license of any licensee convicted of a drug-related criminal offense. The bill also specifies conditions under which a license revoked under the bill could be reinstated.

MCL 333.7311 et al.

House Bill 4533 (H-5) would require an annual inventory of all schedule 2 to 5 controlled substances not more than 30 days before or 60 days after May 1. Violators could be fined up to \$25,000.

MCL 333.7321

House Bill 4554 would require a monthly written report of all schedule 2 to 5 controlled substances sold to licensed practitioners and retail pharmacies.

MCL 333.7303

**FISCAL IMPLICATIONS:**

The House Fiscal Agency reports no fiscal implications to the state for House Bill 4500. Fiscal information was not yet available for House Bills 4512, 4533, and 4554. (5-27-87)

**ARGUMENTS:**

**For:**

According to U.S. Drug Enforcement Administration (DEA) data, in 1983 Michigan ranked number one among the states in per-capita consumption of commonly abused prescription drugs. By the second quarter of 1986 (the most recent date for which DEA information is available), and after amphetamine rule amendments were adopted by the state Boards of Medicine and of Osteopathic Medicine and Surgery, Michigan's ranking of per-capita prescription drug consumption dropped dramatically in several categories.

Illegal drug diversion by licensed practitioners is one major way in which prescription drug abuse is abetted. Adding civil fines, mandating license revocations, and tightening prescription drug reporting requirements will make illegal diversion more difficult and costly for the one to two percent of the licensed practitioners engaged in illegal drug diversion, and reduce this problem even further.

**POSITIONS:**

The Department of Public Health could not be reached for a position on the bills. (5-27-87)

The Department of Licensing and Regulation has not yet taken a position on the bills. (5-27-87)

The Michigan Pharmacists Association supports House Bills 4512, 4533, and 4554, and has no position on House Bill 4500. (5-27-87)