

Act No. 306  
Public Acts of 1993  
Approved by the Governor  
December 23, 1993  
Filed with the Secretary of State  
December 28, 1993

**STATE OF MICHIGAN  
87TH LEGISLATURE  
REGULAR SESSION OF 1993**

*Introduced by Senator Ehlers*

# **ENROLLED SENATE BILL No. 870**

AN ACT to amend Act No. 368 of the Public Acts of 1978, entitled as amended "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for penalties and remedies; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, by adding section 17745b.

*The People of the State of Michigan enact:*

Section 1. Act No. 368 of the Public Acts of 1978, as amended, being sections 333.1101 to 333.25211 of the Michigan Compiled Laws, is amended by adding section 17745b to read as follows:

Sec. 17745b. (1) Subject to subsection (3), in an industrial clinic or other prescriber practice location without an on-site pharmacy, a dispensing prescriber may delegate the dispensing of prescription drugs only to the following individuals:

(a) A registered professional nurse licensed under part 172.

(b) A physician's assistant licensed under part 170 or part 175, if the dispensing prescriber is responsible for the clinical supervision of the physician's assistant.

(2) In an industrial clinic or other prescriber practice location without an on-site pharmacy, if a dispensing prescriber does not delegate the dispensing of a prescription drug, the dispensing prescriber shall do both of the following:

(a) Be physically present at the time the prescription drug is dispensed.

(b) Immediately before the prescription drug is dispensed, perform a final inspection of the type of prescription drug, labeling, dosage, and amount of the prescription drug dispensed.

(3) A dispensing prescriber who delegates the dispensing of a prescription drug to a patient in an industrial clinic or other prescriber practice location without an on-site pharmacy shall not delegate the dispensing of more than a 72-hour supply of the prescription drug.

(4) Before dispensing a prescription drug to a patient in an industrial clinic or other prescriber practice location without an on-site pharmacy, a dispensing prescriber who intends to charge for dispensing the drug shall give a written prescription to the patient and shall instruct the patient that he or she may elect to have the prescription filled by the dispensing prescriber or the patient's pharmacy of choice.

(5) If a dispensing prescriber intends to charge for dispensing a prescription drug to a patient in an industrial clinic or other prescriber practice location without an on-site pharmacy, the dispensing prescriber shall inform the patient of that fact before dispensing the prescription drug to the patient. The dispensing prescriber also shall list the charge for dispensing the prescription drug as a separate item on the patient's bill.

(6) This section does not apply to public health programs as defined in section 17745a.

Section 2. This amendatory act shall not take effect unless Senate Bill No. 869 of the 87th Legislature is enacted into law.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Co-Clerk of the House of Representatives.

Approved -----

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Governor.