



SENATE BILL No. 1251

September 20, 1994, Introduced by Senators GEAKE, MC MANUS, CISKY, STEIL, HONIGMAN, HOFFMAN, EMMONS, GAST, KELLY, KOIVISTO and CONROY and referred to the Committee on Health Policy and Senior Citizens

A bill to amend sections 17703 and 17704 of Act No 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

section 17703 as amended by Act No 281 of the Public Acts of 1992, being sections 333 17703 and 333 17704 of the Michigan Compiled Laws

THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 17703 and 17704 of Act No 368 of the
2 Public Acts of 1978, section 17703 as amended by Act No 281 of
3 the Public Acts of 1992, being sections 333 17703 and 333 17704
4 of the Michigan Compiled Laws, are amended to read as follows

5 Sec 17703 (1) "Device" means an instrument, apparatus, or
6 contrivance, including its components, parts, and accessories,
7 intended for use in the diagnosis, cure, mitigation, treatment,
8 or prevention of disease in human beings or other animals, or to

1 affect the structure or function of the body of human beings or
2 other animals

3 (2) "Dispense" means to issue 1 or more doses of a drug for
4 subsequent administration to, or use by, a patient

5 (3) "Dispensing prescriber" means a prescriber, other than a
6 veterinarian, who dispenses prescription drugs

7 (4) "DOSAGE FORM" MEANS THE PHYSICAL FORM OR MEDIUM IN WHICH
8 A DRUG PRODUCT IS INTENDED, MANUFACTURED, AND MADE AVAILABLE FOR
9 USE, THE FORM OF WHICH DRUG PRODUCT UTILIZES A SPECIFIC TECHNOL-
10 OGY OR MECHANISM TO CONTROL, ENHANCE, OR DIRECT THE RELEASE, TAR-
11 GETING, SYSTEMIC ABSORPTION, OR OTHER DELIVERY OF A DOSAGE REGI-
12 MEN IN THE BODY DOSAGE FORM INCLUDES, BUT IS NOT LIMITED TO,
13 TABLETS, CAPSULES, ORAL SOLUTIONS, AEROSOLS, OINTMENTS, INJEC-
14 TABLES, TRANSDERMAL SYSTEMS, INHALERS, AND SUPPOSITORIES

15 (5) ~~—(4)—~~ "Drug" means any of the following

16 (a) A substance recognized or for which the standards or
17 specifications are prescribed in the official compendium

18 (b) A substance intended for use in the diagnosis, cure,
19 mitigation, treatment, or prevention of disease in human beings
20 or other animals

21 (c) A substance, other than food, intended to affect the
22 structure or a function of the body of human beings or other
23 animals

24 (d) A substance intended for use as a component of a sub-
25 stance specified in subdivision (a), (b), or (c), but not includ-
26 ing a device or its components, parts, or accessories

1 Sec 17704 (1) "Federal act" means the federal food, drug,
 2 and cosmetic act, ~~of 1938, 21 U S C 301 to 392~~ CHAPTER 675,
 3 52 STAT 1040, 21 U S C 301 TO 321, 331 TO 343, 344 TO 346, 347,
 4 348 TO 353, 355 TO 360, 360b TO 360dd, 360hh TO 363, 371 TO 376,
 5 AND 378 TO 395

6 (2) "GENERICALLY EQUIVALENT DRUG PRODUCTS" MEANS DRUGS OF
 7 THE SAME GENERIC NAME THAT HAVE ALL OF THE FOLLOWING
 8 CHARACTERISTICS

9 (A) BOTH THE SAME BIOAVAILABILITY AND AMOUNTS OF THE SAME
 10 ACTIVE CHEMICAL INGREDIENTS IN THE SAME DOSAGE FORM

11 (B) MEET APPLICABLE STANDARDS OF STRENGTH, QUALITY, AND
 12 PURITY ACCORDING TO THE OFFICIAL COMPENDIUM

13 (C) IF ADMINISTERED IN THE SAME AMOUNTS, WILL PROVIDE THE
 14 SAME EFFICACY AND TOXICITY

15 (3) ~~-(2)-~~ "Generic name" means the established or official
 16 name of a drug or drug product

17 (4) ~~-(3)-~~ "Harmful drug" means a drug intended for use by
 18 human beings ~~which~~ THAT is harmful because of its toxicity,
 19 habit-forming nature, or other potential adverse effect, the
 20 method of its use, or the collateral measures necessary to its
 21 safe and effective use, and ~~which~~ THAT is designated as harmful
 22 by the board according to rule

23 (5) ~~-(4)-~~ "Internship" means an educational program of pro-
 24 fessional and practical experience for an intern