



# HOUSE BILL No. 5169

September 28, 1995, Introduced by Reps. Voorhees, Harder, Bush, Weeks, LaForge, Dobb, Jamian, Law, Walberg, Green, Fitzgerald, Dalman, McNutt, Curtis and Cropsey and referred to the Committee on Insurance.

A bill to amend section 17763 of Act No. 368 of the Public Acts of 1978, entitled as amended

"Public health code,"

as amended by Act No. 79 of the Public Acts of 1993, being section 333.17763 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 17763 of Act No. 368 of the Public Acts  
2 of 1978, as amended by Act No. 79 of the Public Acts of 1993,  
3 being section 333.17763 of the Michigan Compiled Laws, is amended  
4 to read as follows:

5       Sec. 17763. In addition to the grounds set forth in part  
6 161, the disciplinary subcommittee may fine, reprimand, or place  
7 a pharmacist ~~licensee~~ OR OTHER HOLDER OF A LICENSE UNDER THIS  
8 PART on probation, or deny, limit, suspend, or revoke the license  
9 of a pharmacist OR OTHER HOLDER OF A LICENSE UNDER THIS PART or

1 order restitution or community service for a violation or ,  
2 abetting in a violation of this part or rules promulgated under  
3 this part, or for ~~any~~ 1 OR MORE of the following grounds:

4 ~~(a) Employing the mail to sell, distribute, or deliver a~~  
5 ~~drug which requires a prescription when the prescription for the~~  
6 ~~drug is received by mail.~~

7 (A) ~~(b)~~ Adulterating, misbranding, or substituting a drug  
8 or device knowing or intending that it ~~shall~~ WILL be used.

9 (B) ~~(c)~~ Permitting the dispensing of prescriptions by an  
10 individual who is not a pharmacist, pharmacist intern, or dis-  
11 pensing prescriber.

12 (C) ~~(d)~~ Permitting the dispensing of prescriptions by a  
13 pharmacist intern, except in the presence and under the personal  
14 charge of a pharmacist.

15 (D) ~~(e)~~ Selling at auction drugs in bulk or in open pack-  
16 ages unless the sale has been approved in accordance with rules  
17 of the board.

18 (E) ~~(f)~~ Promoting A PRESCRIPTION DRUG to the public in any  
19 manner. ~~a prescription drug.~~