

**SUBSTITUTE FOR
HOUSE BILL NO. 4619**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 17745 (MCL 333.17745), as amended by 1996 PA
355.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17745. (1) Except as otherwise provided in this sub-
2 section, a prescriber who wishes to dispense prescription drugs
3 shall obtain from the board a drug control license for each loca-
4 tion in which the storage and dispensing of prescription drugs
5 occur. A drug control license is not necessary if the dispensing
6 occurs in the emergency department, emergency room, or trauma
7 center of a hospital licensed under article 17 or if the dispens-
8 ing involves only the issuance of complimentary starter dose
9 drugs.

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1 (2) A dispensing prescriber shall dispense prescription
2 drugs only to his or her own patients.

3 (3) A dispensing prescriber shall include in a patient's
4 chart or clinical record a complete record, including prescrip-
5 tion drug names, dosages, and quantities, of all prescription
6 drugs dispensed directly by the dispensing prescriber or indi-
7 rectly under his or her delegatory authority. If prescription
8 drugs are dispensed under the prescriber's delegatory authority,
9 the delegatee who dispenses the prescription drugs shall initial
10 the patient's chart, clinical record, or log of prescription
11 drugs dispensed. In a patient's chart or clinical record, a dis-
12 pensing prescriber shall distinguish between prescription drugs
13 dispensed to the patient and prescription drugs prescribed for
14 the patient. A dispensing prescriber shall retain information
15 required under this subsection for not less than 5 years after
16 the information is entered in the patient's chart or clinical
17 record.

18 (4) A dispensing prescriber shall store prescription drugs
19 under conditions that will maintain their stability, integrity,
20 and effectiveness and will assure that the prescription drugs are
21 free of contamination, deterioration, and adulteration.

22 (5) A dispensing prescriber shall store prescription drugs
23 in a substantially constructed, securely lockable cabinet.
24 Access to the cabinet shall be limited to individuals authorized
25 to dispense prescription drugs in compliance with this part and
26 article 7.

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1 (6) Unless otherwise requested by a patient, a dispensing
2 prescriber shall dispense a prescription drug in a safety closure
3 container that complies with the poison prevention packaging act
4 of 1970, Public Law 91-601, 84 Stat. 1670.

5 (7) A dispensing prescriber shall dispense a drug in a con-
6 tainer that bears a label containing all of the following
7 information:

8 (a) The name and address of the location from which the pre-
9 scription drug is dispensed.

10 (b) The patient's name and record number.

11 (c) The date the prescription drug was dispensed.

12 (d) The prescriber's name.

13 (e) The directions for use.

14 (f) The name and strength of the prescription drug.

15 (g) The quantity dispensed.

16 (h) The expiration date of the prescription drug or the
17 statement required under section 17756.

18 (8) A DISPENSING PRESCRIBER WHO DISPENSES A COMPLIMENTARY
19 STARTER DOSE DRUG TO A PATIENT SHALL GIVE THE PATIENT AT LEAST
20 ALL OF THE FOLLOWING INFORMATION, EITHER BY DISPENSING THE COM-
21 PLIMENTARY STARTER DOSE DRUG TO THE PATIENT IN A CONTAINER THAT
22 BEARS A LABEL CONTAINING THE INFORMATION OR BY GIVING THE PATIENT
23 A WRITTEN DOCUMENT WHICH MAY INCLUDE, BUT IS NOT LIMITED TO, A
24 PREPRINTED INSERT THAT COMES WITH THE COMPLIMENTARY STARTER DOSE
25 DRUG, THAT CONTAINS THE INFORMATION:

26 (A) THE NAME AND STRENGTH OF THE COMPLIMENTARY STARTER DOSE
27 DRUG.

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1 (B) DIRECTIONS FOR THE PATIENT'S USE OF THE COMPLIMENTARY
2 STARTER DOSE DRUG.

3 (C) THE EXPIRATION DATE OF THE COMPLIMENTARY STARTER DOSE
4 DRUG OR THE STATEMENT REQUIRED UNDER SECTION 17756.

5 (9) THE INFORMATION REQUIRED UNDER SUBSECTION (8) IS IN
6 ADDITION TO, AND DOES NOT SUPERSEDE OR MODIFY, OTHER STATE OR
7 FEDERAL LAW REGULATING THE LABELING OF PRESCRIPTION DRUGS.

8 (10) ~~(8)~~ In addition to meeting the requirements of this
9 part, a dispensing prescriber who dispenses controlled substances
10 shall comply with section 7303a.

11 (11) ~~(9)~~ The board may periodically inspect locations from
12 which prescription drugs are dispensed.

13 (12) ~~(10)~~ The act, task, or function of dispensing pre-
14 scription drugs shall be delegated only as provided in section
15 16215 and this part.

16 (13) ~~(11)~~ A supervising physician may delegate in writing
17 to a pharmacist practicing in a hospital pharmacy within a hospi-
18 tal licensed under article 17 the receipt of complimentary
19 starter dose drugs other than controlled substances as defined by
20 article 7 or federal law. When the delegated receipt of compli-
21 mentary starter dose drugs occurs, both the pharmacist's name and
22 the supervising physician's name shall be used, recorded, or oth-
23 erwise indicated in connection with each receipt. A pharmacist
24 described in this subsection may dispense a prescription for com-
25 plimentary starter dose drugs written or transmitted by other
26 means of communication by a prescriber.

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1 (14) ~~(12)~~ As used in this section, "complimentary starter
2 dose" means A prescription ~~drugs~~ DRUG packaged, dispensed, and
3 distributed in accordance with state and federal law that ~~are~~
4 IS provided to a dispensing prescriber free of charge by a manu-
5 facturer or distributor and dispensed free of charge by the dis-
6 pensing prescriber to his or her patients.