

HOUSE BILL No. 4369

March 3, 1999, Introduced by Reps. Brater, Scranton, Martinez, Stallworth, Schauer, LaForge, Bogardus, Baird, Jacobs, Dennis, Quarles, Clarke, Daniels, Scott, Minore, Jellema, Rocca, Cassis, Voorhees, Gosselin, Birkholz, Sanborn, Spade, Tabor and Hale and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 17753.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 17753. (1) A LICENSEE ENGAGED IN THE BUSINESS OF SELL-
2 ING DRUGS AT RETAIL SHALL GIVE NOTICE TO THE LICENSEE'S CUSTOMERS
3 OF THE REQUIREMENTS OF SECTION 17752, PURSUANT TO SUBSECTION
4 (2).
5 (2) FOR PURPOSES OF SUBSECTION (1) AND EXCEPT AS OTHERWISE
6 PROVIDED IN SUBSECTION (3), THE DEPARTMENT SHALL DEVELOP AND DIS-
7 TRIBUTE A POSTER THAT GIVES PUBLIC NOTICE OF THE REQUIREMENTS OF
8 SECTION 17752, GIVING SPECIAL ATTENTION TO THE PROHIBITION ON
9 DISCLOSING PATIENT IDENTIFIERS TO A MANUFACTURER, DISTRIBUTOR, OR
10 OTHER PERSON WITHOUT THE PATIENT'S WRITTEN, INFORMED CONSENT.
11 THE DEPARTMENT SHALL CONFORM THE TYPE AND SIZE OF THE NOTICE TO

1 THAT REQUIRED UNDER SECTIONS 17757 AND 17757A. THE DEPARTMENT
2 SHALL DISTRIBUTE A COPY OF THE NOTICE TO EACH LICENSEE WHO IS
3 SUBJECT TO SUBSECTION (1).

4 (3) AS AN ALTERNATIVE TO THE REQUIREMENT OF SUBSECTION (2),
5 THE DEPARTMENT MAY INTEGRATE THE POSTER REQUIRED UNDER SUBSECTION
6 (2) WITH EITHER OR BOTH OF THE POSTERS REQUIRED UNDER SECTIONS
7 17757 AND 17757A, INSTEAD OF DEVELOPING AND DISTRIBUTING A SEPA-
8 RATE POSTER. IF THE DEPARTMENT DECIDES TO PROCEED UNDER THIS
9 SUBSECTION, THE DEPARTMENT SHALL DISTRIBUTE A COPY OF THE INTE-
10 GRATED POSTER TO EACH LICENSEE WHO IS SUBJECT TO SUBSECTION (1)
11 AND TO SECTIONS 17757 AND 17757A.

12 (4) A LICENSEE MAY DUPLICATE OR REPRODUCE THE NOTICE
13 DESCRIBED IN SUBSECTION (2) OR (3) IF THE DUPLICATION OR REPRO-
14 Duction IS A TRUE COPY OF THE NOTICE DISTRIBUTED BY THE DEPART-
15 MENT, WITH NO ADDITIONS OR DELETIONS. A LICENSEE WHO IS SUBJECT
16 TO THIS SECTION SHALL CONSPICUOUSLY DISPLAY THE NOTICE DESCRIBED
17 IN SUBSECTION (2) OR (3) AT EACH COUNTER OVER WHICH PRESCRIPTION
18 DRUGS ARE DISPENSED.

19 Enacting section 1. This amendatory act does not take
20 effect unless Senate Bill No. _____ or House Bill No. _____
21 (request no. 00257'99 *) of the 90th Legislature is enacted into
22 law.