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INAPPROPRIATE CONTROLLED SUBSTANCE DOSAGES

House Bill 5350

Sponsor: Rep. Paul N. DeWeese

Committee: Health Policy

Complete to 11-20-01

A SUMMARY OF HOUSE BILL 5350 AS INTRODUCED 10-29-01

Article 15 of the Public Health Code regulates health care professions, charging the Department of Consumer and Industry Services (CIS) with the authority and duties related to licensing and registering health care professionals. CIS may investigate activities related to the practice of a health professional by a licensee, a registrant, or an applicant for licensure or registration. The department may hold hearings and order testimony and must report its findings to the “appropriate disciplinary subcommittee.” The chair of each professional board or task force—e.g., the board of nursing or the board of pharmacy—appoints one or more disciplinary subcommittees to impose sanctions on licensees, registrants, or applicants under its jurisdiction for one or more violations enumerated in the general provisions of Article 15.

House Bill 5350 would amend the code (MCL 333.16204e, 333.16221, and 333.16226) to require that a health professional report to CIS if he or she observed any of the following: a patient who appeared insufficiently or excessively medicated with a controlled substance; a patient who was being medicated with an inappropriate controlled substance; or a patient who exhibited behavior indicating addiction to a controlled substance. CIS would have to forward such a report to the appropriate disciplinary subcommittee for investigation. If the subcommittee found that a health professional had violated this requirement—i.e., had not reported an observation of any of the situations mentioned above—the subcommittee would sanction the health professional by reprimand or fine. Further, if the relevant subcommittee determined that the physician’s care had resulted in a patient’s being insufficiently or excessively medicated with a controlled substance, being medicated with an inappropriate controlled substance, or becoming addicted to a controlled substance, the physician would have to take continuing education credits in pain and symptom management.

House Bill 5350 (11-20-01)

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