

Legislative Analysis



PREVENT PRESCRIPTION ERRORS

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 5328 (Substitute H-1, Draft 1)

Sponsor: Rep. Edward Gaffney

Committee: Health Policy

Complete to 5-17-04

A SUMMARY OF HOUSE BILL 5328 (SUBSTITUTE H-1, DRAFT 1)

The bill would amend the Public Health Code to establish a program to prevent prescription errors, promulgate rules to implement a quality assurance program, and define "prescription medication error".

Within six months of the bill's effective date, the Department of Community Health (in conjunction with the Michigan Board of Pharmacy, Michigan Medication Safety Coalition, and the Michigan Pharmacists Association) would have to establish and implement a quality assurance program to detect, identify, and prevent prescription medication errors in pharmacies. The department, in consultation with the board, would have to develop departmental rules to establish standards, policies, procedures, and requirements for a licensed pharmacy in order to implement a quality assurance program.

Upon request, a pharmacist would have to provide information to each purchaser of a prescription drug about how to contact the department with a concern regarding the dispensing of a prescription.

"Prescription medication error" would be defined as a preventable event that occurred while the medication was in the control of the health care professional or health facility that could cause or lead to inappropriate medication use or patient harm. A preventable event could occur at any step related to the health profession and its procedures or systems, including, but not limited to, the prescribing, compounding, dispensing, or distribution of a prescription; the ordering or communication of the prescription to the dispensing prescriber; the labeling, packaging, or naming of the prescription; the monitoring of the use of a prescription; and the educating of the patient regarding the prescription.

Further, pharmacists are currently required to display a notice as prescribed in the code at each counter where prescription drugs are dispensed. Information required to be on the notice includes informing the patient of the right to find out the price of a prescription drug before the prescription is filled and that a generic drug cannot be dispensed if the physician has written "dispense as written" or the initials "d.a.w." on the prescription. Under the bill, the notice would also have to say that a person who had a concern that an error may have occurred in the dispensing of the prescription may contact the Department

of Community Health or the Michigan Board of Pharmacy. This same information would also have to be included on a notice required to be conspicuously displayed by each dispensing prescriber engaged in the business of selling prescription drugs in the location within the dispensing prescriber's practice where the dispensing occurs.

MCL 333.17753, 333.17757, and 333.17757a

Legislative Analyst: Susan Stutzky

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.