

HOUSE BILL No. 5328

December 2, 2003, Introduced by Rep. Gaffney 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) Within 6 months after the effective date of
2 the amendatory act that added this section, the department shall
3 establish and implement a quality assurance program to detect,
4 identify, and prevent prescription errors in pharmacies. The
5 department shall promulgate rules establishing standards,
6 policies, procedures, and requirements for a pharmacy licensed
7 under this part for communicating the details of a prescription
8 error to the prescriber and to the patient or patient's
9 representative, correcting the prescription error or reducing the
10 negative impact of the error on the patient, and reporting a
11 prescription error to the department and any other rules

1 necessary to implement this program.

2 (2) A pharmacist engaged in the business of selling drugs at
3 retail shall conspicuously display the following notice at each
4 counter over which prescription drugs are dispensed:

5 "NOTICE TO CONSUMERS ABOUT PRESCRIPTION DRUGS - If you have a
6 concern that an error may have occurred in the dispensing of your
7 prescription, you may contact the Department of Community Health
8 or the Michigan Board of Pharmacy."

9 (3) The notice required under subsection (2) shall also
10 contain the address and telephone number of the department and
11 the board. The text of the notice shall be in at least 32-point
12 boldfaced type and shall be printed on paper that is at least 11
13 inches by 17 inches in size.

14 (4) A pharmacist shall provide to the purchaser of a
15 prescription drug at the time the prescription drug is delivered
16 to the purchaser a receipt that includes the notice required
17 under subsection (2) or a printed statement of the notice in the
18 bag or other similar packaging in which the prescription drug is
19 delivered.

20 (5) As used in this section, "prescription error" means an
21 act or omission of clinical significance relating to the
22 dispensing of a drug that results in or may reasonably be
23 expected to result in injury to or the death of a patient.