

# HOUSE BILL No. 5003

May 26, 2009, Introduced by Reps. Lori, Walsh, Proos, Lund, DeShazor, Bolger, Rick Jones, Elsenheimer, Kurtz, Haines, Pearce, Schuitmaker, Tyler and Opsommer and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding section 7333c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 7333C. BEGINNING JANUARY 1, 2010, A PRESCRIBER SHALL NOT  
2   PRESCRIBE A CONTROLLED SUBSTANCE INCLUDED IN SCHEDULE 3 OR 4 TO A  
3   PATIENT WHO HAS BEEN CONVICTED OF A DRUG OFFENSE AND WHO IS  
4   INCARCERATED IN A STATE CORRECTIONAL FACILITY OR MUNICIPAL JAIL  
5   UNLESS IN THE OPINION OF THE PRESCRIBER NO OTHER REASONABLE  
6   TREATMENT OPTION IS AVAILABLE. AS USED IN THIS SECTION:

7           (A) "DRUG OFFENSE" MEANS ANY CRIME INVOLVING A PRESCRIPTION  
8   DRUG, INCLUDING ILLEGALLY MANUFACTURING, CREATING, DELIVERING,

1   DISTRIBUTING, OR POSSESSING PRESCRIPTION DRUGS, ILLEGALLY OBTAINING  
2   PRESCRIPTION DRUGS, ILLEGALLY USING OR ABUSING PRESCRIPTION DRUGS,  
3   OR VIOLATING AN ORDER OF PROBATION THROUGH THE ILLEGAL USE, ABUSE,  
4   OR HANDLING OF PRESCRIPTION DRUGS.

5           (B) "PRESCRIPTION DRUG" MEANS THAT TERM AS DEFINED IN SECTION  
6   17708.