

SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4736

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending sections 17745, 17751, 17754, and 17757 (MCL
333.17745, 333.17751, 333.17754, and 333.17757), as amended by
2014 PA 311, and by adding section 5110.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 5110. (1) TO PROTECT AND PROMOTE THE PUBLIC HEALTH OF
2 INDIVIDUALS IN THIS STATE, EXPEDITED PARTNER THERAPY IS
3 AUTHORIZED AS PROVIDED IN THIS SECTION. EXPEDITED PARTNER THERAPY
4 IS AUTHORIZED TO PROTECT INDIVIDUALS IN THIS STATE FROM THE
5 SPREAD OF SEXUALLY TRANSMITTED INFECTIONS, WHICH CAN CAUSE
6 INFERTILITY AND ECTOPIC PREGNANCIES. THE DEPARTMENT MAY
7 PROMULGATE RULES UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969

1 THAT IT DETERMINES NECESSARY TO IMPLEMENT AND ADMINISTER THIS
2 SECTION. IN ADDITION TO THE REQUIREMENTS OF SECTION 5111, THE
3 DEPARTMENT SHALL INCLUDE IN THE LIST OF REPORTABLE DISEASES,
4 INFECTIONS, AND DISABILITIES A SEPARATE LIST OF SEXUALLY
5 TRANSMITTED INFECTIONS FOR WHICH EXPEDITED PARTNER THERAPY AS
6 AUTHORIZED IN THIS SECTION IS APPROPRIATE. IN DEVELOPING THE
7 LIST, THE DEPARTMENT SHALL CONSULT WITH THE FEDERAL CENTERS FOR
8 DISEASE CONTROL AND PREVENTION AND HEALTH PROFESSIONALS IN THIS
9 STATE.

10 (2) IN ADDITION TO TREATING HIS OR HER PATIENT, A HEALTH
11 PROFESSIONAL MAY PROVIDE EXPEDITED PARTNER THERAPY IF ALL OF THE
12 FOLLOWING REQUIREMENTS ARE MET:

13 (A) THE PATIENT HAS A LABORATORY-CONFIRMED OR SUSPECTED
14 CLINICAL DIAGNOSIS OF A SEXUALLY TRANSMITTED INFECTION.

15 (B) THE PATIENT INDICATES THAT HE OR SHE HAS A PARTNER WITH
16 WHOM THE PATIENT HAS ENGAGED IN SEXUAL ACTIVITY WITHIN THE 60-DAY
17 PERIOD IMMEDIATELY BEFORE THE DIAGNOSIS OF A SEXUALLY TRANSMITTED
18 INFECTION.

19 (C) THE PATIENT INDICATES THAT HIS OR HER PARTNER IS UNABLE
20 OR IS UNLIKELY TO SEEK CLINICAL SERVICES IN A TIMELY MANNER.

21 (3) A HEALTH PROFESSIONAL WHO PROVIDES EXPEDITED PARTNER
22 THERAPY AS AUTHORIZED IN THIS SECTION SHALL DO ALL OF THE
23 FOLLOWING:

24 (A) DISPENSE OR PRESCRIBE THE THERAPY IN THE NAME OF THE
25 PARTNER, IF KNOWN, WITHOUT THE PHYSICAL EXAMINATION OF THE
26 PARTNER BY THE HEALTH PROFESSIONAL. NOTWITHSTANDING ANY PROVISION
27 OF THIS ACT OR RULES TO THE CONTRARY, IF THE NAME OF THE PARTNER

1 IS NOT KNOWN, THE HEALTH PROFESSIONAL SHALL DISPENSE OR PRESCRIBE
2 THE THERAPY IN THE NAME OF "EXPEDITED PARTNER THERAPY".

3 (B) CONVEY TO THE PATIENT THAT IT IS IMPORTANT TO NOTIFY HIS
4 OR HER PARTNER OF HIS OR HER DIAGNOSIS AND THAT IT IS IMPORTANT
5 FOR THE PARTNER TO OBTAIN MEDICAL CARE FOR A COMPLETE EVALUATION,
6 TESTING FOR SEXUALLY TRANSMITTED INFECTIONS, COUNSELING, AND
7 TREATMENT.

8 (C) DISTRIBUTE TO THE PATIENT THE INFORMATION SHEET
9 DEVELOPED UNDER SUBSECTION (4).

10 (4) THE DEPARTMENT SHALL DEVELOP AND DISTRIBUTE TO LOCAL
11 HEALTH DEPARTMENTS AND, UPON REQUEST, DISTRIBUTE TO HEALTH
12 PROFESSIONALS SUBJECT TO THIS SECTION AN INFORMATION SHEET THAT
13 INCLUDES ALL OF THE FOLLOWING INFORMATION:

14 (A) A DESCRIPTION OF EXPEDITED PARTNER THERAPY AND ITS
15 PURPOSE.

16 (B) A STATEMENT THAT A COMMON THERAPY FOR CERTAIN SEXUALLY
17 TRANSMITTED INFECTIONS IS ANTIBIOTIC THERAPY AND THAT, IF THE
18 EXPEDITED PARTNER THERAPY DISPENSED OR PRESCRIBED FOR THE READER
19 INCLUDES ANTIBIOTIC THERAPY, THE INFORMATION SHEET CONTAINS
20 IMPORTANT WARNINGS AND INFORMATION OF WHICH THE READER SHOULD BE
21 AWARE.

22 (C) A WARNING THAT IDENTIFIES CONTRAINDICATIONS FOR
23 EXPEDITED PARTNER THERAPY.

24 (D) A WARNING ABOUT THE DANGERS OF ADMINISTERING CERTAIN
25 ANTIBIOTIC THERAPIES TO A PREGNANT INDIVIDUAL.

26 (E) INFORMATION ABOUT ANTIBIOTICS DISPENSED OR PRESCRIBED IN
27 ANTIBIOTIC THERAPY AND DOSAGES OF THOSE ANTIBIOTICS DISPENSED OR

1 PRESCRIBED.

2 (F) A WARNING ABOUT THE RISK OF ALLERGIES TO AND DRUG
3 INTERACTIONS WITH ANTIBIOTICS DESCRIBED IN SUBDIVISION (E).

4 (G) INFORMATION ABOUT SEXUALLY TRANSMITTED INFECTIONS, THE
5 TREATMENT OF DIAGNOSED SEXUALLY TRANSMITTED INFECTIONS, AND THE
6 PREVENTION OF SEXUALLY TRANSMITTED INFECTIONS.

7 (H) A NOTICE THAT THE PARTNER SHOULD BE TESTED FOR SEXUALLY
8 TRANSMITTED INFECTIONS.

9 (I) A NOTICE OF THE RISK TO THE PATIENT, HIS OR HER PARTNER,
10 AND OTHERS, INCLUDING THE PUBLIC HEALTH, IF A SEXUALLY
11 TRANSMITTED INFECTION IS NOT COMPLETELY TREATED.

12 (J) A NOTICE OF THE RESPONSIBILITY OF THE PATIENT TO NOTIFY
13 HIS OR HER SEXUAL PARTNERS OF THE RISK OF SEXUALLY TRANSMITTED
14 INFECTIONS AND THE IMPORTANCE OF EXAMINATION AND TREATMENT FOR
15 SEXUALLY TRANSMITTED INFECTIONS.

16 (K) A STATEMENT ADVISING ANY INDIVIDUAL WHO HAS ANY
17 QUESTIONS REGARDING ANYTHING IN THE INFORMATION SHEET TO CONTACT
18 HIS OR HER HEALTH PROFESSIONAL OR LOCAL HEALTH DEPARTMENT.

19 (L) A STATEMENT THAT THE COST OF DRUGS DISPENSED PURSUANT TO
20 A PRESCRIPTION ISSUED IN THE NAME OF EXPEDITED PARTNER THERAPY
21 MUST BE PAID BY THE INDIVIDUAL FILLING THE PRESCRIPTION IF THAT
22 INDIVIDUAL DOES NOT HAVE PRESCRIPTION DRUG COVERAGE UNDER A
23 HEALTH BENEFIT PLAN OR THIRD-PARTY REIMBURSEMENT ARRANGEMENT.

24 (5) THIS SECTION DOES NOT REQUIRE A HEALTH BENEFIT PLAN OR
25 THIRD-PARTY REIMBURSEMENT ARRANGEMENT TO PAY FOR OR PROVIDE
26 REIMBURSEMENT FOR EXPEDITED PARTNER THERAPY AUTHORIZED UNDER THIS
27 SECTION UNLESS THE PARTNER WHO RECEIVES THE THERAPY IS LISTED AS

1 A MEMBER, SUBSCRIBER, CONTRACT HOLDER, OR BENEFICIARY UNDER THE
2 HEALTH BENEFIT PLAN OR THIRD-PARTY REIMBURSEMENT ARRANGEMENT.

3 (6) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A
4 HEALTH PROFESSIONAL WHO PROVIDES EXPEDITED PARTNER THERAPY AS
5 AUTHORIZED IN THIS SECTION IS NOT LIABLE FOR DAMAGES IN A CIVIL
6 ACTION OR SUBJECT TO ADMINISTRATIVE ACTION UNDER SECTIONS 16221
7 AND 16226 FOR PERSONAL INJURY, DEATH, OR OTHER CONSEQUENCES
8 ARISING FROM OR RELATED IN ANY WAY TO THE PROVISION OF EXPEDITED
9 PARTNER THERAPY BY THE HEALTH PROFESSIONAL. THIS SUBSECTION DOES
10 NOT APPLY IF THE ACTION OF THE HEALTH PROFESSIONAL IN PROVIDING
11 EXPEDITED PARTNER THERAPY IS GROSS NEGLIGENCE.

12 (7) AS USED IN THIS SECTION:

13 (A) "EXPEDITED PARTNER THERAPY" IS THE INDIRECT TREATMENT OF
14 A PARTNER OF A PATIENT WHO HAS BEEN DIAGNOSED AS HAVING A
15 SEXUALLY TRANSMITTED INFECTION THROUGH THE DISPENSING OR
16 PRESCRIBING OF ANTIBIOTIC DRUG OR OTHER TREATMENT THAT IS THE
17 STANDARD OF CARE FOR SEXUALLY TRANSMITTED INFECTIONS IN
18 ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE FEDERAL CENTERS FOR
19 DISEASE CONTROL AND PREVENTION FOR THE TREATMENT OF THE PARTNER
20 WITHOUT THE PHYSICAL EXAMINATION OF THE PARTNER BY A HEALTH
21 PROFESSIONAL.

22 (B) "HEALTH PROFESSIONAL" MEANS ANY OF THE FOLLOWING:

23 (i) AN INDIVIDUAL LICENSED OR OTHERWISE AUTHORIZED TO ENGAGE
24 IN A HEALTH PROFESSION UNDER ARTICLE 15 AND WHOSE SCOPE OF
25 PRACTICE INCLUDES THE DIAGNOSIS AND TREATMENT OF SEXUALLY
26 TRANSMITTED INFECTIONS.

27 (ii) FOR THE PURPOSE OF DISPENSING THERAPY UNDER THIS

1 SECTION, A PHARMACIST WHO IS LICENSED OR OTHERWISE AUTHORIZED TO
2 ENGAGE IN THE PRACTICE OF PHARMACY UNDER ARTICLE 15.

3 (C) "SEXUAL ACTIVITY" INCLUDES SEXUAL CONTACT AND SEXUAL
4 PENETRATION AS THOSE TERMS ARE DEFINED IN SECTION 5129.

5 (D) "SEXUALLY TRANSMITTED INFECTION" MEANS 1 OF THE
6 FOLLOWING:

7 (i) UNTIL THE DEPARTMENT ESTABLISHES A SEPARATE LIST UNDER
8 SUBSECTION (1), A SEXUALLY TRANSMITTED INFECTION FOR WHICH THE
9 FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDS THE
10 USE OF EXPEDITED PARTNER THERAPY.

11 (ii) ON AND AFTER THE DATE THE DEPARTMENT ESTABLISHES A
12 SEPARATE LIST UNDER SUBSECTION (1), A SEXUALLY TRANSMITTED
13 INFECTION INCLUDED IN THAT LIST.

14 Sec. 17745. (1) Except as otherwise provided in this
15 subsection, a prescriber who wishes to dispense prescription
16 drugs shall obtain from the board a drug control license for each
17 location in which the storage and dispensing of prescription
18 drugs occur. A drug control license is not necessary if the
19 dispensing occurs in the emergency department, emergency room, or
20 trauma center of a hospital licensed under article 17 or if the
21 dispensing involves only the issuance of complimentary starter
22 dose drugs.

23 (2) Except as otherwise **AUTHORIZED FOR EXPEDITED PARTNER**
24 **THERAPY IN SECTION 5110 OR AS** provided in section 17744a or
25 17744b, a dispensing prescriber shall dispense prescription drugs
26 only to his or her own patients.

27 (3) A dispensing prescriber shall include in a patient's

1 chart or clinical record a complete record, including
2 prescription drug names, dosages, and quantities, of all
3 prescription drugs dispensed directly by the dispensing
4 prescriber or indirectly under his or her delegatory authority.
5 If prescription drugs are dispensed under the prescriber's
6 delegatory authority, the delegatee who dispenses the
7 prescription drugs shall initial the patient's chart, clinical
8 record, or log of prescription drugs dispensed. In a patient's
9 chart or clinical record, a dispensing prescriber shall
10 distinguish between prescription drugs dispensed to the patient,
11 prescription drugs prescribed for the patient, **PRESCRIPTION DRUGS**
12 **DISPENSED OR PRESCRIBED FOR EXPEDITED PARTNER THERAPY AS**
13 **AUTHORIZED IN SECTION 5110**, and prescription drugs dispensed or
14 prescribed as authorized under section 17744a or 17744b. A
15 dispensing prescriber shall retain information required under
16 this subsection for not less than 5 years after the information
17 is entered in the patient's chart or clinical record.

18 (4) A dispensing prescriber shall store prescription drugs
19 under conditions that will maintain their stability, integrity,
20 and effectiveness and will assure that the prescription drugs are
21 free of contamination, deterioration, and adulteration.

22 (5) A dispensing prescriber shall store prescription drugs
23 in a substantially constructed, securely lockable cabinet. Access
24 to the cabinet shall be limited to individuals authorized to
25 dispense prescription drugs in compliance with this part and
26 article 7.

27 (6) Unless otherwise requested by a patient, a dispensing

1 prescriber shall dispense a prescription drug in a safety closure
2 container that complies with the poison prevention packaging act
3 of 1970, 15 USC 1471 to 1477.

4 (7) A dispensing prescriber shall dispense a drug in a
5 container that bears a label containing all of the following
6 information:

7 (a) The name and address of the location from which the
8 prescription drug is dispensed.

9 (b) Except as otherwise authorized under section 5110,
10 17744a, or 17744b, the patient's name and record number.

11 (c) The date the prescription drug was dispensed.

12 (d) The prescriber's name or, if dispensed under the
13 prescriber's delegatory authority, the name of the delegatee.

14 (e) The directions for use.

15 (f) The name and strength of the prescription drug.

16 (g) The quantity dispensed.

17 (h) The expiration date of the prescription drug or the
18 statement required under section 17756.

19 (8) A dispensing prescriber who dispenses a complimentary
20 starter dose drug to a patient shall give the patient ~~at least~~
21 ~~all of the following information~~ **REQUIRED IN THIS SUBSECTION,**
22 ~~either by dispensing the complimentary starter dose drug to the~~
23 ~~patient in a container that bears a label containing the~~ **REQUIRED**
24 ~~information or by giving the patient a written document that may~~
25 ~~include, but is not limited to, a preprinted insert that comes~~
26 ~~with the complimentary starter dose drug~~ **—AND** ~~that contains all~~
27 ~~of the following~~ **REQUIRED** information. **THE INFORMATION REQUIRED**

1 TO BE GIVEN TO THE PATIENT UNDER THIS SUBSECTION INCLUDES ALL OF
2 THE FOLLOWING:

3 (a) The name and strength of the complimentary starter dose
4 drug.

5 (b) Directions for the patient's use of the complimentary
6 starter dose drug.

7 (c) The expiration date of the complimentary starter dose
8 drug or the statement required under section 17756.

9 (9) The information required under subsection (8) is in
10 addition to, and does not supersede or modify, other state or
11 federal law regulating the labeling of prescription drugs.

12 (10) In addition to meeting the requirements of this part, a
13 dispensing prescriber who dispenses controlled substances shall
14 comply with section 7303a.

15 (11) The board may periodically inspect locations from which
16 prescription drugs are dispensed.

17 (12) The act, task, or function of dispensing prescription
18 drugs shall be delegated only as provided in this part and
19 sections 16215, 17048, 17076, 17212, and 17548.

20 (13) A supervising physician may delegate in writing to a
21 pharmacist practicing in a hospital pharmacy within a hospital
22 licensed under article 17 the receipt of complimentary starter
23 dose drugs other than controlled substances as defined by article
24 7 or federal law. When the delegated receipt of complimentary
25 starter dose drugs occurs, both the pharmacist's name and the
26 supervising physician's name shall be used, recorded, or
27 otherwise indicated in connection with each receipt. A pharmacist

1 described in this subsection may dispense a prescription for
2 complimentary starter dose drugs written or transmitted by
3 facsimile, electronic transmission, or other means of
4 communication by a prescriber.

5 (14) As used in this section, "complimentary starter dose"
6 means a prescription drug packaged, dispensed, and distributed in
7 accordance with state and federal law that is provided to a
8 dispensing prescriber free of charge by a manufacturer or
9 distributor and dispensed free of charge by the dispensing
10 prescriber to his or her patients.

11 Sec. 17751. (1) A pharmacist shall not dispense a drug
12 requiring a prescription under the federal act or a law of this
13 state except under authority of an original prescription or an
14 equivalent record of an original prescription approved by the
15 board.

16 (2) Subject to subsection (5), a pharmacist may dispense a
17 prescription written and signed; written or created in an
18 electronic format, signed, and transmitted by facsimile; or
19 transmitted electronically or by other means of communication by
20 a physician prescriber or dentist prescriber in a state other
21 than Michigan, but not including a prescription for a controlled
22 substance as defined in section 7104 except under circumstances
23 described in section 17763(e), only if the pharmacist in the
24 exercise of his or her professional judgment determines all of
25 the following:

26 (a) Except as otherwise authorized under section **5110**,
27 17744a, or 17744b, that the prescription was issued pursuant to

1 an existing physician-patient or dentist-patient relationship.

2 (b) That the prescription is authentic.

3 (c) That the prescribed drug is appropriate and necessary
4 for the treatment of an acute, chronic, or recurrent condition.

5 (3) A pharmacist or a prescriber shall dispense a
6 prescription only if the prescription falls within the scope of
7 practice of the prescriber.

8 (4) A pharmacist shall not knowingly dispense a prescription
9 after the death of the prescriber or patient.

10 (5) A pharmacist shall not dispense a drug or device under a
11 prescription transmitted by facsimile or created in electronic
12 format and printed out for use by the patient unless the document
13 is manually signed by the prescriber. This subsection does not
14 apply to a prescription that is transmitted by a computer to a
15 facsimile machine if that prescription complies with section
16 17754.

17 (6) After consultation with and agreement from the
18 prescriber, a pharmacist may add or change a patient's address,
19 dosage form, drug strength, drug quantity, directions for use, or
20 issue date with regard to a prescription. A pharmacist shall note
21 the details of the consultation and agreement required under this
22 subsection on the prescription and shall maintain that
23 documentation with the prescription as required in section 17752.
24 A pharmacist shall not change the patient's name, controlled
25 substance prescribed unless authorized to dispense a lower cost
26 generically equivalent drug product under section 17755, or the
27 prescriber's signature with regard to a prescription.

1 (7) A prescription that is contained within a patient's
2 chart in a health facility or agency licensed under article 17 or
3 other medical institution and that is transmitted to a pharmacy
4 under section 17744 is the original prescription. If all other
5 requirements of this part are met, a pharmacist shall dispense a
6 drug or device under a prescription described in this subsection.
7 A pharmacist may dispense a drug or device under a prescription
8 described in this subsection even if the prescription does not
9 contain the quantity ordered. If a prescription described in this
10 subsection does not contain the quantity ordered, the pharmacist
11 shall consult with the prescriber to determine an agreed-upon
12 quantity. The pharmacist shall record the quantity dispensed on
13 the prescription and shall maintain that documentation with the
14 prescription as required in section 17752.

15 Sec. 17754. (1) Except as otherwise provided under article
16 7, article 8, and the federal act, a prescription may be
17 transmitted electronically if the prescription is transmitted in
18 compliance with the health insurance portability and
19 accountability act of 1996, Public Law 104-191, or regulations
20 promulgated under that act, 45 CFR parts 160 and 164, by a
21 prescriber or his or her agent and the data are not altered or
22 modified in the transmission process. The electronically
23 transmitted prescription shall include all of the following
24 information:

25 (a) The name, address, and telephone number of the
26 prescriber.

27 (b) Except as otherwise authorized under section **5110**,

1 17744a, or 17744b, the full name of the patient for whom the
2 prescription is issued.

3 (c) An electronic signature or other identifier that
4 specifically identifies and authenticates the prescriber or his
5 or her agent.

6 (d) The time and date of the transmission.

7 (e) The identity of the pharmacy intended to receive the
8 transmission.

9 (f) Any other information required by the federal act or
10 state law.

11 (2) The electronic equipment or system utilized in the
12 transmission and communication of prescriptions shall provide
13 adequate confidentiality safeguards and be maintained to protect
14 patient confidentiality as required under any applicable federal
15 and state law and to ensure against unauthorized access. The
16 electronic transmission of a prescription shall be communicated
17 in a retrievable, recognizable form acceptable to the intended
18 recipient. The electronic form utilized in the transmission of a
19 prescription shall not include "dispense as written" or "d.a.w."
20 as the default setting.

21 (3) Before dispensing a prescription that is electronically
22 transmitted, the pharmacist shall exercise professional judgment
23 regarding the accuracy, validity, and authenticity of the
24 transmitted prescription.

25 (4) An electronically transmitted prescription that meets
26 the requirements of this section is the original prescription.

27 Sec. 17757. (1) Upon a request made in person or by

1 telephone, a pharmacist engaged in the business of selling drugs
2 at retail shall provide the current selling price of a drug
3 dispensed by that pharmacy or comparative current selling prices
4 of generic and brand name drugs dispensed by that pharmacy. The
5 information shall be provided to the person making the request
6 before a drug is dispensed to the person. A person who makes a
7 request for price information under this subsection is not
8 obligated to purchase the drug for which the price or comparative
9 prices are requested.

10 (2) A pharmacist engaged in the business of selling drugs at
11 retail shall conspicuously display the notice described in
12 subsection (3) at each counter over which prescription drugs are
13 dispensed.

14 (3) The notice required under subsection (2) shall be in
15 substantially the following form:

16 NOTICE TO CONSUMERS
17 ABOUT PRESCRIPTION DRUGS

18 Under Michigan law, you have the right to find out the price
19 of a prescription drug before the pharmacist fills the
20 prescription. You are under no obligation to have the
21 prescription filled here and may use this price information to
22 shop around at other pharmacies. You may request price
23 information in person or by telephone.

24 Every pharmacy has the current selling prices of both
25 generic and brand name drugs dispensed by the pharmacy.

26 Ask your pharmacist if a lower-cost generic drug is

1 available to fill your prescription. A generic drug contains the
2 same medicine as a brand name drug and is a suitable substitute
3 in most instances.

4 A generic drug may not be dispensed by your pharmacist if
5 your doctor has written "dispense as written" or the initials
6 "d.a.w." on the prescription.

7 If you have questions about the drugs that have been
8 prescribed for you, ask your doctor or pharmacist for more
9 information.

10 To avoid dangerous drug interactions, let your doctor and
11 pharmacist know about any other medications you are taking. This
12 is especially important if you have more than 1 doctor or have
13 prescriptions filled at more than 1 pharmacy.

14 (4) The notice required under subsection (2) shall also
15 contain the address and phone number of the board and the
16 department. The text of the notice shall be in at least 32-point
17 bold type and shall be printed on paper at least 11 inches by 17
18 inches in size. The notice may be printed on multiple pages.

19 (5) The department shall provide a copy of the notice
20 required under subsection (2) to each licensee. The department
21 shall provide additional copies if needed. A person may duplicate
22 or reproduce the notice if the duplication or reproduction is a
23 true copy of the notice as produced by the department, without
24 any additions or deletions.

25 (6) The pharmacist shall furnish to the purchaser of a
26 prescription drug at the time the drug is delivered to the
27 purchaser a receipt evidencing the transactions ~~, which~~ **THAT**

1 contains all of the following:

- 2 (a) The brand name of the drug, if applicable.
- 3 (b) The name of the manufacturer or the supplier of the
- 4 drug, if the drug does not have a brand name.
- 5 (c) The strength of the drug, if significant.
- 6 (d) The quantity dispensed, if applicable.
- 7 (e) The name and address of the pharmacy.
- 8 (f) The serial number of the prescription.
- 9 (g) The date the prescription was originally dispensed.
- 10 (h) The name of the prescriber or, if prescribed under the
- 11 prescriber's delegatory authority, the name of the delegatee.
- 12 (i) Except as otherwise authorized under section 5110,
- 13 17744a, or 17744b, the name of the patient for whom the drug was
- 14 prescribed.
- 15 (j) The price for which the drug was sold to the purchaser.
- 16 (7) The items required under subsection (6)(a), (b), and (c)
- 17 may be omitted **FROM A RECEIPT** by a pharmacist only if the
- 18 omission is expressly required by the prescriber. The pharmacist
- 19 shall retain a copy of each receipt **FURNISHED UNDER SUBSECTION**
- 20 **(6)** for 90 days. The inclusion of the items required under
- 21 subsection (6) on the prescription container label is a valid
- 22 receipt to the purchaser. Including the items required under
- 23 subsection (6) on the written prescription form and retaining the
- 24 form constitutes retention of a copy of the receipt.
- 25 (8) The board may promulgate rules to implement this
- 26 section.

27 Enacting section 1. This amendatory act takes effect January

1 1, 2015.