

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), sections 17745
and 17757 as amended by 2011 PA 210 and sections 17751 and 17754
as amended by 2012 PA 209, 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
8 THAT IT DETERMINES NECESSARY TO IMPLEMENT AND ADMINISTER THIS

SECTION. IN ADDITION TO THE REQUIREMENTS OF SECTION 5111, THE DEPARTMENT SHALL INCLUDE IN THE LIST OF REPORTABLE DISEASES, INFECTIONS, AND DISABILITIES A SEPARATE LIST OF SEXUALLY TRANSMITTED INFECTIONS FOR WHICH EXPEDITED PARTNER THERAPY AS AUTHORIZED IN THIS SECTION IS APPROPRIATE. IN DEVELOPING THE LIST, THE DEPARTMENT SHALL CONSULT WITH THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION AND HEALTH PROFESSIONALS IN THIS STATE.

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

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

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

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

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

(A) DISPENSE OR PRESCRIBE THE THERAPY IN THE NAME OF THE PARTNER, IF KNOWN, WITHOUT THE PHYSICAL EXAMINATION OF THE PARTNER BY THE HEALTH PROFESSIONAL. NOTWITHSTANDING ANY PROVISION OF THIS ACT OR RULES TO THE CONTRARY, IF THE NAME OF THE PARTNER IS NOT KNOWN, THE HEALTH PROFESSIONAL SHALL DISPENSE OR PRESCRIBE

1 THE THERAPY IN THE NAME OF "EXPEDITED PARTNER THERAPY".

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

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

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

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

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

21 (C) A WARNING ABOUT THE DANGERS OF ADMINISTERING CERTAIN
22 ANTIBIOTIC THERAPIES TO A PREGNANT INDIVIDUAL.

23 (D) INFORMATION ABOUT ANTIBIOTICS DISPENSED OR PRESCRIBED IN
24 ANTIBIOTIC THERAPY AND DOSAGES OF THOSE ANTIBIOTICS DISPENSED OR
25 PRESCRIBED.

26 (E) A WARNING ABOUT THE RISK OF ALLERGIES TO AND DRUG
27 INTERACTIONS WITH ANTIBIOTICS DESCRIBED IN SUBDIVISION (D).

1 (F) INFORMATION ABOUT SEXUALLY TRANSMITTED INFECTIONS, THE
2 TREATMENT OF DIAGNOSED SEXUALLY TRANSMITTED INFECTIONS, AND THE
3 PREVENTION OF SEXUALLY TRANSMITTED INFECTIONS.

4 (G) A NOTICE THAT THE PARTNER SHOULD BE TESTED FOR SEXUALLY
5 TRANSMITTED INFECTIONS.

6 (H) A NOTICE OF THE RISK TO THE PATIENT, HIS OR HER PARTNER,
7 AND OTHERS, INCLUDING THE PUBLIC HEALTH, IF A SEXUALLY
8 TRANSMITTED INFECTION IS NOT COMPLETELY TREATED.

9 (I) A NOTICE OF THE RESPONSIBILITY OF THE PATIENT TO NOTIFY
10 HIS OR HER SEXUAL PARTNERS OF THE RISK OF SEXUALLY TRANSMITTED
11 INFECTIONS AND THE IMPORTANCE OF EXAMINATION AND TREATMENT FOR
12 SEXUALLY TRANSMITTED INFECTIONS.

13 (J) A STATEMENT ADVISING ANY INDIVIDUAL WHO HAS ANY
14 QUESTIONS REGARDING ANYTHING IN THE INFORMATION SHEET TO CONTACT
15 HIS OR HER HEALTH PROFESSIONAL OR LOCAL HEALTH DEPARTMENT.

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

21 (5) THIS SECTION DOES NOT REQUIRE A HEALTH BENEFIT PLAN OR
22 THIRD-PARTY REIMBURSEMENT ARRANGEMENT TO PAY FOR OR PROVIDE
23 REIMBURSEMENT FOR EXPEDITED PARTNER THERAPY AUTHORIZED UNDER THIS
24 SECTION UNLESS THE PARTNER WHO RECEIVES THE THERAPY IS LISTED AS
25 A MEMBER, SUBSCRIBER, CONTRACT HOLDER, OR BENEFICIARY UNDER THE
26 HEALTH BENEFIT PLAN OR THIRD-PARTY REIMBURSEMENT ARRANGEMENT.

27 (6) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A

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

9 (7) AS USED IN THIS SECTION:

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

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

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

24 (ii) FOR THE PURPOSE OF DISPENSING THERAPY UNDER THIS
25 SECTION, A PHARMACIST WHO IS LICENSED OR OTHERWISE AUTHORIZED TO
26 ENGAGE IN THE PRACTICE OF PHARMACY UNDER ARTICLE 15.

27 (C) "SEXUAL ACTIVITY" INCLUDES SEXUAL CONTACT AND SEXUAL

1 PENETRATION AS THOSE TERMS ARE DEFINED IN SECTION 5129.

2 (D) "SEXUALLY TRANSMITTED INFECTION" MEANS 1 OF THE
3 FOLLOWING:

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

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

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

20 (2) ~~A—EXCEPT AS OTHERWISE AUTHORIZED FOR EXPEDITED PARTNER~~
21 ~~THERAPY IN SECTION 5110, A~~ dispensing prescriber shall dispense
22 prescription drugs only to his or her own patients.

23 (3) A dispensing prescriber shall include in a patient's
24 chart or clinical record a complete record, including
25 prescription drug names, dosages, and quantities, of all
26 prescription drugs dispensed directly by the dispensing
27 prescriber or indirectly under his or her delegatory authority,

1 **INCLUDING EXPEDITED PARTNER THERAPY PROVIDED AS AUTHORIZED IN**
2 **SECTION 5110.** If prescription drugs are dispensed under the
3 prescriber's delegatory authority, the delegatee who dispenses
4 the prescription drugs shall initial the patient's chart,
5 clinical record, or log of prescription drugs dispensed. In a
6 patient's chart or clinical record, a dispensing prescriber shall
7 distinguish between prescription drugs dispensed to the patient,
8 ~~and~~ prescription drugs prescribed for the patient, **AND**
9 **PRESCRIPTION DRUGS DISPENSED OR PRESCRIBED FOR EXPEDITED PARTNER**
10 **THERAPY AS AUTHORIZED IN SECTION 5110.** A dispensing prescriber
11 shall retain information required under this subsection for not
12 less than 5 years after the information is entered in the
13 patient's chart or clinical record.

14 (4) A dispensing prescriber shall store prescription drugs
15 under conditions that will maintain their stability, integrity,
16 and effectiveness and will assure that the prescription drugs are
17 free of contamination, deterioration, and adulteration.

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

23 (6) Unless otherwise requested by a patient, a dispensing
24 prescriber shall dispense a prescription drug in a safety closure
25 container that complies with the poison prevention packaging act
26 of 1970, 15 USC 1471 to 1477.

27 (7) A dispensing prescriber shall dispense a drug in a

1 container that bears a label containing all of the following
2 information:

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

5 (b) ~~The~~ **EXCEPT AS OTHERWISE AUTHORIZED FOR EXPEDITED PARTNER**
6 **THERAPY IN SECTION 5110, THE** patient's name and record number.

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

8 (d) The prescriber's name or, if dispensed under the
9 prescriber's delegatory authority, ~~shall list~~ the name of the
10 delegatee.

11 (e) The directions for use.

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

13 (g) The quantity dispensed.

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

16 (8) A dispensing prescriber who dispenses a complimentary
17 starter dose drug to a patient shall give the patient ~~at least~~
18 ~~all of the following information~~ **REQUIRED IN THIS SUBSECTION,**
19 ~~either by~~ dispensing the complimentary starter dose drug to the
20 patient in a container that bears a label containing the **REQUIRED**
21 information or by giving the patient a written document ~~which~~
22 **THAT** may include, but is not limited to, a preprinted insert that
23 comes with the complimentary starter dose drug ~~, AND~~ that
24 contains the **REQUIRED** information. **THE INFORMATION REQUIRED TO BE**
25 **GIVEN TO THE PATIENT UNDER THIS SUBSECTION INCLUDES ALL OF THE**
26 **FOLLOWING:**

27 (a) The name and strength of the complimentary starter dose

1 drug.

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

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

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

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

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

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

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

1 communication by a prescriber.

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

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

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

23 (a) ~~That~~ **EXCEPT AS OTHERWISE AUTHORIZED FOR EXPEDITED**
24 **PARTNER THERAPY IN SECTION 5110, THAT** the prescription was issued
25 pursuant to an existing physician-patient or dentist-patient
26 relationship.

27 (b) That the prescription is authentic.

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

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

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

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

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

26 (7) A prescription that is contained within a patient's
27 chart in a health facility or agency licensed under article 17 or

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

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

23 (a) The name, address, and telephone number of the
24 prescriber.

25 (b) ~~The~~ **EXCEPT AS OTHERWISE AUTHORIZED FOR EXPEDITED PARTNER**
26 **THERAPY IN SECTION 5110, THE** full name of the patient for whom
27 the prescription is issued.

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

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

5 (e) The identity of the pharmacy intended to receive the
6 transmission.

7 (f) Any other information required by the federal act or
8 state law.

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

19 (3) ~~Prior to~~ **BEFORE** dispensing a prescription that is
20 electronically transmitted, the pharmacist shall exercise
21 professional judgment regarding the accuracy, validity, and
22 authenticity of the transmitted prescription.

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

25 Sec. 17757. (1) Upon a request made in person or by
26 telephone, a pharmacist engaged in the business of selling drugs
27 at retail shall provide the current selling price of a drug

1 dispensed by that pharmacy or comparative current selling prices
2 of generic and brand name drugs dispensed by that pharmacy. The
3 information shall be provided to the person making the request
4 before a drug is dispensed to the person. A person who makes a
5 request for price information under this subsection ~~shall~~**IS** not
6 ~~be~~ obligated to purchase the drug for which the price or
7 comparative prices are requested.

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

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

14 NOTICE TO CONSUMERS
15 ABOUT PRESCRIPTION DRUGS

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

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

24 Ask your pharmacist if a lower-cost generic drug is
25 available to fill your prescription. A generic drug contains the

1 same medicine as a brand name drug and is a suitable substitute
2 in most instances.

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

6 If you have questions about the drugs ~~which~~**THAT** have been
7 prescribed for you, ask your doctor or pharmacist for more
8 information.

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

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

18 (5) A copy of the notice required under subsection (2) shall
19 be provided to each licensee by the department. ~~Additional~~**THE**
20 **DEPARTMENT SHALL PROVIDE ADDITIONAL** copies ~~shall be available if~~
21 ~~needed. from the department.~~ A person may duplicate or reproduce
22 the notice if the duplication or reproduction is a true copy of
23 the notice as produced by the department, without any additions
24 or deletions. ~~whatsoever.~~

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, ~~shall list~~ the name of the
 - 12 delegatee.
 - 13 (i) ~~The~~ **EXCEPT AS OTHERWISE AUTHORIZED FOR EXPEDITED PARTNER**
 - 14 **THERAPY IN SECTION 5110, THE** name of **THE** patient for whom the
 - 15 drug was prescribed.
 - 16 (j) The price for which the drug was sold to the purchaser.
 - 17 (7) ~~Subsection~~ **THE ITEMS REQUIRED UNDER SUBSECTION (6) (a),**
 - 18 (b), and (c) may be omitted **FROM A RECEIPT** by a pharmacist only
 - 19 if the omission is expressly required by the prescriber. The
 - 20 pharmacist shall retain a copy of each receipt **FURNISHED UNDER**
 - 21 **SUBSECTION (6)** for 90 days. The inclusion of **THE ITEMS REQUIRED**
 - 22 **UNDER** subsection (6) on the prescription container label is a
 - 23 valid receipt to the purchaser. Including **THE ITEMS REQUIRED**
 - 24 **UNDER** subsection (6) on the written prescription form and
 - 25 retaining the form constitutes retention of a copy of the
 - 26 receipt.
 - 27 (8) The board may promulgate rules to implement this

1 section.

2 Enacting section 1. This amendatory act takes effect January

3 1, 2014.