

# HOUSE BILL No. 4405

March 23, 2017, Introduced by Reps. Crawford, Schor, Lucido, Marino, Kelly, Allor, Lower, Kivela, McCready, Tedder, Maturen, Whiteford, Barrett, Webber, LaFave, Rendon and Frederick 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 17751a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 17751A. (1) A PHARMACIST MAY REFUSE TO DISPENSE A  
2        PRESCRIPTION FOR A CONTROLLED SUBSTANCE LISTED IN SCHEDULES 2 TO 5  
3        OF PART 72 IF THE PHARMACIST HAS A REASONABLE AND GOOD-FAITH BELIEF  
4        THAT THE PRESCRIPTION WAS NOT WRITTEN BY A PRESCRIBER IN GOOD FAITH  
5        OR HAS A REASONABLE AND GOOD-FAITH BELIEF THAT THE PRESCRIPTION IS  
6        BEING FILLED FOR A PURPOSE THAT IS NOT A LEGITIMATE MEDICAL  
7        PURPOSE.

8        (2) A PHARMACIST WHO REFUSES TO DISPENSE A PRESCRIPTION AS  
9        PROVIDED UNDER SUBSECTION (1) IS NOT LIABLE FOR DAMAGES IN A CIVIL  
10       ACTION FOR INJURY, DEATH, OR LOSS TO PERSON OR PROPERTY ARISING  
11       FROM THE PHARMACIST'S REFUSAL TO DISPENSE THE PRESCRIPTION.

1           Enacting section 1. This amendatory act takes effect 90 days  
2   after the date it is enacted into law.