

SENATE BILL No. 272

March 23, 2017, Introduced by Senator SHIRKEY 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 7303b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7303B. (1) IN ADDITION TO THE REQUIREMENT IN SECTION
2 7303A, BEFORE PRESCRIBING A CONTROLLED SUBSTANCE THAT IS AN OPIOID
3 TO A PATIENT, A LICENSED PRESCRIBER SHALL PROVIDE INFORMATION ON
4 ALL OF THE FOLLOWING TOPICS TO THE PATIENT OR THE PATIENT'S
5 REPRESENTATIVE:

6 (A) THE DANGER OF OPIOID ADDICTION.

7 (B) HOW TO PROPERLY DISPOSE OF AN EXPIRED, UNUSED, OR UNWANTED
8 CONTROLLED SUBSTANCE.

9 (C) THAT THE DELIVERY OF A CONTROLLED SUBSTANCE IS A FELONY
10 UNDER MICHIGAN LAW.

1 (2) AFTER PROVIDING THE INFORMATION DESCRIBED IN SUBSECTION
2 (1), THE LICENSED PRESCRIBER SHALL OBTAIN THE SIGNATURE OF THE
3 PATIENT OR THE PATIENT'S REPRESENTATIVE ON A FORM PRESCRIBED BY THE
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES, INDICATING THAT THE
5 PATIENT OR THE PATIENT'S REPRESENTATIVE HAS RECEIVED THE
6 INFORMATION DESCRIBED IN SUBSECTION (1). THE LICENSED PRESCRIBER
7 SHALL INCLUDE THE SIGNED FORM IN THE PATIENT'S MEDICAL OR CLINICAL
8 RECORD.

9 (3) AS USED IN THIS SECTION:

10 (A) "PATIENT" MEANS AN INDIVIDUAL WHO RECEIVES HEALTH CARE
11 FROM THE LICENSED PRESCRIBER.

12 (B) "PATIENT'S REPRESENTATIVE" MEANS A GUARDIAN OF A PATIENT,
13 IF APPOINTED, OR A PARENT, GUARDIAN, OR PERSON ACTING IN LOCO
14 PARENTIS, IF THE PATIENT IS A MINOR, UNLESS THE MINOR LAWFULLY
15 OBTAINED HEALTH CARE WITHOUT THE CONSENT OR NOTIFICATION OF A
16 PARENT, GUARDIAN, OR OTHER PERSON ACTING IN LOCO PARENTIS.

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