

SUBSTITUTE FOR
HOUSE BILL NO. 5616

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 17773, 20817, and
21537.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17773. (1) Any unused portion of a facility-provided drug
2 that is dispensed for an ophthalmic surgical procedure performed on
3 or for ophthalmic medical care provided to a patient in a hospital
4 or freestanding surgical outpatient facility licensed under article
5 17 must be offered to the patient on the patient's discharge from
6 the hospital or freestanding surgical outpatient facility if all of
7 the following apply:

8 (a) The hospital or freestanding surgical outpatient facility

1 orders the facility-provided drug for an ophthalmic surgical
2 procedure for the patient that is performed on an in-patient basis
3 or for ophthalmic medical care that the patient receives from the
4 hospital or freestanding surgical outpatient facility on an in-
5 patient basis.

6 (b) The facility-provided drug is administered to the patient
7 at the hospital or freestanding surgical outpatient facility.

8 (c) The unused portion of the facility-provided drug is
9 required for the patient's continued treatment.

10 (2) If a pharmacist, rather than a dispensing prescriber,
11 dispenses a facility-provided drug that is offered to a patient
12 under subsection (1), the pharmacist shall ensure that the drug is
13 provided to the patient in a container that is labeled in the same
14 manner as required in section 17745(7) for a drug dispensed by a
15 dispensing prescriber.

16 (3) The prescriber of the facility-provided drug shall counsel
17 the patient on the directions for the patient's use of the
18 facility-provided drug. If a pharmacist dispenses the facility-
19 provided drug, any counseling requirement on the pharmacist is
20 waived.

21 (4) As used in this section, "facility-provided drug" means a
22 drug that meets both of the following requirements:

23 (a) The drug is an eye drop or eye ointment.

24 (b) The drug is not a pharmaceutical compounded under section
25 17748b.

26 Sec. 20817. A freestanding surgical outpatient facility shall
27 comply with section 17773.

28 Sec. 21537. A hospital shall comply with section 17773.