

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.17763 Grounds for fine, reprimand, or probation; grounds for denying, limiting, suspending, or revoking license.

Sec. 17763. In addition to the grounds set forth in part 161, the disciplinary subcommittee may fine, reprimand, or place a pharmacist licensee on probation, or deny, limit, suspend, or revoke the license of a pharmacist or order restitution or community service for a violation or abetting in a violation of this part or rules promulgated under this part, or for 1 or more of the following grounds:

(a) Permitting the dispensing of prescriptions by an individual who is not a pharmacist, pharmacist intern, or dispensing prescriber.

(b) Permitting the dispensing of prescriptions by a pharmacist intern, except in the presence and under the personal charge of a pharmacist.

(c) Selling at auction drugs in bulk or in open packages unless the sale has been approved in accordance with rules of the board.

(d) Promoting a prescription drug to the public in any manner.

(e) In addition to the prohibition contained in section 7405(1)(e), dispensing a prescription for a controlled substance as defined in section 7104 that is written and signed; written or created in an electronic format, signed, and transmitted by facsimile; or transmitted electronically or by other means of communication by a physician prescriber, dentist prescriber, or veterinarian prescriber in another state, unless the prescription is issued by a physician prescriber, dentist prescriber, or veterinarian prescriber who is authorized under the laws of that state to practice dentistry, medicine, osteopathic medicine and surgery, or veterinary medicine and to prescribe controlled substances.

History: 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1993, Act 79, Eff. Apr. 1, 1994;—Am. 1997, Act 153, Eff. Mar. 31, 1998;—Am. 2004, Act 214, Eff. Oct. 12, 2004;—Am. 2004, Act 536, Imd. Eff. Jan. 3, 2005;—Am. 2005, Act 85, Imd. Eff. July 19, 2005;—Am. 2006, Act 672, Imd. Eff. Jan. 10, 2007;—Am. 2009, Act 150, Imd. Eff. Nov. 19, 2009;—Am. 2011, Act 155, Imd. Eff. Sept. 27, 2011;—Am. 2012, Act 209, Imd. Eff. June 27, 2012;—Am. 2016, Act 49, Eff. June 13, 2016.

Compiler's note: Enacting section 1 of Act 49 of 2016 provides:

"Enacting section 1. Section 16349 of the public health code, 1978 PA 368, MCL 333.16349, as amended by this amendatory act, applies to licensing fees required to be paid after December 31, 2018."

Popular name: Act 368