PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.8154 Prescription; contents; monitoring; access to information; limitation; confidentiality; retrieval system; use of information; removal of identity; contractual agreement.

Sec. 8154. (1) Each prescription for pharmaceutical-grade cannabis shall contain all of the following information:

(a) The date the prescription is written.

(b) The date the prescription is filled.

(c) The dosage and instructions for use, which shall include the percentage of total THC and the percentage of total CBD. A prescription for pharmaceutical-grade cannabis shall not allow the individual to whom the prescription is issued to obtain more than 2.5 ounces of pharmaceutical-grade cannabis. Pharmaceutical-grade cannabis must be kept only in the original packaging or container provided by the manufacturer or by the dispensing pharmacy.

(d) The name, address, and federal drug enforcement administration number of the dispensing pharmacy and the initials of the pharmacist who fills the prescription.

(e) The name, address, and date of birth of the eligible patient for whom the pharmaceutical-grade cannabis is prescribed.

(f) The product brand name, if a brand name is specified by the prescriber.

(2) The department shall require the use of the electronic system established under section 7333a for monitoring pharmaceutical-grade cannabis dispensed under this section as a schedule 2 controlled substance.

(3) The director shall permit access to information submitted to the department under this article only to the following individuals and as provided in this article:

(a) Employees and agents of the department authorized by the director of the department.

(b) Employees of state, county, and other local law enforcement entities authorized by the administrator as defined in article 7 for the purpose of cooperating and assisting a governmental agency that is responsible for the enforcement of laws relating to controlled substances or a prescribing physician or pharmacy concerning an individual suspected of attempting to obtain a controlled substance by fraud, deceit, or misrepresentation.

(c) A person with whom the department has contracted under subsection (8).

(4) Information submitted to the department under this section is confidential, but may be released to persons authorized by the director to conduct research studies or to other persons authorized by the director. However, subject to subsection (5) and section 8153, information shall be released for statistical purposes only.

(5) The system for retrieval of information submitted to the department under this section shall be designed in all respects so as to preclude improper access to information.

(6) Except as otherwise provided in this part, information submitted to the department under this section shall be used only for bona fide drug-related criminal investigatory or evidentiary purposes or for investigatory or evidentiary purposes in connection with the functions of 1 or more of the licensing boards created in article 15.

(7) The identity of an individual eligible patient that is submitted to the department under this section shall be removed from the system for retrieval of the information described in this section and shall be destroyed and rendered irretrievable not later than the end of the calendar year following the year in which the information was submitted to the department. However, an individual eligible patient identity that is necessary for use in a specific ongoing investigation conducted in accordance with this act may be retained in the system until the end of the year in which the necessity for retention of the identity ends.

(8) The department may enter into contractual agreements for the administration of this section.

History: Add. 2013, Act 268, Imd. Eff. Dec. 30, 2013.

Popular name: Act 368