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House Bill 4369 (as passed by the House)
Sponsor: Representative Lesia Liss
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 10-6-11

CONTENT

The bill would amend the Public Health Code to allow the Director of the Department of Community Health (DCH) to provide data from the controlled substance electronic monitoring system to a health care payment or benefit provider for the purposes of ensuring patient safety and investigating fraud and abuse.

Under the Code, the DCH maintains an electronic system for monitoring Schedule 2, 3, 4, and 5 controlled substances dispensed in Michigan by veterinarians, and by pharmacists and dispensing prescribers (physicians and dentists who dispense prescription drugs to their own patients); or dispensed to a Michigan address by a pharmacy licensed in the State. The system provides an electronic format for the reporting of data, including patient identifiers, the name of the controlled substance dispensed, the date of dispensing, the quantity dispensed, the prescriber, and the dispenser.

The Code specifies people to whom the DCH Director may provide data from the system, notwithstanding any practitioner-patient privilege. The bill would include among them a health care payment or benefit provider for the purposes of ensuring patient safety and investigating fraud and abuse.

"Health care payment or benefit provider" would mean a person that provides health benefits, coverage, or insurance in Michigan, including a health insurance company, Blue Cross Blue Shield of Michigan, a health maintenance organization, a multiple employer welfare arrangement, a Medicaid contracted health plan, or any other person providing a plan of health benefits, coverage, or insurance subject to State insurance regulation.

MCL 333.7333a

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would permit the Department of Community Health to share information from the controlled substance monitoring system with health insurers. This would cause a minor, indeterminate increase in administrative costs.

Fiscal Analyst: Steve Angelotti

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.