

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

\*\*\*\*\* 333.17745a THIS SECTION IS AMENDED EFFECTIVE MARCH 22, 2017: See 333.17745a.amended  
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**333.17745a Definitions; individuals delegated authority to dispense prescriptions; delegating delivery of certain oral contraceptives; circumstances; delegating delivery of methadone.**

Sec. 17745a. (1) As used in this section:

(a) "Medicaid" means the program of medical assistance established under title XIX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1396 to 1396f, 1396g-1 to 1396r-6, and 1396r-8 to 1396v.

(b) "Medicare" means the federal medicare program established under title XVIII of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1395 to 1395b, 1395b-2, 1395b-6 to 1395b-7, 1395c to 1395i, 1395i-2 to 1395i-5, 1395j to 1395t, 1395u to 1395w, 1395w-2 to 1395w-4, 1395w-21 to 1395w-28, 1395x to 1395yy, and 1395bbb to 1395ggg.

(c) "Public health program" means 1 of the following:

(i) A local health department.

(ii) A migrant health center or a community health center as defined under sections 329 and 330 of subpart I of part C of title III of the public health service act, 42 U.S.C. 254b and 254c.

(iii) A family planning program designated by the family independence agency as a provider type 23 under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and verified by the department of community health.

(iv) A methadone treatment program licensed under article 6.

(v) A rural health clinic.

(vi) A hospice rendering emergency care services in a patient's home as described in section 17746.

(d) "Rural health clinic" means a rural health clinic as defined in section 1861 of part C of title XVIII of the social security act, 42 U.S.C. 1395x, that is certified to participate in medicaid and medicare.

(2) Except as otherwise provided in subsections (3) and (4), in a public health program without an on-site pharmacy, a dispensing prescriber may delegate the dispensing of prescription drugs only to the following individuals:

(a) A registered professional nurse licensed under part 172.

(b) A physician's assistant licensed under part 170 or part 175, if the delegating dispensing prescriber is responsible for the clinical supervision of the physician's assistant.

(3) In a public health program without an on-site pharmacy, a dispensing prescriber may delegate the delivery of prescription drugs consisting only of pre-labeled, prepackaged oral contraceptives under the following circumstances:

(a) The delivery is delegated to an appropriately trained individual.

(b) The delivery is performed pursuant to specific, written protocols.

(4) In a methadone treatment program licensed under article 6 without an on-site pharmacy, a dispensing prescriber may delegate the delivery of a prescription drug consisting only of 1 or more single doses of methadone, up to the maximum number of single doses allowed by law, to a registered client of the methadone treatment program, if all of the following requirements are met:

(a) The delivery is delegated to 1 of the following individuals:

(i) A registered professional nurse or a licensed practical nurse licensed under part 172.

(ii) A physician's assistant licensed under part 170 or part 175, but only if the delegating dispensing prescriber is responsible for the clinical supervision of the physician's assistant.

(b) The delivery is performed pursuant to specific, written protocols.

(c) The prescription drug described in this subsection is labeled in accordance with section 17745.

**History:** Add. 1993, Act 305, Imd. Eff. Dec. 28, 1993;—Am. 1999, Act 190, Imd. Eff. Nov. 24, 1999.

**Popular name:** Act 368