

HOUSE BILL No. 4250

February 11, 2009, Introduced by Rep. Byrum and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 17766 (MCL 333.17766), as amended by 2006 PA
416.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17766. Except as provided in sections 17766d and 17780, a
2 person who does any of the following is guilty of a ~~misdemeanor~~
3 **FELONY PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 4 YEARS OR A**
4 **FINE OF NOT MORE THAN \$5,000.00, OR BOTH:**

5 (a) Obtains or attempts to obtain a prescription drug by
6 giving a false name to a pharmacist or other authorized seller,
7 prescriber, or dispenser.

8 (b) Obtains or attempts to obtain a prescription drug by
9 falsely representing that he or she is a lawful prescriber,
10 dispenser, or licensee, or acting on behalf of a lawful prescriber,

1 dispenser, or licensee.

2 (c) Falsely makes, utters, publishes, passes, alters, or
3 forges a prescription.

4 (d) Knowingly possesses a false, forged, or altered
5 prescription.

6 (e) Knowingly attempts to obtain, obtains, or possesses a drug
7 by means of a prescription for other than a legitimate therapeutic
8 purpose, or as a result of a false, forged, or altered
9 prescription.

10 (f) Possesses or controls for the purpose of resale, or sells,
11 offers to sell, dispenses, or gives away, a drug, pharmaceutical
12 preparation, or chemical that has been dispensed on prescription
13 and has left the control of a pharmacist.

14 (g) Possesses or controls for the purpose of resale, or sells,
15 offers to sell, dispenses, or gives away, a drug, pharmaceutical
16 preparation, or chemical that has been damaged by heat, smoke,
17 fire, water, or other cause and is unfit for human or animal use.

18 (h) Prepares or permits the preparation of a prescription
19 drug, except as delegated by a pharmacist.

20 (i) Sells a drug in bulk or in an open package at auction,
21 unless the sale has been approved in accordance with rules of the
22 board.