

SENATE BILL No. 166

February 15, 2017, Introduced by Senator SCHUITMAKER and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7303a (MCL 333.7303a), as amended by 2016 PA
379.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7303a. (1) A prescriber who holds a controlled substances
2 license may administer or dispense a controlled substance listed in
3 schedules 2 to 5 without a separate controlled substances license
4 for those activities.

5 (2) Before prescribing or dispensing a controlled substance to
6 a patient, a licensed prescriber shall ask the patient about other
7 controlled substances the patient may be using. The prescriber
8 shall record the patient's response in the patient's medical or
9 clinical record.

1 (3) BEGINNING JANUARY 1, 2020, BEFORE PRESCRIBING OR
2 DISPENSING A CONTROLLED SUBSTANCE TO A PATIENT, A LICENSED
3 PRESCRIBER SHALL OBTAIN A REPORT CONCERNING THAT PATIENT FROM THE
4 DEPARTMENT'S ELECTRONIC SYSTEM FOR MONITORING SCHEDULE 2, 3, 4, OR
5 5 CONTROLLED SUBSTANCES ESTABLISHED UNDER SECTION 7333A. THIS
6 SUBSECTION DOES NOT APPLY IF THE DISPENSING OCCURS IN ANY OF THE
7 FOLLOWING:

8 (A) A HOSPICE, AS DEFINED IN SECTION 20106.

9 (B) AN ONCOLOGY DEPARTMENT OF A HOSPITAL THAT IS LICENSED
10 UNDER ARTICLE 17.

11 (4) ~~(3)~~—A licensed prescriber who dispenses controlled
12 substances shall maintain all of the following records separately
13 from other prescription records:

14 (a) All invoices and other acquisition records for each
15 controlled substance acquired by the prescriber for not less than 5
16 years after the date the prescriber acquires the controlled
17 substance.

18 (b) A log of all controlled substances dispensed by the
19 prescriber for not less than 5 years after the date the controlled
20 substance is dispensed.

21 (c) Records of all other dispositions of controlled substances
22 under the licensee's control for not less than 5 years after the
23 date of the disposition.

24 (5) ~~(4)~~—The requirement under section 7303 for a license is
25 waived in the following circumstances:

26 (a) When a controlled substance listed in schedules 2 to 5 is
27 administered on the order of a licensed prescriber by an individual

1 who is licensed under article 15 as a practical nurse or a
2 registered professional nurse.

3 (b) When methadone or a methadone congener is dispensed on the
4 order of a licensed prescriber in a methadone treatment program
5 licensed under article 6 or when a controlled substance listed in
6 schedules 2 to 5 is dispensed on the order of a licensed prescriber
7 in a hospice rendering emergency care services in a patient's home
8 as described in section 17746 by a registered professional nurse
9 licensed under article 15.

10 Enacting section 1. This amendatory act does not take effect
11 unless Senate Bill No. 167

12 of the 99th Legislature is enacted into law.