

## EXCEPTIONS TO ELECTRONIC TRANSMITTAL OF PRESCRIPTIONS

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**House Bill 4659 as introduced**  
**Sponsor: Rep. Joseph N. Bellino, Jr.**  
**Committee: Health Policy**  
**Complete to 5-26-21**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 4659 would amend the Public Health Code to create additional exceptions to the requirement that prescriptions be transmitted electronically.

In order to align state law with federal law, 2020 PA 134<sup>1</sup> amended the code to require prescribers to transmit prescriptions electronically directly to the patient's pharmacy. Previously, electronic transmittal had been optional. The federal SUPPORT Act,<sup>2</sup> which took effect January 1, 2021, requires Electronic Prescribing for Controlled Substances (EPCS) for covered Part D drugs beginning January 1, 2022.

2020 PA 134 will require electronic transmittal in Michigan beginning October 1, 2021.

However, the code lists twelve instances in which the requirement to transmit a prescription electronically does not apply. The bill would add the following to that list:

- If the prescription is dispensed by a dispensing prescriber.
- If the prescription is for a dialysis-related drug that is administered as part of or incident to a home-based dialysis treatment.

MCL 333.17754a

### FISCAL IMPACT:

House Bill 4659 would not have a fiscal impact on any unit of state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

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<sup>1</sup> House Fiscal Agency analysis of 2020 PA 134/HB 4217: <http://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-4217-6537823F.pdf>

<sup>2</sup> Public Law 115-271: <https://www.congress.gov/bill/115th-congress/house-bill/6/text>