Legislative Analysis

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CONTROLLED SUBSTANCE REVIEW PERIOD

Senate Bill 716 as enrolled
Sponsor: Sen. Paul Wojno
House Committee: Health Policy
Senate Committee: Health Policy
Complete to 7-7-26

(Enacted as Public Act 48 of 2026)

SUMMARY:

Senate Bill 716 would amend the Public Health Code to shorten the amount of time Michigan officials have to review and respond to federal changes involving the classification of controlled substances.

Under current law, if the federal government adds, removes, or changes the classification of a controlled substance, the same change is made for Michigan's controlled substance schedules unless the Michigan Board of Pharmacy holds a meeting within 91 days after receiving notice of the federal action to determine whether the substance should be treated differently under Michigan law.

The bill would reduce that time frame from 91 days to 60 days.

In addition, under current law, if the board decides not to make the same change under state law, it must publish the reasons for that decision within 91 days after making the determination.

The bill would reduce that deadline from 91 days to 60 days.

MCL 333.7204

BACKGROUND:

Controlled substances are drugs or chemicals regulated by federal and state law due to their potential for abuse or dependency. Controlled substances are placed into five schedules based on factors such as accepted medical use and the potential for abuse or addiction.[1] Schedule I substances are considered to have a high potential for abuse and no currently accepted medical use, while Schedule V substances are considered to have a lower potential for abuse.

Senate Bill 716 is identical to House Bill 5162 (H-2) as passed by the House.

BRIEF DISCUSSION:

According to House committee testimony, the bill is intended to reduce the time between federal controlled substance scheduling changes and corresponding action under Michigan law, which supporters stated could improve access to newly approved prescription medications.

[1] https://www.dea.gov/drug-information/drug-scheduling

Testimony also indicated that Michigan's current 91-day review period is longer than that used in many other states.

FISCAL IMPACT:

Senate Bill 716 would have no fiscal impact on any units of state or local government.

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