

# HOUSE BILL NO. 4072

February 12, 2025, Introduced by Reps. Steckloff, Rogers, McKinney, Neeley, Glanville, Rheingans, Weiss, Pohutsky, Price, Skaggs, Morgan, Foreman, MacDonell, Young, Wilson, Dievendorf, Brixie, Byrnes, Mentzer, Johnsen, Hoadley, DeBoyer, Breen and Wooden and referred to Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
(MCL 333.1101 to 333.25211) by adding sections 17773, 20817, and  
21539.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 17773. (1) Any unused portion of a facility-provided drug  
2 that is dispensed for an ophthalmic surgical procedure performed on  
3 or for ophthalmic medical care provided to a patient in a hospital

1 or freestanding surgical outpatient facility licensed under article  
2 17 must be offered to the patient on the patient's discharge from  
3 the hospital or freestanding surgical outpatient facility if all of  
4 the following apply:

5 (a) The hospital or freestanding surgical outpatient facility  
6 orders the facility-provided drug for an ophthalmic surgical  
7 procedure for the patient that is performed on an in-patient basis  
8 or for ophthalmic medical care that the patient receives from the  
9 hospital or freestanding surgical outpatient facility on an in-  
10 patient basis.

11 (b) The facility-provided drug is administered to the patient  
12 at the hospital or freestanding surgical outpatient facility.

13 (c) The unused portion of the facility-provided drug is  
14 required for the patient's continued treatment.

15 (2) If a pharmacist, rather than a dispensing prescriber,  
16 dispenses a facility-provided drug that is offered to a patient  
17 under subsection (1), the pharmacist shall ensure that the drug is  
18 provided to the patient in a container that is labeled in the same  
19 manner as required in section 17745(7) for a drug dispensed by a  
20 dispensing prescriber.

21 (3) The prescriber of the facility-provided drug shall counsel  
22 the patient on the directions for the patient's use of the  
23 facility-provided drug. If a pharmacist dispenses the facility-  
24 provided drug, any counseling requirement on the pharmacist is  
25 waived.

26 (4) As used in this section, "facility-provided drug" means a  
27 drug that meets both of the following requirements:

28 (a) The drug is an eye drop or eye ointment.

29 (b) The drug is not a pharmaceutical compounded under section

1 17748b.

2           Sec. 20817. A freestanding surgical outpatient facility shall  
3 comply with section 17773.

4           Sec. 21539. A hospital shall comply with section 17773.