

HOUSE BILL NO. 4839

September 04, 2025, Introduced by Rep. Lightner and referred to Committee on Appropriations.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
(MCL 400.1 to 400.119b) by adding section 109z.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 109z. (1) The department shall not provide coverage under
2 the medical assistance program for a brand name drug if an
3 equivalent generic name drug exists unless any of the following
4 apply to the prescription for the brand name drug:

5 (a) The prescriber, in the case of a prescription in writing
6 signed by the prescriber, writes in the prescriber's own

1 handwriting "dispense as written" or "d.a.w." on the prescription.

2 (b) The prescriber, having preprinted on the prescriber's
3 prescription blanks the statement "another brand of a generically
4 equivalent product, identical in dosage, form, and content of
5 active ingredients, may be dispensed unless initialed d.a.w.",
6 writes in the prescriber's own handwriting the initials "d.a.w." in
7 a space, box, or square adjacent to the statement.

8 (c) The prescriber, in the case of a prescription other than
9 one in writing signed by the prescriber, expressly indicates that
10 the prescription is to be dispensed as communicated.

11 (2) As used in this section:

12 (a) "Brand name" means the registered trademark name given to
13 a drug product by its manufacturer.

14 (b) "Dispense" means that term as defined under section 17703
15 of the public health code, 1978 PA 368, MCL 333.17703.

16 (c) "Drug" means that term as defined under section 17703 of
17 the public health code, 1978 PA 368, MCL 333.17703.

18 (d) "Generic name" means the established or official name of a
19 drug or drug product.

20 (e) "Prescriber" means that term as defined under section
21 17708 of the public health code, 1978 PA 368, MCL 333.17708.

22 (f) "Prescription" means that term as defined under section
23 17708 of the public health code, 1978 PA 368, MCL 333.17708.