

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.17745a Definitions; public health program without on-site pharmacy; individuals delegated authority to dispense prescriptions; delegating delivery of certain oral contraceptives; circumstances; delegating delivery of methadone.**

Sec. 17745a. (1) As used in this section:

(a) "Medicaid" means the program of medical assistance established under title XIX of the social security act, 42 USC 1396 to 1396w-5.

(b) "Medicare" means the federal Medicare program established under title XVIII of the social security act, 42 USC 1395 to 1395III.

(c) "Public health program" means 1 of the following:

(i) A local health department.

(ii) A migrant health center or a community health center as defined under 42 USC 254b and 254c.

(iii) A family planning program designated by the department of health and human services as a provider type 23 under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, and verified by the department of health and human services.

(iv) A methadone treatment program licensed under article 6.

(v) A rural health clinic.

(vi) A hospice rendering emergency care services in a patient's home as described in section 17746.

(d) "Rural health clinic" means a rural health clinic as defined in section 42 USC 1395x that is certified to participate in Medicaid and Medicare.

(2) Except as otherwise provided in subsections (3) and (4), in a public health program without an on-site pharmacy, a dispensing prescriber may delegate the dispensing of prescription drugs only to a registered professional nurse licensed under part 172.

(3) In a public health program without an on-site pharmacy, a dispensing prescriber may delegate the delivery of prescription drugs consisting only of pre-labeled, prepackaged oral contraceptives under the following circumstances:

(a) The delivery is delegated to an appropriately trained individual.

(b) The delivery is performed pursuant to specific, written protocols.

(4) In a methadone treatment program licensed under article 6 without an on-site pharmacy, a dispensing prescriber may delegate the delivery of a prescription drug consisting only of 1 or more single doses of methadone, up to the maximum number of single doses allowed by law, to a registered client of the methadone treatment program, if all of the following requirements are met:

(a) The delivery is delegated to a registered professional nurse or a licensed practical nurse licensed under part 172.

(b) The delivery is performed pursuant to specific, written protocols.

(c) The prescription drug described in this subsection is labeled in accordance with section 17745.

**History:** Add. 1993, Act 305, Imd. Eff. Dec. 28, 1993;—Am. 1999, Act 190, Imd. Eff. Nov. 24, 1999;—Am. 2016, Act 379, Eff. Mar. 22, 2017.

**Popular name:** Act 368