

# SENATE BILL No. 689

October 3, 2001, Introduced by Senator YOUNG and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 17763 (MCL 333.17763), as amended by 1997 PA  
153.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 17763. In addition to the grounds set forth in part  
2 161, the disciplinary subcommittee may fine, reprimand, or place  
3 a pharmacist ~~licensee~~ OR OTHER HOLDER OF A LICENSE UNDER THIS  
4 PART on probation, ~~or~~ deny, limit, suspend, or revoke the  
5 license of a pharmacist OR OTHER HOLDER OF A LICENSE UNDER THIS  
6 PART, or order restitution or community service for a violation  
7 or FOR AIDING AND abetting in a violation of this part or ~~rules~~  
8 A RULE promulgated under this part, or for 1 or more of the  
9 following: ~~grounds:~~

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1       ~~(a) Employing the mail to sell, distribute, or deliver a~~  
2 ~~drug that requires a prescription when the prescription for the~~  
3 ~~drug is received by mail.~~

4       (A) ~~(b)~~ Adulterating, misbranding, or substituting a drug  
5 or device knowing or intending that the drug or device ~~shall~~  
6 WILL be used.

7       (B) ~~(c)~~ Permitting the dispensing of ~~prescriptions~~ A  
8 PRESCRIPTION by an individual who is not a pharmacist, pharmacist  
9 intern, or dispensing prescriber.

10       (C) ~~(d)~~ Permitting the dispensing of ~~prescriptions~~ A  
11 PRESCRIPTION by a pharmacist intern, except in the presence and  
12 under the personal charge of a pharmacist.

13       (D) ~~(e)~~ Selling at auction drugs in bulk or in open pack-  
14 ages unless the sale ~~has been approved~~ IS CONDUCTED in accord-  
15 ance with THE rules of the board.

16       (E) ~~(f)~~ Promoting a prescription drug to the public in any  
17 manner.

18       (F) ~~(g)~~ In addition to the prohibition contained in  
19 section 7405(1)(e), dispensing a prescription for a controlled  
20 substance as defined in section 7104 that is written and signed  
21 or transmitted by a physician prescriber in a state other than  
22 Michigan, unless the prescription is issued by a physician pre-  
23 scriber residing adjacent to the land border between this state  
24 and an adjoining state who is authorized under the laws of that  
25 state to practice medicine or osteopathic medicine and surgery  
26 and to prescribe controlled substances and whose practice may  
27 extend into this state, but who does not maintain an office or

1 designate a place to meet patients or receive calls in this  
2 state.