



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5549 (as passed by the House)
Sponsor: Representative Edward Gaffney
House Committee: Health Policy
Senate Committee: Health Policy

Date Completed: 6-29-04

CONTENT

The bill would amend the Public Health Code to require a handwritten prescription to be printed legibly in a type not smaller than 10-point, written with ink or an indelible pencil, and signed by the prescriber.

The Code permits a prescriber to transmit a prescription by facsimile or electronic transmission of a printed prescription form, if not prohibited by Federal law. The bill would allow a prescriber also to transmit a handwritten prescription by facsimile or any other electronic transmission.

The Code provides that an electronically transmitted prescription must be transmitted directly to a pharmacy of the patient's choice by the prescriber or the prescriber's authorized agent, and the data may not be altered, modified, or extracted in the transmission process. The bill provides that the data could not be altered or modified in the transmission process. The bill would allow the provider of an electronic transmission service to retain an electronically transmitted prescription in a confidential archive. The retained information could not be used for commercial or marketing purposes.

MCL 333.7333

Legislative Analyst: Julie Koval

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Dana Patterson

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.