

**SUBSTITUTE FOR  
SENATE BILL NO. 6**

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 17757 (MCL 333.17757), as amended by 1986 PA  
304.

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

1       Sec. 17757. (1) Upon a request made in person or by  
2 telephone, a pharmacist engaged in the business of selling drugs  
3 at retail shall provide the current selling price of a drug  
4 dispensed by that pharmacy or comparative current selling prices  
5 of generic and brand name drugs dispensed by that pharmacy. The  
6 information shall be provided to the person making the request  
7 before a drug is dispensed to the person. A person who makes a  
8 request for price information under this subsection ~~shall~~ **is**  
9 not ~~be~~ obligated to purchase the drug for which the price or  
10 comparative prices are requested.

1       (2) A pharmacist engaged in the business of selling drugs at  
2 retail shall conspicuously display the notice described in  
3 subsection (3) at each counter over which prescription drugs are  
4 dispensed.

5       (3) The notice required under subsection (2) shall be in  
6 substantially the following form:

7                       NOTICE TO CONSUMERS

8                       ABOUT PRESCRIPTION DRUGS

9       Under Michigan law, you have the right to find out the price  
10 of a prescription drug before the pharmacist fills the  
11 prescription. You are under no obligation to have the  
12 prescription filled here and may use this price information to  
13 shop around at other pharmacies. You may request price  
14 information in person or by telephone.

15       Every pharmacy has the current selling prices of both generic  
16 and brand name drugs dispensed by the pharmacy.

17       Ask your pharmacist if a lower-cost generic drug is available  
18 to fill your prescription. A generic drug contains the same  
19 medicine as a brand name drug and is a suitable substitute in  
20 most instances.

21       A generic drug may not be dispensed by your pharmacist if  
22 your doctor has written "dispense as written" or the initials  
23 "d.a.w." on the prescription.

24       If you have questions about the drugs which have been  
25 prescribed for you, ask your doctor or pharmacist for more  
26 information.

27       To avoid dangerous drug interactions, let your doctor and

1 pharmacist know about any other medications you are taking. This  
2 is especially important if you have more than 1 doctor or have  
3 prescriptions filled at more than 1 pharmacy.

4 (4) The notice required under subsection (2) shall also  
5 contain the address and phone number of the board and the  
6 department. The text of the notice shall be in at least 32-point  
7 bold type and shall be printed on paper at least 11 inches by 17  
8 inches in size. The notice may be printed on multiple pages.

9 (5) A copy of the notice required under subsection (2) shall  
10 be provided to each licensee by the department. Additional  
11 copies shall be available if needed from the department. A  
12 person may duplicate or reproduce the notice if the duplication  
13 or reproduction is a true copy of the notice as produced by the  
14 department, without any additions or deletions whatsoever.

15 (6) ~~The~~ A pharmacist shall furnish to the purchaser of a  
16 prescription drug at the time the **prescription** drug is delivered  
17 to the purchaser a receipt evidencing the ~~transactions, which~~  
18 ~~contains~~ **transaction. The pharmacist shall include all of the**  
19 **following information on the receipt:**

20 (a) The brand name of the **prescription** drug, if applicable.

21 (b) The name of the manufacturer or the supplier of the  
22 **prescription** drug, if the drug does not have a brand name.

23 (c) The strength of the **prescription** drug, if significant.

24 (d) The quantity dispensed, if applicable.

25 (e) The name and address of the pharmacy.

26 (f) The serial number of the prescription.

27 (g) The date the prescription was originally dispensed.

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(h) The name of the prescriber.

(i) The name of **the** patient for whom the **prescription** drug was prescribed.

~~<<(j) The price for which the drug was sold to the purchaser~~ (j) Until January 1, 2005, the current selling price of the prescription drug to a purchaser without prescription coverage or the price of the prescription drug charged to a third-party payment source, and the co-pay, if any, paid by the purchaser. Effective on and after January 1, 2005, if the prescription purchase is covered by a third-party pay contract, the price of the prescription drug charged to the third-party payment source, and the co-pay, if any, paid by the purchaser. Effective on and after January 1, 2005, if the prescription purchase is not covered by a third-party pay contract, the current selling price of the prescription drug to a purchaser without prescription coverage.>>

(7) Subsection (6)(a), (b), and (c) may be omitted by a pharmacist only if the omission is expressly required by the prescriber. The pharmacist shall retain a copy of each receipt for 90 days. The inclusion of **the information prescribed by** subsection (6) on the prescription container label is a valid receipt to the purchaser **for purposes of this section**. Including **the information prescribed by** subsection (6) on the written prescription form and retaining the form constitutes retention of a copy of the receipt.

(8) The board may promulgate rules to implement this section.