

Legislative Analysis



ALLOW FILLING OF OUT-OF-STATE PRESCRIPTIONS FOR CONTROLLED SUBSTANCES

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House Bill 4161

Sponsor: Rep. Richard LeBlanc

Committee: Health Policy

Complete to 6-8-09

A SUMMARY OF HOUSE BILL 4161 AS INTRODUCED 2-4-09

The bill would allow pharmacists to fill a prescription for a controlled substance prescribed by an out-of-state physician under the same conditions that they can now fill prescriptions for drugs that are not controlled substances by out-of-state and Canadian physicians.

These conditions are:

- That the prescription was issued as part of an existing health professional/patient relationship.
- The prescription is authentic.
- The prescribed drug is appropriate and necessary for the treatment of an acute, chronic, or recurrent condition.

Currently, with some exceptions, pharmacists are prohibited from filling prescriptions for *controlled substances* written by doctors who are not licensed by the State of Michigan. The Public Health Code was amended in 1997 to allow a pharmacist to dispense a prescription for a controlled substance prescribed by a licensed physician in the border areas of states bordering Michigan (Ohio, Indiana, Illinois, and Wisconsin), and again in 2004 to include prescriptions for controlled substances from licensed physicians throughout Illinois and Minnesota.

House Bill 4161 would delete the provisions in the Public Health Code (MCL 333.7405 et al.) that in general prohibit Michigan pharmacists from filling prescriptions for controlled substances prescribed by out-of-state physicians. Instead, a prescription for a controlled substance prescribed by an out-of-state physician would be treated in the same manner as out-of-state prescriptions for drugs that are not controlled substances.

FISCAL IMPACT:

A fiscal analysis is in process.

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Fiscal Analyst: Susan Frey

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.