

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

***** 333.17742a.added THIS ADDED SECTION IS EFFECTIVE APRIL 26, 2020 *****

333.17742a.added Remote pharmacy; operation; licensure requirements; location waiver; exception.

Sec. 17742a. (1) A parent pharmacy shall not operate a remote pharmacy in this state unless the parent pharmacy and the remote pharmacy are each located in this state and licensed as a pharmacy under this part.

(2) The department shall grant a pharmacy license to an applicant seeking to operate a remote pharmacy if the applicant meets all of the following:

(a) Submits a completed application and pays the applicable fee under section 16333.

(b) Demonstrates to the satisfaction of the department that the parent pharmacy and the proposed remote pharmacy share common ownership.

(c) Subject to subsection (3), demonstrates to the satisfaction of the department that, at the time of the application, the location of the proposed remote pharmacy is not within 10 miles of another pharmacy. This subdivision does not apply if the remote pharmacy is located at a hospital or mental health facility.

(d) Meets any other requirement for licensure as a pharmacy as established by the department, in consultation with the board, by rule.

(3) An applicant seeking a pharmacy license under subsection (2) may apply to the board for a waiver of the mileage requirement described in subsection (2)(c). The board shall only grant a request for a waiver if the applicant demonstrates to the satisfaction of the board that the location of the proposed remote pharmacy is in an area where there is limited access to pharmacy services and that there are compelling circumstances that justify waiving the requirement.

(4) If a pharmacy license is granted to a pharmacy that is located within 10 miles of a remote pharmacy after the remote pharmacy's license is granted or renewed, the remote pharmacy may continue to operate.

History: Add. 2020, Act 4, Eff. Apr. 26, 2020.

Popular name: Act 368