

HOUSE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4434

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 17753.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 17753. (1) A PHARMACY MAY PERFORM CENTRALIZED
2 PRESCRIPTION PROCESSING SERVICES OR OUTSOURCE THOSE SERVICES TO
3 ANOTHER PHARMACY IF EACH OF THE FOLLOWING CONDITIONS IS SATISFIED:

4 (A) THE PHARMACIES HAVE THE SAME OWNER OR HAVE A WRITTEN
5 CONTRACT OUTLINING THE SERVICES TO BE PROVIDED AND THE
6 RESPONSIBILITIES AND ACCOUNTABILITIES OF EACH PHARMACY IN
7 FULFILLING THE TERMS OF THE CONTRACT IN COMPLIANCE WITH FEDERAL AND
8 STATE LAWS AND REGULATIONS.

9 (B) THE PHARMACIES SHARE A COMMON ELECTRONIC FILE OR HAVE
10 APPROPRIATE TECHNOLOGY TO ALLOW ACCESS TO SUFFICIENT INFORMATION

1 NECESSARY OR REQUIRED TO PREPARE A PRESCRIPTION DRUG ORDER.

2 (C) THE PHARMACIES COMPLY WITH FEDERAL AND STATE LAWS AND
3 REGULATIONS.

4 (2) A PHARMACY THAT PERFORMS, OR CONTRACTS FOR, CENTRALIZED
5 PRESCRIPTION PROCESSING SERVICES SHALL MAINTAIN A POLICY AND
6 PROCEDURES MANUAL, ALONG WITH DOCUMENTATION THAT IMPLEMENTATION IS
7 OCCURRING, AND EACH SHALL BE MADE AVAILABLE TO THE BOARD FOR
8 INSPECTION AND REVIEW UPON REQUEST AND THE MANUAL SHALL INCLUDE,
9 BUT IS NOT LIMITED TO, A DETAILED DESCRIPTION OF HOW THE PHARMACIES
10 WILL DO ALL OF THE FOLLOWING:

11 (A) MAINTAIN APPROPRIATE RECORDS TO IDENTIFY THE RESPONSIBLE
12 PHARMACIST, OR PHARMACISTS, IN THE VARIOUS STAGES OF THE DRUG
13 PRODUCT PREPARATION, DISPENSING, AND COUNSELING PROCESS.

14 (B) TRACK THE PRESCRIPTION DRUG ORDER DURING EACH STEP IN THE
15 DRUG PRODUCT PREPARATION, DISPENSING, AND COUNSELING PROCESS.

16 (C) IDENTIFY ON THE PRESCRIPTION LABEL EACH PHARMACY INVOLVED
17 IN THE PREPARATION AND DISPENSING OF THE PRESCRIPTION DRUG ORDER.

18 (D) PROVIDE ADEQUATE SECURITY TO PROTECT THE CONFIDENTIALITY
19 AND INTEGRITY OF A PATIENT'S PROTECTED HEALTH INFORMATION.

20 (E) IMPLEMENT AND MAINTAIN A QUALITY IMPROVEMENT PROGRAM FOR
21 PHARMACY SERVICES DESIGNED TO OBJECTIVELY AND SYSTEMATICALLY
22 MONITOR AND EVALUATE THE QUALITY AND APPROPRIATENESS OF PATIENT
23 CARE, PURSUE OPPORTUNITIES TO IMPROVE PATIENT CARE, AND RESOLVE
24 IDENTIFIED PROBLEMS.

25 (3) AS USED IN THIS SECTION, "CENTRALIZED PRESCRIPTION
26 PROCESSING" MEANS THE PROCESSING BY A PHARMACY OF A REQUEST FROM
27 ANOTHER PHARMACY TO FILL OR REFILL A PRESCRIPTION DRUG ORDER OR TO

1 PERFORM PROCESSING FUNCTIONS SUCH AS DISPENSING, PERFORMING DRUG
2 UTILIZATION REVIEW, COMPLETING CLAIMS ADJUDICATION, OBTAINING
3 REFILL AUTHORIZATIONS, INITIATING THERAPEUTIC INTERVENTIONS, AND
4 OTHER FUNCTIONS RELATED TO THE PRACTICE OF PHARMACY.

5 Enacting section 1. This amendatory act does not take effect
6 unless Senate Bill No. 352 of the 93rd Legislature is enacted into
7 law.