

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.17744f Dispensing emergency supply of insulin; requirements; limitation; liability; rules; definitions.

Sec. 17744f.

(1) Subject to subsection (2), a pharmacist may dispense an emergency supply of insulin to an individual if the individual has a qualified prescription for insulin in the individual's name with no remaining authorized refills, the individual has previously had a prescription for insulin dispensed at the pharmacy, and, in the pharmacist's professional judgment, a failure to dispense the emergency supply of insulin might interrupt the individual's ongoing care and have a significant adverse effect on the individual's well-being. A pharmacist who dispenses an emergency supply of insulin under this section shall comply with all of the following:

(a) Before dispensing the emergency supply of insulin, make a reasonable effort to communicate with the prescriber who issued the qualified prescription for insulin regarding dispensing the emergency supply of insulin and document the efforts made.

(b) Document all of the following:

(i) The name of the individual receiving the emergency supply of insulin and the date of the dispensing.

(ii) The reason for dispensing the emergency supply of insulin.

(iii) Evidence of the individual's qualified prescription for insulin.

(iv) Information on the individual's diabetes management.

(v) Any other information required by the board by rule.

(c) Within 5 business days after dispensing the emergency supply of insulin, inform the prescriber who issued the qualified prescription for insulin, in writing, that an emergency supply of insulin was dispensed under this section.

(d) Inform the individual receiving the emergency supply of insulin that the insulin was dispensed under this section.

(2) An individual shall not receive more than 3 emergency supplies of insulin under this section in 1 calendar year. After an emergency supply of insulin is dispensed to an individual under this section, a pharmacist shall not dispense a subsequent emergency supply of insulin under this section within the same calendar year to that individual unless the individual has since obtained a new qualified prescription for insulin with no remaining authorized refills.

(3) A prescriber or pharmacist is not subject to criminal prosecution, civil liability, or administrative sanction as a result of the pharmacist dispensing an emergency supply of insulin under this section.

(4) The board shall promulgate rules to implement this section.

(5) As used in this section:

(a) "Emergency supply" means up to a 30-day supply.

(b) "Qualified prescription for insulin" means a prescription for insulin that was issued within the 12-month period immediately preceding the date the individual requests an emergency supply of insulin under this section.

History: Add. 2021, Act 36, Imd. Eff. July 1, 2021

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