

# HOUSE BILL NO. 5072

June 17, 2021, Introduced by Reps. Berman, Roth, O'Malley, Carra and Whitsett and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17748f (MCL 333.17748f), as added by 2020 PA 142.

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

1           Sec. 17748f. (1) A pharmacy shall obtain a license as a  
2           wholesale distributor under this part if the total number of dosage  
3           units of all prescription drugs distributed by the pharmacy to a  
4           person during any consecutive 12-month period is more than 5% of

1 the total number of dosage units of prescription drugs distributed  
2 and dispensed by the pharmacy during the same 12-month period. **The**  
3 **calculation of the 5% threshold described in this subsection must**  
4 **not include a distribution of a prescription drug that is exempt**  
5 **from the definition of wholesale distribution under 21 USC**  
6 **353(e) (4) .**

7 (2) A pharmacy shall obtain a license as a manufacturer under  
8 this part if, during any consecutive 12-month period, the total  
9 number of dosage units of all prescription drugs that are prepared  
10 or compounded by the pharmacy for the resale, compounding, or  
11 dispensing by another person is more than 5% of the total number of  
12 dosage units of prescription drugs prepared by the pharmacy during  
13 the same 12-month period.