

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.