

**SUBSTITUTE FOR  
HOUSE BILL NO. 4217**

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending sections 7333, 16221, 16226, 17744, 17751, and 17754  
(MCL 333.7333, 333.16221, 333.16226, 333.17744, 333.17751, and  
333.17754), section 7333 as amended by 2018 PA 34, sections 16221  
and 16226 as amended by 2018 PA 463, section 17744 as added by 2012  
PA 209, section 17751 as amended by 2017 PA 165, and section 17754  
as amended by 2014 PA 525, and by adding section 17754a.

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

1           Sec. 7333. (1) As used in this section, "good faith" means the  
2           prescribing or dispensing of a controlled substance by a  
3           practitioner licensed under section 7303 in the regular course of  
4           professional treatment to or for an individual who is under



1 treatment by the practitioner for a pathology or condition other  
2 than that individual's physical or psychological dependence upon or  
3 addiction to a controlled substance, except as provided in this  
4 article. Application of good faith to a pharmacist means the  
5 dispensing of a controlled substance pursuant to a prescriber's  
6 order which, in the professional judgment of the pharmacist, is  
7 lawful. The pharmacist shall be guided by nationally accepted  
8 professional standards including, but not limited to, all of the  
9 following, in making the judgment:

10 (a) Lack of consistency in the doctor-patient relationship.

11 (b) Frequency of prescriptions for the same drug by 1  
12 prescriber for larger numbers of patients.

13 (c) Quantities beyond those normally prescribed for the same  
14 drug.

15 (d) Unusual dosages.

16 (e) Unusual geographic distances between patient, pharmacist,  
17 and prescriber.

18 (2) Except as otherwise provided in this section, a  
19 practitioner, in good faith, may dispense a controlled substance  
20 included in schedule 2 **that is a prescription drug as determined**  
21 **under section 503(b) of the federal food, drug, and cosmetic act,**  
22 **21 USC 353, or section 17708,** upon receipt of a ~~either of the~~  
23 **following:**

24 (a) **Subject to subsection (9), a** prescription of a  
25 practitioner licensed under section 7303 on a prescription form. A  
26 ~~practitioner may issue more~~ **More** than 1 prescription for a  
27 controlled substance included in schedule 2 **may be included** on a  
28 single prescription form.

29 (b) **A prescription that is electronically transmitted under**



1 **section 17754a.**

2 (3) In an emergency situation, as described in R 338.3165 of  
 3 the Michigan Administrative Code, a controlled substance included  
 4 in schedule 2 may be dispensed upon the oral prescription of a  
 5 practitioner if the prescribing practitioner promptly fills out a  
 6 prescription form and forwards the prescription form to the  
 7 dispensing pharmacy within 7 days after the oral prescription is  
 8 issued. A prescription for a controlled substance included in  
 9 schedule 2 must not be filled more than 90 days after the date on  
 10 which the prescription was issued. A pharmacist, consistent with  
 11 federal law and regulations on the partial filling of a controlled  
 12 substance included in schedule 2, may partially fill in increments  
 13 a prescription for a controlled substance included in schedule 2.

14 (4) A practitioner, in good faith, may dispense a controlled  
 15 substance included in schedule 3, 4, or 5 that is a prescription  
 16 drug as determined under section 503(b) of the federal food, drug,  
 17 and cosmetic act, 21 USC 353, or section 17708, upon receipt of a  
 18 **any of the following:**

19 (a) **Subject to subsection (9), a** prescription on a  
 20 prescription form. ~~or an~~

21 (b) **An** oral prescription of a practitioner.

22 (c) **A prescription that is electronically transmitted under**  
 23 **section 17754a.**

24 (5) A prescription for a controlled substance included in  
 25 schedule 3 or 4 must not be filled or refilled without specific  
 26 refill instructions noted by the prescriber. A prescription for a  
 27 controlled substance included in schedule 3 or 4 must not be filled  
 28 or refilled later than 6 months after the date of the prescription  
 29 or be refilled more than 5 times, unless renewed by the prescriber



1 in accordance with rules promulgated by the administrator.

2 (6) ~~(5)~~—A controlled substance included in schedule 5 must not  
3 be distributed or dispensed other than for a medical purpose, or in  
4 any manner except in accordance with rules promulgated by the  
5 administrator.

6 (7) ~~(6)~~—If a prescription is required under this section, the  
7 prescription must contain the quantity of the controlled substance  
8 prescribed in both written and numerical terms. A prescription is  
9 in compliance with this subsection if, in addition to containing  
10 the quantity of the controlled substance prescribed in written  
11 terms, it contains preprinted numbers representative of the  
12 quantity of the controlled substance prescribed next to which is a  
13 box or line the prescriber may check.

14 (8) ~~(7)~~—A prescribing practitioner shall not use a  
15 prescription form for a purpose other than prescribing. A  
16 prescribing practitioner shall not postdate a prescription form  
17 that contains a prescription for a controlled substance. ~~A-Until~~  
18 **the date on which section 17754a applies, a** prescriber may transmit  
19 a prescription by facsimile of a printed prescription form and by  
20 electronic transmission of a printed prescription form, if not  
21 prohibited by federal law. If, with the patient's consent, a  
22 prescription is electronically transmitted **under this subsection,**  
23 it must be transmitted directly to a pharmacy of the patient's  
24 choice by the prescriber or the prescriber's authorized agent, and  
25 the data must not be altered, modified, or extracted in the  
26 transmission process.

27 (9) **Beginning on the date on which section 17754a applies, a**  
28 **practitioner may only dispense a prescription upon receipt of a**  
29 **prescription form under subsections (2) and (4) if the practitioner**



1 believes in good faith that the prescription form was issued under  
2 an exception to the electronic transmission requirement in section  
3 17754a and that the prescribing practitioner has complied with  
4 section 17754a(6).

5 (10) ~~(8)~~—Notwithstanding subsections (1) to ~~(5)~~, ~~(6)~~, a class  
6 B dealer may acquire a limited permit only for the purpose of  
7 buying, possessing, and administering a commercially prepared,  
8 premixed solution of sodium pentobarbital to perform euthanasia on  
9 injured, sick, homeless, or unwanted domestic pets and other  
10 animals, if the class B dealer does all of the following:

11 (a) Applies to the administrator for a permit in accordance  
12 with rules promulgated under this part. The application must  
13 contain the name of the individual in charge of the day-to-day  
14 operations of the class B dealer's facilities and the name of the  
15 individual responsible for designating employees who will be  
16 performing euthanasia on animals pursuant to this act.

17 (b) Complies with the rules promulgated by the administrator  
18 for the storage, handling, and use of a commercially prepared,  
19 premixed solution of sodium pentobarbital to perform euthanasia on  
20 animals. The class B dealer shall maintain a record of use and  
21 shall make the record available for inspection by the department of  
22 licensing and regulatory affairs, the department of agriculture and  
23 rural development, and the United States Department of Agriculture.

24 (c) Subject to subdivision (d), certifies that the class B  
25 dealer or an employee of the class B dealer has received, and can  
26 document completion of, a minimum of 16 hours of training,  
27 including at least 12 hours of content training and at least 4  
28 hours of practical training, in the use of a commercially prepared,  
29 premixed solution of sodium pentobarbital and an animal



1 tranquilizer to perform euthanasia on animals from a training  
2 program approved by the state veterinarian, in consultation with  
3 the Michigan board of veterinary medicine, and given by a licensed  
4 veterinarian pursuant to rules promulgated by the administrator.  
5 The training described in this subdivision shall comply with the  
6 American Veterinary Medical Association's guidelines for the  
7 euthanasia of animals.

8 (d) Until December 31, 2021, ensures that the class B dealer  
9 or an employee of the class B dealer who received, and can document  
10 the completion of, the 8 hours of training required immediately  
11 ~~before the effective date of the 2018 amendatory act that amended~~  
12 ~~this section~~ **May 22, 2018** only administers a commercially prepared,  
13 premixed solution of sodium pentobarbital to perform euthanasia on  
14 the animals described in this subsection. Beginning January 1,  
15 2022, the individuals described in this subdivision must have  
16 received, and be able to document the completion of, the training  
17 described in subdivision (c) to administer a commercially prepared,  
18 premixed solution of sodium pentobarbital or an animal tranquilizer  
19 to perform euthanasia on the animals described in this subsection.

20 (e) Certifies that only an individual described in subdivision  
21 (c) or (d) or an individual otherwise permitted to use a controlled  
22 substance pursuant to this article will administer the commercially  
23 prepared, premixed solution of sodium pentobarbital or an animal  
24 tranquilizer according to written procedures established by the  
25 class B dealer.

26 (f) Beginning January 1, 2022, certifies that the individual  
27 in charge of the day-to-day operations of the class B dealer's  
28 facilities has received, and can document the completion of, the  
29 training described in subdivision (c).



1 (g) Complies with all state and federal laws, rules, and  
2 regulations regarding the acquisition, use, and security of  
3 controlled substances.

4 **(11)** ~~(9)~~—Notwithstanding subsections (1) to ~~(5)~~, ~~(6)~~, an  
5 animal control shelter or animal protection shelter registered with  
6 the department of agriculture and rural development pursuant to  
7 1969 PA 287, MCL 287.331 to 287.340, may acquire a limited permit  
8 only for the purpose of buying, possessing, and administering a  
9 commercially prepared, premixed solution of sodium pentobarbital,  
10 or an animal tranquilizer, to use exclusively as an adjunct in the  
11 process of performing euthanasia on injured, sick, homeless, or  
12 unwanted domestic pets and other animals, if the animal control  
13 shelter or animal protection shelter does all of the following:

14 (a) Applies to the administrator for a permit in accordance  
15 with rules promulgated under this part. The application must  
16 contain the name of the individual in charge of the day-to-day  
17 operations of the animal control shelter or animal protection  
18 shelter and the name of the individual responsible for designating  
19 employees who will be performing euthanasia on animals pursuant to  
20 this act.

21 (b) Complies with the rules promulgated by the administrator  
22 for the storage, handling, and use of a commercially prepared,  
23 premixed solution of sodium pentobarbital or an animal tranquilizer  
24 to perform euthanasia on animals. The animal control shelter or  
25 animal protection shelter shall maintain a record of use and make  
26 the record available for inspection by the department of licensing  
27 and regulatory affairs and the department of agriculture and rural  
28 development.

29 (c) Subject to subdivision (d), certifies that an employee of



1 the animal control shelter or animal protection shelter has  
2 received, and can document completion of, a minimum of 16 hours of  
3 training, including at least 12 hours of content training and at  
4 least 4 hours of practical training, in the use of a commercially  
5 prepared, premixed solution of sodium pentobarbital and an animal  
6 tranquilizer to perform euthanasia on animals from a training  
7 program approved by the state veterinarian, in consultation with  
8 the Michigan board of veterinary medicine, and given by a licensed  
9 veterinarian pursuant to rules promulgated by the administrator.  
10 The training described in this subdivision must comply with the  
11 American Veterinary Medical Association's guidelines for the  
12 euthanasia of animals.

13 (d) Until December 31, 2021, ensures that an employee of the  
14 animal control shelter or animal protection shelter who received,  
15 and can document the completion of, the training required  
16 immediately before ~~the effective date of the 2018 amendatory act~~  
17 ~~that amended this section~~ **May 22, 2018** only administers a  
18 commercially prepared solution of xylazine hydrochloride or a  
19 commercially prepared, premixed solution of sodium pentobarbital to  
20 perform euthanasia on the animals described in this subsection in  
21 accordance with his or her training. Beginning January 1, 2022, the  
22 employee described in this subdivision must have received, and be  
23 able to document the completion of, the training described in  
24 subdivision (c) to administer a commercially prepared, premixed  
25 solution of sodium pentobarbital or an animal tranquilizer to  
26 perform euthanasia on the animals described in this subsection.

27 (e) Certifies that only an individual described in subdivision  
28 (c) or (d) or an individual otherwise permitted to use a controlled  
29 substance pursuant to this article will administer a commercially





1 prepared, premixed solution of sodium pentobarbital or an animal  
 2 tranquilizer according to written procedures established by the  
 3 animal control shelter or animal protection shelter.

4 (f) Beginning January 1, 2022, certifies that the individual  
 5 in charge of the day-to-day operations of the animal control  
 6 shelter or animal protection shelter has received, and can document  
 7 the completion of, the training described in subdivision (c).

8 (g) Complies with all state and federal laws and regulations  
 9 regarding the acquisition, use, and security of controlled  
 10 substances.

11 **(12)** ~~(10)~~—The application described in subsection ~~(8) or (9)~~  
 12 **(10) or (11)** must include the names and addresses of all  
 13 individuals employed by the animal control shelter or animal  
 14 protection shelter or class B dealer who have been trained as  
 15 described in subsection ~~(8)(e), (10)(c), (d), and (f) or (9)(e),~~  
 16 **(11)(c), (d), and (f)** and the name of the veterinarian who trained  
 17 them. The list of names and addresses must be updated every 6  
 18 months.

19 **(13)** ~~(11)~~—If an animal control shelter or animal protection  
 20 shelter or class B dealer issued a permit pursuant to subsection  
 21 ~~(8) or (9)~~ **(10) or (11)** does not have in its employ an individual  
 22 trained as described in subsection ~~(8)(e) (10)(c) or (d) and~~  
 23 ~~(8)(f), (10)(f), or (9)(e) (11)(c) or (d) and (9)(f), (11)(f),~~ the  
 24 animal control shelter or animal protection shelter or class B  
 25 dealer shall immediately notify the administrator and shall cease  
 26 to administer a commercially prepared, premixed solution of sodium  
 27 pentobarbital or an animal tranquilizer for the purposes described  
 28 in subsection ~~(8) or (9)~~ **(10) or (11)** until the administrator is  
 29 notified that 1 of the following has occurred:



1 (a) An individual trained as described in subsection ~~(8)(e)~~,  
 2 **(10)(c)**, (d), or (f) or ~~(9)(e)~~, **(11)(c)**, (d), or (f) has been hired  
 3 by the animal control shelter or animal protection shelter or class  
 4 B dealer.

5 (b) An individual employed by the animal control shelter or  
 6 animal protection shelter or class B dealer has been trained as  
 7 described in subsection ~~(8)(e)~~ **(10)(c)** or (f) or ~~(9)(e)~~ **(11)(c)** or  
 8 (f).

9 **(14)** ~~(12)~~ A veterinarian, including a veterinarian who trains  
 10 individuals as described in subsection ~~(8)(e)~~, **(10)(c)**, (d), or  
 11 (f), or ~~(9)(e)~~, **(11)(c)**, (d), or (f), is not civilly or criminally  
 12 liable for the use of a commercially prepared, premixed solution of  
 13 sodium pentobarbital or an animal tranquilizer by an animal control  
 14 shelter or animal protection shelter or a class B dealer, unless  
 15 the veterinarian is employed by or under contract with the animal  
 16 control shelter or animal protection shelter or class B dealer and  
 17 the terms of the veterinarian's employment or the contract require  
 18 the veterinarian to be responsible for the use or administration of  
 19 the commercially prepared, premixed solution of sodium  
 20 pentobarbital or animal tranquilizer.

21 **(15)** ~~(13)~~ A person shall not knowingly use or permit the use  
 22 of a commercially prepared, premixed solution of sodium  
 23 pentobarbital or an animal tranquilizer in violation of this  
 24 section.

25 **(16)** ~~(14)~~ This section does not require that a veterinarian be  
 26 employed by or under contract with an animal control shelter or  
 27 animal protection shelter or class B dealer to obtain, possess, or  
 28 administer a commercially prepared, premixed solution of sodium  
 29 pentobarbital or an animal tranquilizer pursuant to this section.



1           **(17)** ~~(15)~~ Notwithstanding subsections (1) to ~~(5)~~, **(6)**, an  
2 animal control shelter registered with the department of  
3 agriculture and rural development pursuant to 1969 PA 287, MCL  
4 287.331 to 287.340, may acquire a limited permit only for the  
5 purpose of buying, possessing, and administering an animal  
6 tranquilizer to sedate or immobilize an animal running at large  
7 that is dangerous or difficult to capture, if the animal control  
8 shelter does all of the following:

9           (a) Applies to the administrator for a permit in accordance  
10 with the rules promulgated under this part. The application must  
11 contain the name of the individual in charge of the day-to-day  
12 operations of the animal control shelter and the name of the  
13 individual responsible for designating employees who will be  
14 administering an animal tranquilizer pursuant to this act.

15           (b) Complies with the rules promulgated by the administrator  
16 for the storage, handling, and use of an animal tranquilizer. The  
17 animal control shelter shall maintain a record of use and shall  
18 make the record available for inspection by the department of  
19 licensing and regulatory affairs and the department of agriculture  
20 and rural development.

21           (c) Subject to subdivision (d), certifies that an employee of  
22 the animal control shelter has received, and can document  
23 completion of, both of the following in the following order:

24           (i) The training described in subsection ~~(9)(e)~~. **(11)(c)**.

25           (ii) A minimum of 16 hours of training, including at least 12  
26 hours of content training and at least 4 hours of practical  
27 training, in the use of animal tranquilizers to sedate or  
28 immobilize the animals described in this subsection from a training  
29 program approved by the state veterinarian, in consultation with



1 the Michigan board of veterinary medicine, and given by a licensed  
2 veterinarian pursuant to rules promulgated by the administrator.

3 (d) Until December 31, 2021, ensures that an employee of the  
4 animal control shelter who received, and can document the  
5 completion of, the training required immediately before ~~the~~  
6 ~~effective date of the 2018 amendatory act that amended this section~~  
7 **May 22, 2018** only administers a commercially prepared solution of  
8 xylazine hydrochloride to sedate or immobilize the animals  
9 described in this subsection. Beginning January 1, 2022, the  
10 employee described in this subdivision must have received, and be  
11 able to document the completion of, the training described in  
12 subdivision (c) to administer an animal tranquilizer to perform  
13 euthanasia on the animals described in this subsection.

14 (e) Certifies that only an individual described in subdivision  
15 (c) or (d) or an individual otherwise permitted to use a controlled  
16 substance pursuant to this article will administer an animal  
17 tranquilizer according to written procedures established by the  
18 animal control shelter.

19 (f) Beginning January 1, 2022, certifies that the individual  
20 in charge of the day-to-day operations of the animal control  
21 shelter has received, and can document the completion of, the  
22 training described in subdivision (c).

23 (g) Complies with all state and federal laws, rules, and  
24 regulations regarding the acquisition, use, and security of  
25 controlled substances.

26 **(18)** ~~(16)~~—The application described in subsection ~~(15)~~—**(17)**  
27 must include the names and business addresses of all individuals  
28 employed by the animal control shelter who have been trained as  
29 described in subsection ~~(15)(e)~~, **(17)(c)**, (d), and (f) and must



1 include documented proof of the training. The list of names and  
2 business addresses must be updated every 6 months.

3 **(19)** ~~(17)~~—If an animal control shelter issued a permit  
4 pursuant to subsection ~~(15)~~—**(17)** does not have in its employ an  
5 individual trained as described in subsection ~~(15)(e)~~, ~~(17)(c)~~ or  
6 (d) and ~~(15)(f)~~, ~~(17)(f)~~, the animal control shelter shall  
7 immediately notify the administrator and shall cease to administer  
8 an animal tranquilizer for the purposes described in subsection  
9 ~~(15)~~—**(17)** until the administrator is notified that 1 of the  
10 following has occurred:

11 (a) An individual trained as described in subsection ~~(15)(e)~~,  
12 **(17)(c)**, (d), or (f) has been hired by the animal control shelter.

13 (b) An individual employed by the animal control shelter has  
14 been trained as described in subsection ~~(15)(e)~~—**(17)(c)** or (f).

15 **(20)** ~~(18)~~—A veterinarian, including a veterinarian who trains  
16 individuals as described in subsection ~~(15)(e)~~, ~~(17)(c)~~, (d), or  
17 (f), is not civilly or criminally liable for the use of an animal  
18 tranquilizer by an animal control shelter unless the veterinarian  
19 is employed by or under contract with the animal control shelter  
20 and the terms of the veterinarian's employment or the contract  
21 require the veterinarian to be responsible for the use or  
22 administration of an animal tranquilizer.

23 **(21)** ~~(19)~~—As used in this section:

24 (a) "Animal tranquilizer" means a commercially prepared  
25 solution of xylazine hydrochloride, a commercially prepared  
26 solution of ketamine, or a commercially prepared compound  
27 containing tiletamine and zolazepam.

28 (b) "Class B dealer" means a class B dealer licensed by the  
29 United States Department of Agriculture pursuant to the animal



1 welfare act, 7 USC 2131 to ~~2159~~**2160** and the department of  
 2 agriculture and rural development pursuant to 1969 PA 224, MCL  
 3 287.381 to 287.395.

4 Sec. 16221. Subject to section 16221b, the department shall  
 5 investigate any allegation that 1 or more of the grounds for  
 6 disciplinary subcommittee action under this section exist, and may  
 7 investigate activities related to the practice of a health  
 8 profession by a licensee, a registrant, or an applicant for  
 9 licensure or registration. The department may hold hearings,  
 10 administer oaths, and order the taking of relevant testimony. After  
 11 its investigation, the department shall provide a copy of the  
 12 administrative complaint to the appropriate disciplinary  
 13 subcommittee. The disciplinary subcommittee shall proceed under  
 14 section 16226 if it finds that 1 or more of the following grounds  
 15 exist:

16 (a) Except as otherwise specifically provided in this section,  
 17 a violation of general duty, consisting of negligence or failure to  
 18 exercise due care, including negligent delegation to or supervision  
 19 of employees or other individuals, whether or not injury results,  
 20 or any conduct, practice, or condition that impairs, or may impair,  
 21 the ability to safely and skillfully engage in the practice of the  
 22 health profession.

23 (b) Personal disqualifications, consisting of 1 or more of the  
 24 following:

25 (i) Incompetence.

26 (ii) Subject to sections 16165 to 16170a, substance use  
 27 disorder as defined in section 100d of the mental health code, 1974  
 28 PA 258, MCL 330.1100d.

29 (iii) Mental or physical inability reasonably related to and



1 adversely affecting the licensee's or registrant's ability to  
2 practice in a safe and competent manner.

3 (iv) Declaration of mental incompetence by a court of competent  
4 jurisdiction.

5 (v) Conviction of a misdemeanor punishable by imprisonment for  
6 a maximum term of 2 years; conviction of a misdemeanor involving  
7 the illegal delivery, possession, or use of a controlled substance;  
8 or conviction of any felony other than a felony listed or described  
9 in another subparagraph of this subdivision. A certified copy of  
10 the court record is conclusive evidence of the conviction.

11 (vi) Lack of good moral character.

12 (vii) Conviction of a criminal offense under section 520e or  
13 520g of the Michigan penal code, 1931 PA 328, MCL 750.520e and  
14 750.520g. A certified copy of the court record is conclusive  
15 evidence of the conviction.

16 (viii) Conviction of a violation of section 492a of the Michigan  
17 penal code, 1931 PA 328, MCL 750.492a. A certified copy of the  
18 court record is conclusive evidence of the conviction.

19 (ix) Conviction of a misdemeanor or felony involving fraud in  
20 obtaining or attempting to obtain fees related to the practice of a  
21 health profession. A certified copy of the court record is  
22 conclusive evidence of the conviction.

23 (x) Final adverse administrative action by a licensure,  
24 registration, disciplinary, or certification board involving the  
25 holder of, or an applicant for, a license or registration regulated  
26 by another state or a territory of the United States, by the United  
27 States military, by the federal government, or by another country.  
28 A certified copy of the record of the board is conclusive evidence  
29 of the final action.



1           (xi) Conviction of a misdemeanor that is reasonably related to  
2 or that adversely affects the licensee's or registrant's ability to  
3 practice in a safe and competent manner. A certified copy of the  
4 court record is conclusive evidence of the conviction.

5           (xii) Conviction of a violation of section 430 of the Michigan  
6 penal code, 1931 PA 328, MCL 750.430. A certified copy of the court  
7 record is conclusive evidence of the conviction.

8           (xiii) Conviction of a criminal offense under section 83, 84,  
9 316, 317, 321, 520b, 520c, 520d, or 520f of the Michigan penal  
10 code, 1931 PA 328, MCL 750.83, 750.84, 750.316, 750.317, 750.321,  
11 750.520b, 750.520c, 750.520d, and 750.520f. A certified copy of the  
12 court record is conclusive evidence of the conviction.

13           (xiv) Conviction of a violation of section 136 or 136a of the  
14 Michigan penal code, 1931 PA 328, MCL 750.136 and 750.136a. A  
15 certified copy of the court record is conclusive evidence of the  
16 conviction.

17           (c) Prohibited acts, consisting of 1 or more of the following:

18           (i) Fraud or deceit in obtaining or renewing a license or  
19 registration.

20           (ii) Permitting a license or registration to be used by an  
21 unauthorized person.

22           (iii) Practice outside the scope of a license.

23           (iv) Obtaining, possessing, or attempting to obtain or possess  
24 a controlled substance ~~as defined in section 7104~~ or a drug as  
25 defined in section 7105 without lawful authority; or selling,  
26 prescribing, giving away, or administering drugs for other than  
27 lawful diagnostic or therapeutic purposes.

28           (d) Except as otherwise specifically provided in this section,  
29 unethical business practices, consisting of 1 or more of the





1 following:

2 (i) False or misleading advertising.

3 (ii) Dividing fees for referral of patients or accepting  
4 kickbacks on medical or surgical services, appliances, or  
5 medications purchased by or in behalf of patients.

6 (iii) Fraud or deceit in obtaining or attempting to obtain third  
7 party reimbursement.

8 (e) Except as otherwise specifically provided in this section,  
9 unprofessional conduct, consisting of 1 or more of the following:

10 (i) Misrepresentation to a consumer or patient or in obtaining  
11 or attempting to obtain third party reimbursement in the course of  
12 professional practice.

13 (ii) Betrayal of a professional confidence.

14 (iii) Promotion for personal gain of an unnecessary drug,  
15 device, treatment, procedure, or service.

16 (iv) Either of the following:

17 (A) A requirement by a licensee other than a physician or a  
18 registrant that an individual purchase or secure a drug, device,  
19 treatment, procedure, or service from another person, place,  
20 facility, or business in which the licensee or registrant has a  
21 financial interest.

22 (B) A referral by a physician for a designated health service  
23 that violates 42 USC 1395nn or a regulation promulgated under that  
24 section. For purposes of this subdivision, 42 USC 1395nn and the  
25 regulations promulgated under that section as they exist on June 3,  
26 2002 are incorporated by reference. A disciplinary subcommittee  
27 shall apply 42 USC 1395nn and the regulations promulgated under  
28 that section regardless of the source of payment for the designated  
29 health service referred and rendered. If 42 USC 1395nn or a



1 regulation promulgated under that section is revised after June 3,  
 2 2002, the department shall officially take notice of the revision.  
 3 Within 30 days after taking notice of the revision, the department  
 4 shall decide whether or not the revision pertains to referral by  
 5 physicians for designated health services and continues to protect  
 6 the public from inappropriate referrals by physicians. If the  
 7 department decides that the revision does both of those things, the  
 8 department may promulgate rules to incorporate the revision by  
 9 reference. If the department does promulgate rules to incorporate  
 10 the revision by reference, the department shall not make any  
 11 changes to the revision. As used in this sub-subparagraph,  
 12 "designated health service" means that term as defined in 42 USC  
 13 1395nn and the regulations promulgated under that section and  
 14 "physician" means that term as defined in sections 17001 and 17501.

15 (v) For a physician who makes referrals under 42 USC 1395nn or  
 16 a regulation promulgated under that section, refusing to accept a  
 17 reasonable proportion of patients eligible for Medicaid and  
 18 refusing to accept payment from Medicaid or Medicare as payment in  
 19 full for a treatment, procedure, or service for which the physician  
 20 refers the individual and in which the physician has a financial  
 21 interest. A physician who owns all or part of a facility in which  
 22 he or she provides surgical services is not subject to this  
 23 subparagraph if a referred surgical procedure he or she performs in  
 24 the facility is not reimbursed at a minimum of the appropriate  
 25 Medicaid or Medicare outpatient fee schedule, including the  
 26 combined technical and professional components.

27 (vi) Any conduct by a health professional with a patient while  
 28 he or she is acting within the health profession for which he or  
 29 she is licensed or registered, including conduct initiated by a



1 patient or to which the patient consents, that is sexual or may  
 2 reasonably be interpreted as sexual, including, but not limited to,  
 3 sexual intercourse, kissing in a sexual manner, or touching of a  
 4 body part for any purpose other than appropriate examination,  
 5 treatment, or comfort.

6 (vii) Offering to provide practice-related services, such as  
 7 drugs, in exchange for sexual favors.

8 (viii) A violation of section 16655(4) by a dental therapist.

9 (f) Failure to notify under section 16222(3) or (4).

10 (g) Failure to report a change of name or mailing address as  
 11 required in section 16192.

12 (h) A violation, or aiding or abetting in a violation, of this  
 13 article or of a rule promulgated under this article.

14 (i) Failure to comply with a subpoena issued pursuant to this  
 15 part, failure to respond to a complaint issued under this article,  
 16 article 7, or article 8, failure to appear at a compliance  
 17 conference or an administrative hearing, or failure to report under  
 18 section 16222(1) or 16223.

19 (j) Failure to pay an installment of an assessment levied  
 20 under the insurance code of 1956, 1956 PA 218, MCL 500.100 to  
 21 500.8302, within 60 days after notice by the appropriate board.

22 (k) A violation of section 17013 or 17513.

23 (l) Failure to meet 1 or more of the requirements for licensure  
 24 or registration under section 16174.

25 (m) A violation of section 17015, 17015a, 17017, 17515, or  
 26 17517.

27 (n) A violation of section 17016 or 17516.

28 (o) Failure to comply with section 9206(3).

29 (p) A violation of section 5654 or 5655.



- 1 (q) A violation of section 16274.
- 2 (r) A violation of section 17020 or 17520.
- 3 (s) A violation of the medical records access act, 2004 PA 47,
- 4 MCL 333.26261 to 333.26271.
- 5 (t) A violation of section 17764(2).
- 6 (u) Failure to comply with the terms of a practice agreement
- 7 described in section 17047(2)(a) or (b), 17547(2)(a) or (b), or
- 8 18047(2)(a) or (b).
- 9 (v) A violation of section 7303a(2).
- 10 (w) A violation of section 7303a(4) or (5).
- 11 (x) A violation of section 7303b.
- 12 **(y) A violation of section 17754a.**

13 Sec. 16226. (1) After finding the existence of 1 or more of  
 14 the grounds for disciplinary subcommittee action listed in section  
 15 16221, a disciplinary subcommittee shall impose 1 or more of the  
 16 following sanctions for each violation:

<u>Violations of Section 16221</u>	<u>Sanctions</u>
17 Subdivision (a), (b) (i),	Probation, limitation, denial,
18 (b) (ii), (b) (iii), (b) (iv),	suspension, revocation,
19 (b) (v), (b) (vi), (b) (vii),	permanent revocation,
20 (b) (ix), (b) (x), (b) (xi),	restitution, or fine.
21 or (b) (xii)	
22	
23	
24 Subdivision (b) (viii)	Revocation, permanent revocation,
25	or denial.
26	
27 Subdivision (b) (xiii)	Permanent revocation
28	for a violation described in



1 subsection (5); otherwise,  
 2 probation, limitation, denial,  
 3 suspension, revocation,  
 4 restitution, or fine.  
 5

6 Subdivision (b) (xiv) Permanent revocation.  
 7

8 Subdivision (c) (i) Denial, revocation, suspension,  
 9 probation, limitation, or fine.  
 10

11 Subdivision (c) (ii) Denial, suspension, revocation,  
 12 restitution, or fine.  
 13

14 Subdivision (c) (iii) Probation, denial, suspension,  
 15 revocation, restitution, or fine.  
 16

17 Subdivision (c) (iv) Fine, probation, denial,  
 18 or (d) (iii) suspension, revocation, permanent  
 19 revocation, or restitution.  
 20

21 Subdivision (d) (i) Reprimand, fine, probation,  
 22 or (d) (ii) denial, or restitution.  
 23

24 Subdivision (e) (i), Reprimand, fine, probation,  
 25 (e) (iii), (e) (iv), (e) (v), limitation, suspension,  
 26 (h), or (s) revocation, permanent revocation,  
 27 denial, or restitution.  
 28

1	Subdivision (e) (ii)	Reprimand, probation, suspension,
2	or <del>(i)</del> (i)	revocation, permanent
3		revocation, restitution,
4		denial, or fine.
5		
6	Subdivision (e) (vi),	Probation, suspension, revocation
7	(e) (vii), or (e) (viii)	limitation, denial,
8		restitution, or fine.
9		
10	Subdivision (f)	Reprimand, denial, limitation,
11		probation, or fine.
12		
13	Subdivision (g)	Reprimand or fine.
14		
15	Subdivision (j)	Suspension or fine.
16		
17	Subdivision (k), (p),	Reprimand, probation, suspension,
18	or (r)	revocation, permanent revocation,
19		or fine.
20		
21	Subdivision (l)	Reprimand, denial, or
22		limitation.
23		
24	Subdivision (m) or (o)	Denial, revocation, restitution,
25		probation, suspension,
26		limitation, reprimand, or fine.
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28	Subdivision (n)	Revocation or denial.

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- Subdivision (q) Revocation.
- Subdivision (t) Revocation, permanent revocation, fine, or restitution.
- Subdivision (u) Denial, revocation, probation, suspension, limitation, reprimand, or fine.
- Subdivision (v) or (x) Probation, limitation, denial, fine, suspension, revocation, or permanent revocation.
- Subdivision (w) Denial, fine, reprimand, probation, limitation, suspension, revocation, or permanent revocation.
- Subdivision (y) Subject to subsection (7) or (8), fine.**

(2) Determination of sanctions for violations under this section shall be made by a disciplinary subcommittee. If, during judicial review, the court of appeals determines that a final decision or order of a disciplinary subcommittee prejudices substantial rights of the petitioner for 1 or more of the grounds listed in section 106 of the administrative procedures act of 1969, ~~1969 PA 306,~~ MCL 24.306, and holds that the final decision or order is unlawful and is to be set aside, the court shall state on the



1 record the reasons for the holding and may remand the case to the  
2 disciplinary subcommittee for further consideration.

3 (3) A disciplinary subcommittee may impose a fine in an amount  
4 that does not exceed \$250,000.00 for a violation of section  
5 16221(a) or (b). A disciplinary subcommittee shall impose a fine of  
6 at least \$25,000.00 if the violation of section 16221(a) or (b)  
7 results in the death of 1 or more patients.

8 (4) A disciplinary subcommittee may require a licensee or  
9 registrant or an applicant for licensure or registration who has  
10 violated this article, article 7, or article 8 or a rule  
11 promulgated under this article, article 7, or article 8 to  
12 satisfactorily complete an educational program, a training program,  
13 or a treatment program, a mental, physical, or professional  
14 competence examination, or a combination of those programs and  
15 examinations.

16 (5) A disciplinary subcommittee shall impose the sanction of  
17 permanent revocation for a violation of section 16221(b) (xiii) if the  
18 violation occurred while the licensee or registrant was acting  
19 within the health profession for which he or she was licensed or  
20 registered.

21 (6) Except as otherwise provided in subsection (5) and this  
22 subsection, a disciplinary subcommittee shall not impose the  
23 sanction of permanent revocation under this section without a  
24 finding that the licensee or registrant engaged in a pattern of  
25 intentional acts of fraud or deceit resulting in personal financial  
26 gain to the licensee or registrant and harm to the health of  
27 patients under the licensee's or registrant's care. This subsection  
28 does not apply if a disciplinary subcommittee finds that a licensee  
29 or registrant has violated section 16221(b) (xiv) .





1           (7) Until December 31, 2023, a disciplinary subcommittee shall  
2 impose a fine of \$250.00 for each violation of section 16221(y).  
3 However, the aggregate fine that a disciplinary subcommittee  
4 imposes on a licensee or registrant for multiple violations of  
5 section 16221(y) under this subsection must not exceed \$10,000.00  
6 in 1 calendar year.

7           (8) Beginning January 1, 2024, a disciplinary subcommittee  
8 shall impose a fine of \$500.00 for each violation of section  
9 16221(y). However, the aggregate fine that a disciplinary  
10 subcommittee imposes on a licensee or registrant for multiple  
11 violations of section 16221(y) under this subsection must not  
12 exceed \$20,000.00 in 1 calendar year.

13           Sec. 17744. (1) A prescriber may designate an agent to act on  
14 behalf of or at the discretion of that prescriber. A designation of  
15 an agent by a prescriber under this section is not required to be  
16 in writing to be a valid designation. If a designation of an agent  
17 by a prescriber under this section is contained in a written  
18 document, the prescriber or the agent may transmit that document to  
19 a pharmacy that will dispense a prescription issued by that  
20 prescriber.

21           (2) Only a prescriber acting within the scope of his or her  
22 practice may issue a prescription. An agent may prepare and  
23 transmit a prescription that has been signed by the prescriber,  
24 including a signature that meets the requirements of section 17754  
25 **or 17754a**. The prescriber issuing a prescription and the pharmacist  
26 dispensing a drug or device under a prescription is responsible for  
27 all of the requirements of state and federal law, rules, and  
28 regulations regarding the issuance of prescriptions and dispensing  
29 of drugs or devices under prescriptions.



1 (3) A prescriber or his or her agent may transmit to a  
2 pharmacy a prescription that is contained within a patient's chart  
3 in a health facility or agency licensed under article 17 or other  
4 medical institution. A prescription that is contained within a  
5 patient's chart in a health facility or agency licensed under  
6 article 17 or other medical institution and that is created in an  
7 electronic format may contain more than 6 prescriptions and may  
8 contain prescriptions for schedule 3 through 5 controlled  
9 substances and noncontrolled substances on the same form.

10 Sec. 17751. (1) A pharmacist shall not dispense a drug  
11 requiring a prescription under the federal act or a law of this  
12 state except under authority of an original prescription or an  
13 equivalent record of an original prescription approved by the  
14 board.

15 (2) Subject to subsection (5), a pharmacist may dispense a  
16 prescription written and signed; written or created in an  
17 electronic format, signed, and transmitted by facsimile; or  
18 transmitted electronically or by other means of communication by a  
19 physician prescriber, dentist prescriber, or veterinarian  
20 prescriber in another state, but not including a prescription for a  
21 controlled substance except under circumstances described in  
22 section 17763(e), only if the pharmacist in the exercise of his or  
23 her professional judgment determines all of the following:

24 (a) Except as otherwise authorized under section 5110, 17744a,  
25 or 17744b, if the prescriber is a physician or dentist, that the  
26 prescription was issued pursuant to an existing physician-patient  
27 or dentist-patient relationship.

28 (b) That the prescription is authentic.

29 (c) That the prescribed drug is appropriate and necessary for



1 the treatment of an acute, chronic, or recurrent condition.

2 (3) A pharmacist or a prescriber shall dispense a prescription  
3 only if the prescription falls within the scope of practice of the  
4 prescriber.

5 (4) A pharmacist shall not knowingly dispense a prescription  
6 after the death of the prescriber or patient.

7 (5) A pharmacist shall not dispense a drug or device under a  
8 prescription transmitted by facsimile or created in electronic  
9 format and printed out for use by the patient unless the document  
10 is manually signed by the prescriber. This subsection does not  
11 apply to a prescription that is transmitted by a computer to a  
12 facsimile machine if that prescription complies with section 17754  
13 **or 17754a.**

14 (6) After consultation with and agreement from the prescriber,  
15 a pharmacist may add or change a patient's address, a dosage form,  
16 a drug strength, a drug quantity, a direction for use, or an issue  
17 date with regard to a prescription. A pharmacist shall note the  
18 details of the consultation and agreement required under this  
19 subsection on the prescription and shall maintain that  
20 documentation with the prescription as required in section 17752. A  
21 pharmacist shall not change the patient's name, controlled  
22 substance prescribed unless authorized to dispense a lower cost  
23 generically equivalent drug product under section 17755, or the  
24 prescriber's signature with regard to a prescription.

25 (7) A prescription that is contained within a patient's chart  
26 in a health facility or agency licensed under article 17 or other  
27 medical institution and that is transmitted to a pharmacy under  
28 section 17744 is the original prescription. If all other  
29 requirements of this part are met, a pharmacist shall dispense a



1 drug or device under a prescription described in this subsection. A  
2 pharmacist may dispense a drug or device under a prescription  
3 described in this subsection even if the prescription does not  
4 contain the quantity ordered. If a prescription described in this  
5 subsection does not contain the quantity ordered, the pharmacist  
6 shall consult with the prescriber to determine an agreed-upon  
7 quantity. The pharmacist shall record the quantity dispensed on the  
8 prescription and shall maintain that documentation with the  
9 prescription as required in section 17752.

10 (8) If, after consulting with a patient, a pharmacist  
11 determines in the exercise of his or her professional judgment that  
12 dispensing additional quantities of a prescription drug is  
13 appropriate for the patient, the pharmacist may dispense, at one  
14 time, additional quantities of the prescription drug up to the  
15 total number of dosage units authorized by the prescriber on the  
16 original prescription for the patient and any refills of the  
17 prescription. Except for a controlled substance included in  
18 schedule 5 that does not contain an opioid, this subsection does  
19 not apply to a prescription for a controlled substance.

20 Sec. 17754. (1) Except as otherwise provided under article 7,  
21 article 8, and the federal act, a prescription may be transmitted  
22 electronically if the prescription is transmitted in compliance  
23 with the health insurance portability and accountability act of  
24 1996, Public Law 104-191, or regulations promulgated under that  
25 act, 45 CFR parts 160 and 164, by a prescriber or his or her agent  
26 and the data are not altered or modified in the transmission  
27 process. The electronically transmitted prescription shall include  
28 all of the following information:

29 (a) The name, address, and telephone number of the prescriber.



1 (b) Except as otherwise authorized under section 5110, 17744a,  
2 or 17744b, the full name of the patient for whom the prescription  
3 is issued.

4 (c) An electronic signature or other identifier that  
5 specifically identifies and authenticates the prescriber or his or  
6 her agent.

7 (d) The time and date of the transmission.

8 (e) The identity of the pharmacy intended to receive the  
9 transmission.

10 (f) Any other information required by the federal act or state  
11 law.

12 (2) The electronic equipment or system utilized in the  
13 transmission and communication of prescriptions shall provide  
14 adequate confidentiality safeguards and be maintained to protect  
15 patient confidentiality as required under any applicable federal  
16 and state law and to ensure against unauthorized access. The  
17 electronic transmission of a prescription shall be communicated in  
18 a retrievable, recognizable form acceptable to the intended  
19 recipient. The electronic form utilized in the transmission of a  
20 prescription shall not include "dispense as written" or "d.a.w." as  
21 the default setting.

22 (3) Before dispensing a prescription that is electronically  
23 transmitted, the pharmacist shall exercise professional judgment  
24 regarding the accuracy, validity, and authenticity of the  
25 transmitted prescription.

26 (4) An electronically transmitted prescription that meets the  
27 requirements of this section is the original prescription.

28 **(5) This section does not apply beginning on the date on which**  
29 **section 17754a applies.**



1           Sec. 17754a. (1) Except as otherwise provided under article 8,  
 2 the federal act, or subsection (5), and subject to subsection (10),  
 3 beginning January 1, 2021, a prescriber or his or her agent shall  
 4 electronically transmit a prescription, including a prescription  
 5 for a controlled substance, directly to a pharmacy of the patient's  
 6 choice. A prescription that is transmitted electronically under  
 7 this section must be in compliance with the health insurance  
 8 portability and accountability act of 1996, Public Law 104-191, or  
 9 regulations promulgated under that act, 45 CFR parts 160 and 164,  
 10 and the data must not be altered or modified in the transmission  
 11 process. The electronically transmitted prescription must include  
 12 all of the following information:

13           (a) The name, address, and telephone number of the prescriber.

14           (b) Except as otherwise authorized under section 5110, 17744a,  
 15 or 17744b, the full name of the patient for whom the prescription  
 16 is issued.

17           (c) An electronic signature or other identifier that  
 18 specifically identifies and authenticates the prescriber or his or  
 19 her agent.

20           (d) The time and date of the transmission.

21           (e) The identity of the pharmacy intended to receive the  
 22 transmission.

23           (f) Any other information required by the federal act or state  
 24 law.

25           (2) The electronic equipment or system utilized in the  
 26 transmission and communication of prescriptions under this section  
 27 must provide adequate confidentiality safeguards and be maintained  
 28 to protect patient confidentiality as required under any applicable  
 29 federal and state law and to ensure against unauthorized access.



1 The electronic transmission of a prescription under this section  
2 must be communicated in a retrievable, recognizable form acceptable  
3 to the intended recipient. The electronic form utilized in the  
4 transmission of a prescription must not include "dispense as  
5 written" or "d.a.w." as the default setting.

6 (3) Before dispensing a prescription that is electronically  
7 transmitted under this section, the pharmacist shall exercise  
8 professional judgment regarding the accuracy, validity, and  
9 authenticity of the transmitted prescription.

10 (4) An electronically transmitted prescription that meets the  
11 requirements of this section is the original prescription.

12 (5) The requirement to transmit a prescription electronically  
13 under subsection (1) does not apply under any of the following  
14 circumstances:

15 (a) If the prescription is issued by a prescriber who is a  
16 veterinarian licensed under this article.

17 (b) Subject to subsection (6), if the prescription is issued  
18 under a circumstance in which electronic transmission is not  
19 available due to a temporary technological or electrical failure.

20 (c) If the prescription is issued by a prescriber who has  
21 received a waiver from the department under subsection (7).

22 (d) Subject to subsection (6), if the prescription is issued  
23 by a prescriber who reasonably believes that electronically  
24 transmitting the prescription would make it impractical for the  
25 patient who is the subject of the prescription to obtain the  
26 prescription drug in a timely manner and that the delay would  
27 adversely affect the patient's medical condition.

28 (e) If the prescription is orally prescribed under section  
29 7333(3) or (4).



1 (f) Subject to subsection (6), if the prescription is issued  
2 by a prescriber to be dispensed outside of this state.

3 (g) If the prescription is issued by a prescriber who is  
4 located outside of this state to be dispensed by a pharmacy located  
5 inside of this state.

6 (h) If the prescription is issued and dispensed in the same  
7 health care facility and the individual for whom the prescription  
8 is issued uses the drug exclusively in the health care facility. As  
9 used in this subdivision, "health care facility" includes, but is  
10 not limited to, any of the following:

11 (i) A hospital.

12 (ii) A hospice.

13 (iii) A dialysis treatment clinic.

14 (iv) A freestanding surgical outpatient facility.

15 (v) A nursing home.

16 (vi) A long-term care facility that provides rehabilitative,  
17 restorative, or ongoing skilled nursing care to an individual who  
18 is in need of assistance with activities of daily living.

19 (i) Subject to subsection (6), if the prescription contains  
20 content that is not supported by the National Council for  
21 Prescription Drug Programs Prescriber/Pharmacist Interface SCRIPT  
22 Standard.

23 (j) Subject to subsection (6), if the prescription is for a  
24 drug for which the FDA requires the prescription to contain content  
25 that cannot be transmitted electronically.

26 (k) If the prescription is issued under circumstances in which  
27 the prescriber is not required to include on the prescription a  
28 name of a patient for whom the prescription is issued including,  
29 but not limited to, a prescription issued under section 5110.





1           (l) Subject to subsection (6), if the prescription is issued by  
2 a prescriber who is prescribing the drug under a research protocol.

3           (6) If a prescription for a controlled substance is not  
4 electronically transmitted under an exception described in  
5 subsection (5) (b), (d), (f), (i), (j), or (l), the prescriber shall  
6 document the applicable exception in the patient's medical record  
7 at the time the prescriber issues the prescription. If the  
8 prescription is not electronically transmitted under an exception  
9 described in subsection (5) (b) or (d), the prescriber shall also  
10 document in the patient's medical record the specific reason for  
11 not electronically transmitting the prescription.

12           (7) If a prescriber cannot meet the requirements of subsection  
13 (1) or (2), the prescriber may apply to the department for a  
14 waiver. The department shall grant a waiver to a prescriber if the  
15 department determines that the prescriber cannot meet the  
16 requirements of subsection (1) or (2) due to a technological  
17 limitation that is not reasonably within the control of the  
18 prescriber, such as insufficient internet connectivity or the use  
19 of a health record technology certified by the federal Centers for  
20 Medicare and Medicaid Services that does not allow for the  
21 electronic transmission of a prescription for a controlled  
22 substance, or another exceptional circumstance. A prescriber who is  
23 granted a waiver under this subsection shall notify the department  
24 in writing if he or she is subsequently able to meet the  
25 requirements of subsections (1) and (2). A waiver that is granted  
26 under this subsection is valid for a period not to exceed 1 year  
27 and is renewable.

28           (8) Except as otherwise provided in section 7333, a pharmacist  
29 who receives a prescription that was not transmitted electronically



1 to the pharmacy may dispense the prescription without determining  
2 whether an exception under subsection (5) applies.

3 (9) The department, in consultation with the board, shall  
4 promulgate rules to implement this section.

5 (10) If the federal Centers for Medicare and Medicaid Services  
6 delays the Medicare requirement for the electronic transmission of  
7 prescriptions for controlled substances beyond January 1, 2021,  
8 then the department shall, by rule, delay the implementation date  
9 of subsection (1) to the date established by the federal Centers  
10 for Medicare and Medicaid Services for the Medicare requirement.

