

"MAPS" REPORTING REQUIREMENTS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 47 (H-2) as reported from House committee

Sponsor: Sen. Dale Zorn

House Committee: Health Policy

Senate Committee: Health Policy

Complete to 12-5-17

Analysis available at
<http://www.legislature.mi.gov>

(Enacted as Public Act 252 of 2017)

BRIEF SUMMARY: Senate Bill 47 would amend the Public Health Code to expand upon reporting requirements under the Michigan automated prescription system (MAPS), as well as exceptions to those requirements.

FISCAL IMPACT: Senate Bill 47 would have no fiscal impact on any units of state or local government.

THE CONTENT OF THE BILL:

Section 7333a of the Public Health Code requires the Department of Licensing and Regulatory Affairs (LARA) to establish by rule an electronic system for monitoring the dispensing of schedule 2 to 5 controlled substances by pharmacists, dispensing prescribers, or veterinarians. However, it currently provides that those rules exempt the following circumstances from the reporting requirements:

- The administration of a controlled substance directly to a patient.
- The dispensing from a health facility licensed under Article 17 of a controlled substance by a dispensing prescriber in a quantity adequate to treat a patient for not more than 48 hours.

The bill would reword those instances somewhat to distinguish the rules for hospitals from those for health facilities or agencies, and to add a specific exception for veterinarians. It would exempt the dispensing of a controlled substance from MAPS reporting requirements in the following instances:

- A hospital that is licensed under Article 17 that administers the controlled substance to an individual who is an inpatient.
- A health facility or agency licensed under Article 17 if the controlled substance is dispensed by a dispensing prescriber in a quantity adequate to treat the patient for not more than 48 hours.
- A veterinary hospital or clinic that administers the controlled substance to an animal that is an inpatient.

The bill would also repeal Rule 62e of the Board of Pharmacy – Controlled Substances administrative rules, which uses language similar to that currently in Section 7333a to describe the exemptions from the reporting requirements for pharmacists, dispensing prescribers, and veterinarians. (R 338.3162e of the Michigan Administrative Code)

Finally, the bill would require a prescriber to obtain and review a patient's data on MAPS before dispensing or prescribing buprenorphine, or a drug containing buprenorphine and methadone, to a patient in a substance use disorder program. A prescriber must also report the information to MAPS when dispensing those drugs to a patient in a substance use disorder program, if federal law does not prohibit reporting.

The bill would take effect 90 days after its enactment.

MCL 333.7333a

HOUSE COMMITTEE ACTION:

The House Health Policy committee adopted an (H-2) substitute to the bill, which requires that prescribers obtain and review MAPS data before dispensing or prescribing buprenorphine or a drug containing buprenorphine or methadone; as reported from the Senate, the bill merely required prescribers to report information to MAPS with the patient's consent. Additionally, the (H-2) substitute specifically exempts veterinary hospitals or clinics from certain reporting requirements.

POSITIONS:

A representative of Blue Cross Blue Shield of Michigan testified in support of the bill.
(9-20-17)

The following organizations indicated support of the bill:

Office of the Attorney General (10-4-17)

Michigan Pharmacists Association (9-20-17)

Michigan Association of Treatment Court Professionals (9-27-17)

Michigan Veterinary Medical Association (10-4-17)

Legislative Analyst: Jenny McInerney
Fiscal Analyst: Marcus Coffin

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.