

## **BONA FIDE PRESCRIBER-PATIENT RELATIONSHIP AND MAPS REPORT EXEMPTIONS FOR HOSPICE**

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**House Bill 4224 (proposed substitute H-1)**  
**Sponsor: Rep. Michele Hoytenga**

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

**House Bill 4225 (proposed substitute H-1)**  
**Sponsor: Rep. Bronna Kahle**

**Committee: Health Policy**  
**Complete to 3-13-19**

### **SUMMARY:**

Taken together, House Bills 4224 and 4225 would exempt hospice patients from the requirement that a bona fide prescriber-patient relationship exist before a prescriber could prescribe a Schedule 2 to 5 controlled substance, and move it from Part 73 (Manufacture, Distribution, and Dispensing) of the Public Health Code to Part 71 (General Provisions).

The bills would also exempt a person from the requirement that a prescriber obtain and review a Michigan Automated Prescription System (MAPS) report before prescribing or dispensing more than a three-day supply of a controlled substance as long as the following requirements were met:

- The person was under the care of hospice.
- The MAPS report was obtained and reviewed when the person was admitted to hospice.

MCL 333.7104 (HB 4224)

MCL 333.7303a (HB 4225)

### **BACKGROUND:**

2017 PA 249 (Senate Bill 167)<sup>1</sup> required that there be a bona fide prescriber-patient relationship before a licensed provider could prescribe a controlled substance listed in Schedules 2 to 5. However, there was a concern that this requirement would unintentionally affect hospice patients' ability to receive pain medication to address their serious and rapidly changing health needs. Accordingly, 2018 PA 101 (House Bill 5678)<sup>2</sup> pushed this requirement, which was to take effect March 31, 2018, to March 31, 2019 (or the date by which exemptions to the relationship would be defined). The bills are seen as an effort to address the concern permanently.

<sup>1</sup> House Fiscal Agency analysis of PA 249/SB 167 of 2017 <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-0166-A26310EB.pdf>

<sup>2</sup> House Fiscal Agency analysis of PA 101/HB 5678 of 2018 <http://www.legislature.mi.gov/documents/2017-2018/billanalysis/House/pdf/2017-HLA-5678-B893753A.pdf>

**FISCAL IMPACT:**

House Bills 4224 and 4225, jointly examined, would not have a significant fiscal impact on the Department of Licensing and Regulatory Affairs or on other units of state or local government.

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■ 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.