

HOUSE BILL NO. 5616

March 20, 2024, Introduced by Reps. Steckloff, Breen, Churches, Price, Young, Haadsma, Morgan, McFall, Hood, Byrnes, Brabec, Johnsen, Brenda Carter, Glanville, Farhat, Scott and VanderWall and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding sections 17773, 20817, and
21537.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 17773. (1) Any unused portion of a facility-provided drug**
2 **that is dispensed for an ophthalmic surgical procedure performed on**
3 **or for ophthalmic medical care provided to a patient in a hospital**
4 **or freestanding surgical outpatient facility licensed under article**

1 17 must be offered to the patient on the patient's discharge from
2 the hospital or freestanding surgical outpatient facility if all of
3 the following apply:

4 (a) The hospital or freestanding surgical outpatient facility
5 orders the facility-provided drug for an ophthalmic surgical
6 procedure for the patient that is performed on an in-patient basis
7 or for ophthalmic medical care that the patient receives from the
8 hospital or freestanding surgical outpatient facility on an in-
9 patient basis.

10 (b) The facility-provided drug is administered to the patient
11 at the hospital or freestanding surgical outpatient facility.

12 (c) The unused portion of the facility-provided drug is
13 required for the patient's continued treatment.

14 (2) A pharmacist who dispenses a facility-provided drug that
15 is offered to a patient under subsection (1) shall ensure that the
16 drug is provided to the patient in a container that is labeled in
17 the same manner as required in section 17745(7) for a drug
18 dispensed by a dispensing prescriber.

19 (3) If the facility-provided drug is used in an operating room
20 or emergency department of a hospital or freestanding surgical
21 outpatient facility, the prescriber of the facility-provided drug
22 shall counsel the patient on the directions for the patient's use
23 of the facility-provided drug. Any counseling requirement on the
24 pharmacist who dispensed the facility-provided drug is waived.

25 (4) As used in this section, "facility-provided drug" means a
26 drug that is an eye drop or eye ointment.

27 Sec. 20817. A freestanding surgical outpatient facility shall
28 comply with section 17773.

29 Sec. 21537. A hospital shall comply with section 17773.