

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.17766 Additional conduct constituting misdemeanor.**

Sec. 17766.

Except as provided in sections 17766d, 17780, and 21418, a person that does any of the following is guilty of a misdemeanor:

(a) Obtains or attempts to obtain a prescription drug by giving a false name to a pharmacist or other authorized seller, prescriber, or dispenser.

(b) Obtains or attempts to obtain a prescription drug by falsely representing that he or she is a lawful prescriber, dispenser, or licensee, or acting on behalf of a lawful prescriber, dispenser, or licensee.

(c) Falsely makes, utters, publishes, passes, alters, or forges a prescription.

(d) Knowingly possesses a false, forged, or altered prescription.

(e) Knowingly attempts to obtain, obtains, or possesses a drug by means of a prescription for other than a legitimate therapeutic purpose, or as a result of a false, forged, or altered prescription.

(f) Possesses or controls for the purpose of resale, or sells, offers to sell, dispenses, or gives away, a drug, pharmaceutical preparation, or chemical that has been dispensed on prescription and has left the control of a pharmacist.

(g) Possesses or controls for the purpose of resale, or sells, offers to sell, dispenses, or gives away, a drug, pharmaceutical preparation, or chemical that has been damaged by heat, smoke, fire, water, or other cause and is unfit for human or animal use.

(h) Prepares or permits the preparation of a prescription drug, except as delegated by a pharmacist.

(i) Sells a drug in bulk or in an open package at auction, unless the sale has been approved in accordance with rules of the board.

**History:** 1978, Act 368, Eff. Sept. 30, 1978 ;-- Am. 1990, Act 30, Eff. Mar. 28, 1991 ;-- Am. 2004, Act 329, Imd. Eff. Sept. 23, 2004 ;-- Am. 2006, Act 416, Imd. Eff. Sept. 29, 2006 ;-- Am. 2018, Act 396, Eff. Mar. 19, 2019

**Popular Name:** Act 368