At the end of 2017, Michigan’s lieutenant governor signed into law several new requirements intended enhance controlled substance prescribing practices and to combat the opioid epidemic. Listed below is a summary of the mandates and how each impacts prescribing practices. Additional detail and full access to each public act may be found via the links noted below.

**Michigan (S.B. 166) - Public Act 248 of 2017**

**Michigan Automated Prescription System (MAPS) Use Mandate**

Before prescribing or dispensing a controlled substance to a patient, a licensed prescriber shall register with MAPS before prescribing or dispensing a controlled substance.

Before prescribing or dispensing a controlled substance exceeding a 3-day supply, a prescriber must obtain and review a report from MAPS.

Does not apply if:

1. The medication is dispensed in a hospital or freestanding surgical outpatient facility and administered to the patient in that facility.
2. The patient is an animal, the dispensing occurs in a veterinary hospital or clinic and administered to the animal in that hospital or clinic.
3. The Medication prescribed by a licensed veterinarian and dispensed by a pharmacist.

**Effective Date: June 1, 2018**

[**http://www.legislature.mi.gov/(S(izenusykibbsgfacsbk0pkrc))/mileg.aspx?page=GetObject&objectname=2017-SB-0166**](http://www.legislature.mi.gov/(S(izenusykibbsgfacsbk0pkrc))/mileg.aspx?page=GetObject&objectname=2017-SB-0166)

**Michigan (S.B. 167) - Public Act 249 of 2017**

**Penalties for Violating MAPS Use Mandate**

This mandate outlines the penalties for licensed prescribers who violate the MAPS use mandate.

1. The Department may issue a letter notifying the prescriber they may be in violation, which is not considered discipline.
2. The Disciplinary Subcommittee may impose one or more of the following sanctions for each violation: Denial, fine, reprimand, probation, limitation, suspension, revocation or permanent revocation.

**Effective Date: June 1, 2018**

***Note:*** *Michigan announced in June 2017 that it is covering the cost of integrating MAPS within the electronic health records of physician groups.*

[**http://www.legislature.mi.gov/(S(erzxqaclxxnfjvkf4e3d2xza))/mileg.aspx?page=GetObject&objectname=2017-SB-0249**](http://www.legislature.mi.gov/(S(erzxqaclxxnfjvkf4e3d2xza))/mileg.aspx?page=GetObject&objectname=2017-SB-0249)

**Michigan (S.B. 47) - Public Act 252 of 2017**

**Medication Assisted Treatment**

This mandate requires 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 dispensing buprenorphine or methadone must *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.

**Direct Administration of Controlled Substances - MAPS Reporting Exemptions**

Provisions in the Michigan Public Health Code were revised allowing exemptions from MAPS reporting under the following circumstances:

1. Administration to an inpatient at a hospital.
2. Dispensing from a health facility or agency in a quantity adequate to treat a patient for not more than 48 hours.
3. Administration to an animal at an inpatient veterinary hospital or clinic.

**Effective Date: March 27, 2018**

[**http://www.legislature.mi.gov/(S(5ekyohyeltklrytn3x12xdkv))/mileg.aspx?page=GetObject&objectname=2017-SB-0047**](http://www.legislature.mi.gov/(S(5ekyohyeltklrytn3x12xdkv))/mileg.aspx?page=GetObject&objectname=2017-SB-0047)

**Michigan (S.B. 274) - Public Act 251 of 2017**

A prescriber treating a patient for acute pain shall not prescribe the patient more than a 7-day supply of an opioid within a 7-day period.

“Acute pain” means pain that is the normal, predicted physiological response to a noxious chemical or a thermal or mechanical stimulus and is typically associated with invasive procedures, trauma, and disease and usually lasts for a limited amount of time.

**Effective Date: July 1, 2018**

[**http://www.legislature.mi.gov/(S(nwz1ukwn5gbzgzoedssxo2vk))/mileg.aspx?page=GetObject&objectname=2017-SB-0274**](http://www.legislature.mi.gov/(S(nwz1ukwn5gbzgzoedssxo2vk))/mileg.aspx?page=GetObject&objectname=2017-SB-0274)

**Michigan (S.B. 270) - Public Act 247 of 2017**

**Bona-fide Doctor/Patient Relationship**

A prescriber must be in a bona-fide prescriber-patient relationship to prescribe a controlled substance in schedule CII, CIII, CIV or CV to a patient.

The prescriber must also provide follow-up care, refer the patient to their primary care provider or refer the patient to another licensed prescriber to monitor the efficacy of the controlled substance prescribed.

Bona-fide prescriber-patient relationship is defined as a treatment or counseling relationship between a prescriber and a patient in which both of the following exist:

1. The prescriber has reviewed the patient’s relevant medical or clinical records and completed a full assessment of the patient’s medical history and current medical condition, including a relevant medical evaluation of the patient conducted in person of via telehealth
2. The prescriber has created and maintained records of the patient’s condition in accordance with medically accepted standards

**Effective Date: March 31, 2018**

[**http://www.legislature.mi.gov/(S(au1lzjj5cqkac5gynny33ikk))/mileg.aspx?page=GetObject&objectname=2017-SB-0270**](http://www.legislature.mi.gov/(S(au1lzjj5cqkac5gynny33ikk))/mileg.aspx?page=GetObject&objectname=2017-SB-0270)

**Michigan (S.B. 273) - Public Act 250 of 2017**

**Substance Use Disorder Information for Overdose Patients**

Providers who treat patients for an opioid-related overdose must provide information to the patient on substance use disorder services.

“Substance use disorder treatment and rehabilitation services” is defined under the Michigan Mental Health Code as follows:

1. Early intervention and crisis intervention counseling services for individuals who are current or formal individuals with substance use disorders
2. Referral services for individuals with substance use disorders, their families and the general public
3. Planned treatment, including chemotherapy, counseling, or rehabilitation for individuals physiologically or psychologically dependent upon or abusing alcohol or drugs

**Effective Date: March 27, 2018**

[**http://www.legislature.mi.gov/(S(jy1c5yegw51jhb2irvywxh5f))/mileg.aspx?page=GetObject&objectname=2017-SB-0273**](http://www.legislature.mi.gov/(S(jy1c5yegw51jhb2irvywxh5f))/mileg.aspx?page=GetObject&objectname=2017-SB-0273)

**Michigan (H.B. 4408) - Public Act 246 of 2017**

**Patient Information on Opioid Risks – Requirement for Informed Consent**

Before issuing an initial prescription for an opioid in a single course of treatment to a minor, a prescriber must discuss all of the following with patients:

Before an opioid is prescribed to a patient, the prescriber will be required to obtain the patient's informed consent. Michigan Department of Health and Human Services mandated consent forms are under development will be made available for prescribers.

**Effective Date: June 1, 2018**

[**http://www.legislature.mi.gov/(S(yau1mybsqvr4ftwj4ppjxqpo))/mileg.aspx?page=GetObject&objectname=2017-HB-4408**](http://www.legislature.mi.gov/(S(yau1mybsqvr4ftwj4ppjxqpo))/mileg.aspx?page=GetObject&objectname=2017-HB-4408)

**Michigan (H.B. 4403) - Public Act 253 of 2017**

**Medicaid Required to Cover Opioid Addiction Services**

Medicaid members may receive the following:

1. Medically necessary acute medical detoxification for opioid use disorder
2. Medically necessary inpatient care at an approved facility or
3. Care in a licensed substance use disorder residential treatment facility

**Effective Date: March 27, 2018**

[**http://www.legislature.mi.gov/(S(acy1fyg32xfphcib0bevkwrt))/mileg.aspx?page=GetObject&objectname=2017-HB-4403**](http://www.legislature.mi.gov/(S(acy1fyg32xfphcib0bevkwrt))/mileg.aspx?page=GetObject&objectname=2017-HB-4403)

The Physician Alliance and Partners In Care are not responsible for the accuracy or content of this information gathered from public sites. For detailed information, visit the suggested links in this document or www.legislature.mi.gov