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3 **Title:** Controlled Substance Prescription Transfer Between Pharmacies  
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5 **Introduced by:** Megan Edison, MD, for the Barry, Kent, and Ottawa County Delegations  
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7 **Original Author:** Megan Edison, MD  
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9 **Referred To:** Reference Committee E  
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11 **House Action:** **APPROVED**  
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14       Whereas, on August 28 2023, a new United States Drug Enforcement Administration (DEA)  
15 regulation went into effect, allowing patients to request electronic transfer of controlled substance  
16 prescriptions to another pharmacy on a one-time basis, and  
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18       Whereas, ongoing and unpredictable drug shortages of basic generic medications have  
19 been plaguing patients and physicians for years, without any relief in sight, and  
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21       Whereas, Michigan law requiring electronic prescriptions has added to patient and  
22 physician burden, as patients are not allowed to easily choose pharmacies based on cost or drug  
23 availability and multiple new prescriptions must be issued by the physician for controlled  
24 substances, and  
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26       Whereas, drug shortages and pharmacy decisions to not carry generic options for patients  
27 has created a crisis for those treated for ADHD and other conditions requiring controlled  
28 substances, as patients and physicians call multiple pharmacies daily to determine drug availability  
29 and physicians have to issue multiple new prescriptions based on availability, and  
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31       Whereas, multiple active prescriptions between pharmacies creates confusion and error as  
32 patients can fill multiple prescriptions for controlled substances either intentionally or  
33 unintentionally, and  
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35       Whereas, this DEA rule has the potential to alleviate this burden and potential for error,  
36 allowing electronic transfer of controlled substance prescriptions to another pharmacy utilizing  
37 existing SCRIPT Standard Version 2017071 protocol, just like any other prescription, and  
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39       Whereas, most Michigan pharmacies are simply ignoring the DEA rule, and not offering this  
40 option to patients, and  
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42       Whereas, some Michigan pharmacies only allow transfer within their chain network,  
43 claiming computer issues prevent transfer to another chain or independent pharmacy; however the  
44 DEA specifically debunked this excuse in the federal register comment section, citing that SCRIPT  
45 Standard Version 2017071 is available to independent and chain pharmacies and has been required  
46 since 2018 to participate in filling and transferring Medicare Part D drugs between pharmacies;  
47 therefore be it

48 RESOLVED: That MSMS work with interested organizations within Michigan to assure  
49 pharmacy compliance with the United States Drug Enforcement Administration's regulations  
50 regarding transfer of electronic prescriptions for controlled substances between pharmacies.  
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53 WAYS AND MEANS COMMITTEE FISCAL NOTE: \$2,000-\$4,000

**Relevant MSMS Policy** - None

**Relevant AMA Policy**

**Access to Medication H-120.920**

Our AMA will advocate against pharmacy practices that interfere with patient access to medications by refusing or discouraging legitimate requests to transfer prescriptions to a new pharmacy, to include transfer of prescriptions from mail-order to local retail pharmacies.

**Source:**

1. Reference Transfer of Electronic Prescriptions for Schedules II-V Controlled Substances Between Pharmacies for Initial Filling <https://www.govinfo.gov/content/pkg/FR-2023-07-27/pdf/2023-15847.pdf>