

# HOUSE BILL No. 6469

November 7, 2002, Introduced by Rep. Kolb 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 section 17748a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           SEC. 17748A. (1) A MANUFACTURER OR WHOLESALE DISTRIBUTOR,  
2 INCLUDING ANY EMPLOYEE OR AGENT OF THE MANUFACTURER OR WHOLESALE  
3 DISTRIBUTOR, SHALL KEEP A DETAILED RECORD OF THE VALUE, NATURE,  
4 AND PURPOSE OF ANY GIFTS, FEES, PHARMACEUTICAL DETAILING, MARKET-  
5 ING, AND PROMOTIONAL ACTIVITIES DIRECTED TO A DISPENSING PRE-  
6 SCRIBER, HIS OR HER DESIGNEE, OR ANY OTHER EMPLOYEE WITHIN HIS OR  
7 HER OFFICE.

8           (2) BY DECEMBER 31, 2003 AND EACH YEAR THEREAFTER, A MANU-  
9 FACTURER OR WHOLESALE DISTRIBUTOR SHALL SUBMIT AN ANNUAL WRITTEN  
10 REPORT DISCLOSING THE VALUE, NATURE, AND PURPOSE OF ANY GIFTS,  
11 FEES, PHARMACEUTICAL DETAILING, MARKETING, AND PROMOTIONAL

1 ACTIVITIES DESCRIBED IN SUBSECTION (1) TO THE DEPARTMENT AND THE  
2 BOARD. THE REPORT SHALL INCLUDE AT LEAST ALL OF THE FOLLOWING  
3 INFORMATION:

4 (A) THE NAME AND ADDRESS OF THE MANUFACTURER OR WHOLESale  
5 DISTRIBUTOR.

6 (B) THE NAME AND ADDRESS OF EACH DISPENSING PRESCRIBER FOR  
7 WHOM ANY GIFTS, FEES, DETAILING, MARKETING, OR PROMOTIONAL ACTIV-  
8 ITIES WERE INTENDED.

9 (C) THE VALUE, NATURE, AND PURPOSE OF THE GIFTS, FEES,  
10 DETAILING, MARKETING, OR PROMOTIONAL ACTIVITIES.

11 (D) ANY OTHER INFORMATION DETERMINED NECESSARY BY THE BOARD  
12 OR THE DEPARTMENT.

13 (3) AS USED IN THIS SECTION, "GIFT" MEANS A PAYMENT, SUB-  
14 SCRIPTON, ADVANCE, FORBEARANCE, RENDERING, OR DEPOSIT OF MONEY,  
15 SERVICES, OR ANYTHING OF VALUE, UNLESS CONSIDERATION OF EQUAL OR  
16 GREATER VALUE IS GIVEN IN EXCHANGE. A GIFT MAY BE IN THE FORM OF  
17 FOOD AND BEVERAGES, TRAVEL, ENTERTAINMENT, HOSPITALITY, OR  
18 PROMISE. GIFT DOES NOT INCLUDE THE DISTRIBUTION OF COMPLIMENTARY  
19 STARTER DOSES.