

for states, since so many compounding pharmacies producing medicines for office use ship medicines across state lines to their customers.¹⁴

Michigan: Representative Fred Upton's State

Michigan was perhaps the hardest hit state from the NECC fungal meningitis outbreak. As we mentioned earlier, of the 751 cases of fungal meningitis infections and 64 deaths, Michigan accounted for 264 infections and 22 deaths. State Senator Joe Hune, R-Hamburg, sponsored Senate Bills 704 and 904 to address and reform state licensing methods when a public health risk is present. These bills passed the Michigan State Senate and were signed into law by Governor Rick Snyder on July 2, 2014. Senate Bill 904 became Public Act 279, and Senate Bill 704 became Public Act 280.¹⁵

The state of Michigan took a different route in regulating compounding pharmacies. They now require that accurate records of compounding pharmacy procedures be maintained. They also require a state inspection of every compounding pharmacy in Michigan every two years, and a pharmacist-in-charge be designated to make sure the compounding pharmacy is compliant with state regulations. In addition, criminal penalties were added for violations that result in patient injury (maximum 4-year sentence) or death (maximum 15-year sentence).¹⁶

I totally understand the state inspection or audit, and will cover a recommendation on this in Chapter 3. The record keeping of compounding pharmacy procedures, inclusive of calculations and formulas to fill prescriptions of office use orders, is something that we all assume is done by compounding pharmacies. At least it is done now in Michigan.

California

California was not affected by the NECC fungal meningitis outbreak. However, California is not a state to miss out on a regulation party. The state is always quick to apply regulations in multiple industries. One of my friends who lives in Southern California told me if the lawmakers in Sacramento could figure out a way to regulate regulators and fund it, they would do so in a heartbeat!

On October 4, 2013 (before H.R. 3204 passed the U.S. Senate and was signed into law by President Obama), the governor of California signed into law Senate Bill 294. This bill changed the California pharmacy law, and requires the licensing of all pharmacies, resident and nonresident,