

AMENDMENTS TO LB 1022

Introduced by Health and Human Services.

1 1. Strike sections 16 and 18 and insert the following new
2 sections:

3 Sec. 16. To enable the establishment of veterinary drug
4 distribution in this state, the department may issue a provisional
5 license on or before July 1, 2009, to any applicant who meets the
6 following conditions:

7 (1) The applicant has not been found to have committed
8 any of the acts or offenses described in section 18 of this act;

9 (2) The applicant has established written policies and
10 procedures as required by section 15 of this act; and

11 (3) The applicant has paid a fee of five hundred dollars.

12 Sec. 18. (1) A veterinary drug distributor license may
13 be denied, refused renewal, suspended, limited, or revoked by the
14 Director of Public Health if he or she finds that the applicant
15 or licensee; the designated representative; the owner if a sole
16 proprietorship; or any person having an interest in the applicant
17 or licensee of more than ten percent has been found to have
18 committed any of the following acts or offenses:

19 (a) Violation of the Veterinary Drug Distribution
20 Licensing Act or the rules and regulations adopted and promulgated
21 under the act;

22 (b) Conviction of a misdemeanor or felony under state
23 law, federal law, or the law of another jurisdiction which, if

1 committed within this state, would have constituted a misdemeanor
2 or felony under state law and which has a rational connection with
3 the person's capacity to distribute veterinary legend drugs;

4 (c) Unprofessional conduct under the Uniform
5 Credentialing Act;

6 (d) Active addiction as defined in section 38-106;

7 (e) Permitting, aiding, or abetting veterinary drug
8 distribution or the performance of activities requiring a license
9 under the Veterinary Drug Distribution Licensing Act by a person
10 not licensed under the Veterinary Drug Distribution Licensing Act;

11 (f) Having had his or her credential denied, refused
12 renewal, limited, suspended, or revoked or having had such
13 credential disciplined in any other manner by another jurisdiction
14 relating to the performance of veterinary drug distribution;

15 (g) Performing veterinary drug distribution without a
16 valid license or in contravention of any limitation placed upon the
17 license; or

18 (h) Fraud, forgery, or misrepresentation of material
19 facts in procuring or attempting to procure a license under the
20 Veterinary Drug Distribution Licensing Act.

21 (2) The department shall issue or renew a license to any
22 applicant that satisfies the requirements for licensure or license
23 renewal under the Veterinary Drug Distribution Licensing Act.

24 2. On page 2, line 9, strike "13" and insert "12".

25 3. On page 4, line 19, after "Act" insert ", except
26 that a veterinarian licensed under the Veterinary Medicine and
27 Surgery Practice Act acting within the scope of practice of his

1 or her profession shall not be required to be licensed under the
2 Veterinary Drug Distribution Licensing Act.".

3 4. On page 6, line 9, strike "Distributor" and insert
4 "Distribution".

5 5. On page 8, line 10, after the first comma insert "or".

6 6. On page 10, line 1, strike "Each" and insert "Except
7 as otherwise provided in section 16 of this act, each".

8 7. On page 15, line 9, strike beginning with "and"
9 through "notice".