

**ONE HUNDREDTH LEGISLATURE - SECOND SESSION -  
2008**

**COMMITTEE STATEMENT**

**LB759**

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**Hearing Date:** January 30, 2008

**Committee On:** Health and Human Services

**Introducer(s):** (Hudkins)

**Title:** Change provisions relating to relabeling and redispensing prescription drugs

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**Roll Call Vote - Final Committee Action:**

Placed on General File with Amendments

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**Vote Results:**

7 Yes	Senators Erdman, Gay, Hansen, Howard, Johnson, Pankonin, Stuthman
0 No	
0 Absent	
0 Present, not voting	

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**Proponents:**

Senator Hudkins  
Jon Edwards  
Kent Griffith

**Representing:**

Introducer  
Nebraska Association of County Officials  
Lancaster County Corrections

**Opponents:**

Roger Kaczmarek  
Sara Weeder-Korus

**Representing:**

Nebraska Board of Pharmacy  
Nebraska Pharmacists Association

**Neutral:**

**Representing:**

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**Summary of purpose and/or change:**

LB 759 expands on provisions of LB 382 (2005) relating to the relabeling and redispensing of prescription drugs delivered to a community health center. The bill would also apply such provisions to prescription drugs delivered to a correctional facility or jail.

The bill provides that prescription drugs or devices that have been delivered to a community health center, correctional facility, or jail for dispensing to a patient of the health center or inmate of the correctional facility or jail pursuant to a valid prescription, but that are not dispensed or administered to the patient or inmate, may be delivered to a pharmacist or pharmacy under contract with the health center, correctional facility, or jail for relabeling and redispensing pursuant to a valid prescription.

Exceptions are provided: (1) the decision to accept delivery of the drug or device rests solely with the contracting pharmacist or pharmacy, (2) the drug or device must have been in the control of the health center, correctional facility, or jail at all times, (3) the drug or device must be in its original and unopened labeled container with a tamper-evident seal intact, and bear the expiration date or calculated expiration date and lot number, and (4) the relabeling and redispensing is not otherwise prohibited by law.

The bill has an operative date of December 1, 2008.

**Explanation of amendments, if any:**

The committee amendment (AM 2142) replaces the bill as introduced but retains its substantive content. The amendment permits the relabeling and redispensing of prescription drugs originally prescribed for inmates in a correctional facility or jail. The amendment is drafted specifically to correctional facilities and jails, and no longer combined with similar existing provisions relating to community health centers.

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Senator Joel Johnson, Chairperson