

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 451**

Introduced by Nantkes, 46

Read first time January 16, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to pharmacists; to amend section 71-1,147.36,  
2 Reissue Revised Statutes of Nebraska; to change  
3 provisions relating to confidentiality; and to repeal the  
4 original section.

5 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-1,147.36, Reissue Revised Statutes  
2 of Nebraska, is amended to read:

3           71-1,147.36 (1) Information with regard to a patient  
4 maintained by a pharmacist pursuant to sections 71-1,142 to  
5 71-1,151, including the name of the prescribing physician, shall  
6 be privileged and confidential and may be released only to (a) the  
7 patient or the caregiver of the patient or others authorized by  
8 the patient or his or her legal representative, (b) a physician  
9 treating the patient, (c) other physicians or pharmacists when,  
10 in the professional judgment of the pharmacist, such release is  
11 necessary to protect the patient's health or well-being, or (d)  
12 other persons or governmental agencies authorized by law to receive  
13 such information.

14           (2) Nothing in this section shall prohibit the release  
15 of confidential information to researchers conducting biomedical,  
16 pharmaco-epidemiologic, or pharmaco-economic research pursuant to  
17 health research approved by an institutional review board which is  
18 established in accordance with 21 C.F.R. parts 50 and 56 or 45  
19 C.F.R. part 46, as such parts existed on May 1, 2001.

20           Sec. 2. Original section 71-1,147.36, Reissue Revised  
21 Statutes of Nebraska, is repealed.