Hundredth Legislature - First Session - 2007

Introducer's Statement of Intent
LB 247

Chairperson: **Joel Johnson**
Committee: **Health and Human Services**
Date of Hearing: **February 8, 2007**

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 247 is the annual "clean-up bill for the Pharmacy Practice Act.

LB 247 makes a number of amendments to the Nebraska controlled substances schedule and to the Pharmacy Practice Act and other provisions of law relating to the practice of pharmacy, as follows:

1. Current definitions of manufacture and manufacturer are revised by removing the term "compounding" from these definitions. This revision is designed to conform the definitions of these terms to the definitions employed by the National Association of Boards of Pharmacy.

2. Anabolic steroids that are exempted by the Drug Enforcement Administration list as it existed on the effective date of this act would be exempted from the current list of Schedule III controlled substances, conforming the state controlled substances schedule to that which exists on the federal level.

3. State law would be revised to conform with federal law in recognizing an exception for the drug "buprenorphine" to the prohibition against prescribing certain narcotic drugs for detoxification treatment or maintenance treatment of narcotic-dependent individuals.

4. Modifies the "verbal offer to counsel" that must be provided by a pharmacist to a patient or caregiver prior to dispensing or delivering a drug or device by eliminating the requirement to include all information found on the prescription label in cases in which written information is provided, a requirement not provided for under federal law.

5. Clarifies for purposes of the return of drugs to a pharmacy from a long-term care facility, that the term long-care facility does not include an assisted-living facility as otherwise defined under state law. Patients in assisted-living facilities have greater access in administering their drugs and it is therefore unlikely that the strict conditions under which drugs may be returned to the pharmacy will be met in an assisted-living facility setting.

6. Provides uniformity regarding the manner in which a practitioner may designate that "drug product selection" is not permitted by making identical the phrases or notations to be reflected in connection with either an oral or written prescription on the face of the prescription by the practitioner or the pharmacist.

Principal Introducer: _____

Senator Joel T. Johnson