

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 74

FINAL READING

Introduced by Williams, 36; Kolterman, 24.

Read first time January 10, 2019

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section
2 38-2845, Reissue Revised Statutes of Nebraska, and sections 38-2801
3 and 38-2802, Revised Statutes Cumulative Supplement, 2018; to define
4 and redefine terms; to provide for validation of acts, tasks, and
5 functions by certified pharmacy technicians as prescribed; to
6 harmonize provisions; and to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-2801, Revised Statutes Cumulative Supplement,
2 2018, is amended to read:

3 38-2801 Sections 38-2801 to 38-28,107 and sections 4 and 5 of this
4 act and the Nebraska Drug Product Selection Act shall be known and may be
5 cited as the Pharmacy Practice Act.

6 Sec. 2. Section 38-2802, Revised Statutes Cumulative Supplement,
7 2018, is amended to read:

8 38-2802 For purposes of the Pharmacy Practice Act and elsewhere in
9 the Uniform Credentialing Act, unless the context otherwise requires, the
10 definitions found in sections 38-2803 to 38-2848 and section 4 of this
11 act apply.

12 Sec. 3. Section 38-2845, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 38-2845 Supervision means the personal guidance and direction by a
15 pharmacist of the performance by a pharmacy technician of authorized
16 activities or functions subject to (1) verification by such pharmacist or
17 (2) validation by a certified pharmacy technician subject to section 5 of
18 this act. Supervision of a pharmacy technician may occur by means of a
19 real-time audiovisual communication system.

20 Sec. 4. Validation means the action of a certified pharmacy
21 technician checking the accuracy and completeness of the acts, tasks, or
22 functions undertaken by another certified pharmacy technician as provided
23 in section 5 of this act.

24 Sec. 5. (1) A pharmacy technician may validate the acts, tasks, and
25 functions of another pharmacy technician only if:

26 (a) Both pharmacy technicians are certified by a state or national
27 certifying body which is approved by the board;

28 (b) Both certified pharmacy technicians are working within the
29 confines of a hospital preparing medications for administration in the
30 hospital;

31 (c) Using bar code technology, radio frequency identification

1 technology, or similar technology to validate the accuracy of medication;

2 (d) Validating medication that is prepackaged by the manufacturer or
3 prepackaged and verified by a pharmacist; and

4 (e) Acting in accordance with policies and procedures applicable in
5 the hospital established by the pharmacist in charge.

6 (2) The pharmacist in charge in a hospital shall establish policies
7 and procedures for validation of medication by two or more certified
8 pharmacy technicians before such validation process is implemented in the
9 hospital.

10 Sec. 6. Original section 38-2845, Reissue Revised Statutes of
11 Nebraska, and sections 38-2801 and 38-2802, Revised Statutes Cumulative
12 Supplement, 2018, are repealed.