

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 252

FINAL READING

Introduced by Williams, 36; Brandt, 32; Dorn, 30; Murman, 38.

Read first time January 11, 2021

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Veterinary Drug Distribution Licensing
2 Act; to amend section 71-8901, Reissue Revised Statutes of Nebraska;
3 to provide for refills pursuant to certain veterinary drug orders as
4 prescribed; to harmonize provisions; and to repeal the original
5 section.

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

1 Section 1. Section 71-8901, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 71-8901 Sections 71-8901 to 71-8929 and section 2 of this act shall
4 be known and may be cited as the Veterinary Drug Distribution Licensing
5 Act.

6 Sec. 2. (1) Except as otherwise provided in this section, a
7 veterinary drug distributor may refill and distribute a veterinary legend
8 drug pursuant to a veterinary drug order issued on or after the effective
9 date of this act by a veterinarian licensed in this state pursuant to a
10 bona fide veterinarian-client-patient relationship without the
11 prescriber's authorization if the prescriber is deceased and continuation
12 of the veterinary legend drug is necessary for the animal's health,
13 safety, and welfare.

14 (2) A refill under this section shall be limited in quantity to the
15 amount sufficient to maintain the animal's health, safety, and welfare
16 until a bona fide veterinarian-client-patient relationship can be
17 established with a licensed veterinarian, but in no event shall the
18 quantity exceed a thirty-day supply.

19 (3) If a licensed veterinarian indicates on a veterinary drug order
20 that no emergency refills are authorized, a veterinary drug distributor
21 shall not dispense under this section pursuant to that veterinary drug
22 order.

23 (4) This section does not apply to controlled substances.

24 (5) A veterinary drug distributor shall not be required to refill
25 any veterinary drug order under this section and shall not be liable for
26 any damages resulting from refilling a veterinary drug order issued by a
27 licensed veterinarian under this section unless such damages are a result
28 of the gross negligence of the veterinary drug distributor.

29 Sec. 3. Original section 71-8901, Reissue Revised Statutes of
30 Nebraska, is repealed.