

may register a long-term care automated pharmacy, which meets the requirements of this act. A licensed pharmacy must apply for a separate registration for each location at which it operates one or more long-term care automated pharmacies. The licensed pharmacy shall be the provider pharmacy for the long-term care automated pharmacy.

Subsection 6 and 7 of Section 9 lists the responsibilities of a pharmacist in charge of a long-term care automated pharmacy. The pharmacist in charge must identify a pharmacist responsible for the automated pharmacy; implement the policies; assure compliance with labeling requirement; develop and implement policies for review and verification of drugs and medical orders by a pharmacist prior to release of drugs; implement policies for inventory, security and accountability and assure compliance with the Uniform Controlled Substances Act.

Subsection 8 of Section 9 lists what a package label must contain if the long-term care automated pharmacy has a drug packaged for administration to an ultimate user who is a resident of the long-term care facility.

Finally, Subsection 9 of Section 9 requires that inventory transferred to a long-term care automated pharmacy be excluded from the percent of total prescription drug sales revenue under 71-7454.

Supervision is redefined as "personal guidance and direction by a licensed pharmacist of the performance by a pharmacy technician of authorized activities or functions subject to verification by such pharmacist"; removing the "immediate" personal guidance and the requirement the licensed pharmacist be "on duty in the facility." The bill adds: "Supervision of a pharmacy technician may occur by means of a real-time auditory and video communication system." The bill also removes from the definition of supervision "except that when a pharmacy technician performs authorized activities or functions to assist a pharmacist on duty in the facility when the prescribed drugs or devices will be administered by a licensed staff member or consultant or by a licensed physician assistant to persons who are patients or residents of a facility, the activities or functions of such pharmacy technician shall only be subject to verification by a pharmacist on duty in the facility."

Pursuant to LB 326, verification may occur by "means of a computer system with a real-time online data base and a real-time auditory and video communication system of sufficient quality and resolution for the pharmacist to identify the markings and wording that appear on the medication and package labels being verified."

Explanation of amendments:

The Committee Amendment Section 1: Changes "real-time auditory and video communication system" to "real-time audiovisual communication system."

In Section 2 the Committee Amendment clarifies that verification of the pharmacy technician's work must occur on site by a pharmacist at that facility when the medications are being dispensed to a patient. Verification may occur via real-time audiovisual communication when the medications are administered by a credentialed individual to a patient or resident of a facility.

Section 4 is amended by the Committee Amendment. It:

Adds to the definition of "long-term care automated pharmacy" the requirement that the automated medication system be installed and operated by a pharmacy licensed and located in Nebraska; and

Expands the definition of "chart order" to authorize medications for residents in a long-term care facility that receive medications from the automated medication system located in the long-term care automated pharmacy.

The Committee Amendment changes Section 9 by:

Changes the words "register" or "registration" to "license" or "licensure" at the request of Department of HHS;

Clarifies that the DEA registration may be submitted to HHS after the long-term care automated pharmacy is licensed with the state due to the process of applying for a DEA registration;

Changes the "recommendation of the Board of Pharmacy" for allowing licensure to requiring licensure if the pharmacy meets the licensure requirements outlined in the Act;

Provides further clarification that the pharmacist in charge of the licensed pharmacy is responsible for all of the

licensure, policies and procedures, and operation of the automated medications system in the long-term care automated pharmacy;

Clarifies that the policies and procedures should include the process for review and verification of drugs and medical orders by a pharmacist prior to the medications being released from the automated medication system and given to the resident;

Includes the requirement for clarification of the process for accessing emergency doses of medications;

Adds a 5 year record keeping requirement; and

Clarifies drug labeling requirements.

Kathy Campbell, Chairperson