

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 8, 1999 LB 17, 333

ASSISTANT CLERK: 30 ayes, 0 nays on the motion to advance the bill.

PRESIDENT MAURSTAD: LB 17 is advanced. LB 333.

ASSISTANT CLERK: Mr. President, Legislative Bill 333 was introduced by Senator Jensen. (Read title.) The bill was read for the first time on January 12 of this year, referred to the Health and Human Services Committee. That committee reports the bill to General File with committee amendments attached.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. The Chair recognizes Senator Jensen to open on LB 333.

SENATOR JENSEN: Thank you, Mr. Lieutenant Governor, members of the body. LB 333 relates to the practice of pharmacy. It allows dispensed drugs and devices to be returned to the pharmacy by a long-term care facility for credit. Under the Emergency Box Drug Act, as amended by the bill, emergency drugs may be returned to the dispensing pharmacy for immediate destruction, one; two, in response to a recall; and, three, if the device is defective or malfunctions; or, four, by a long-term facility for credit. With drugs or devices...when drugs or devices are returned for credit, the following conditions must apply: no controlled substance may be returned, period; the pharmacist can decide whether to accept or not, or to reject, the returned drug or device; the drug or device must have been in the control of the long-term facility at all times; and (d) the drug or device must be in its original, unopened, labeled container with a tamper-evident seal still intact, and must have an expiration date or calculated expiration date or lot number; and (e) tablets or capsules must a been...must have been dispensed in a unit dose with a tamper-evident container impermeable to moisture and approved by the Board of Examiners in Pharmacy. Dispensed drugs and devices returned for credit may be retained in the inventory and made available for "redispensing" later. A violation of the above provision is a Class I misdemeanor, maximum of not more than one year imprisonment or \$1,000 fine or both. The fiscal note for LB 333 estimates the bill will save, save, mind you, Medicaid Program over \$531,000 in state General Funds and federal funds in the 1990 (sic) to the 2001 biennium. That really is the bill