

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 931

Introduced by Howard, 9; Kuehn, 38; Lindstrom, 18.

Read first time January 09, 2018

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to opiates; to amend sections 28-101 and
- 2 28-401.01, Revised Statutes Supplement, 2017; to provide
- 3 requirements for prescriptions; and to repeal the original sections.
- 4 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 28-101, Revised Statutes Supplement, 2017, is
2 amended to read:

3 28-101 Sections 28-101 to 28-1357 and 28-1601 to 28-1603 and section
4 3 of this act shall be known and may be cited as the Nebraska Criminal
5 Code.

6 Sec. 2. Section 28-401.01, Revised Statutes Supplement, 2017, is
7 amended to read:

8 28-401.01 Sections 28-401 to 28-456.01 and 28-458 to 28-472 and
9 section 3 of this act shall be known and may be cited as the Uniform
10 Controlled Substances Act.

11 Sec. 3. (1) A practitioner who is prescribing an opiate for a
12 patient younger than nineteen years of age for outpatient use for an
13 acute condition shall not prescribe more than a seven-day supply except
14 as otherwise provided in subsection (2) of this section and, if the
15 practitioner has not previously prescribed an opiate for such patient,
16 shall discuss with a parent or guardian of such patient the risks
17 associated with use of opiates and the reasons why the prescription is
18 necessary.

19 (2) If, in the professional medical judgment of the practitioner,
20 more than a seven-day supply of an opiate is required to treat such
21 patient's medical condition or is necessary for the treatment of chronic
22 pain management or pain associated with a cancer diagnosis or for
23 palliative care, the practitioner may issue a prescription for the
24 quantity needed to treat such patient's medical condition or pain. The
25 practitioner shall document the medical condition triggering the
26 prescription of more than a seven-day supply of an opiate in the
27 patient's medical record and shall indicate that a nonopiate alternative
28 was not appropriate to address the medical condition.

29 (3) This section does not apply to controlled substances prescribed
30 pursuant to section 28-412.

31 Sec. 4. Original sections 28-101 and 28-401.01, Revised Statutes

1 Supplement, 2017, are repealed.