

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 933**

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

Read first time January 09, 2018

Committee: Judiciary

- 1 A BILL FOR AN ACT relating to controlled substances; to amend sections
- 2 28-101 and 28-401.01, Revised Statutes Supplement, 2017; to provide
- 3 requirements for certain prescriptions; and to repeal the original
- 4 sections.
- 5 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) When prescribing a controlled substance listed in  
12 Schedule II of section 28-405 or any other opiate not listed in Schedule  
13 II, prior to issuing the initial prescription for a course of treatment  
14 for acute or chronic pain and again prior to the third prescription for  
15 such course of treatment, a practitioner shall discuss with the patient,  
16 or the patient's parent or guardian if the patient is younger than  
17 eighteen years of age and is not emancipated:

18 (a) The risks of addiction and overdose associated with the  
19 controlled substance or opiate being prescribed, including, but not  
20 limited to:

21 (i) Controlled substances and opiates are highly addictive even when  
22 taken as prescribed;

23 (ii) There is a risk of developing a physical or psychological  
24 dependence on the controlled substance or opiate; and

25 (iii) Taking more controlled substances or opiates than prescribed,  
26 or mixing sedatives, benzodiazepines, or alcohol with controlled  
27 substances or opiates, can result in fatal respiratory depression;

28 (b) The reasons why the prescription is necessary; and

29 (c) Alternative treatments that may be available.

30 (2) The practitioner shall include a note in the patient's medical  
31 record that the patient or the patient's parent or guardian, as

1 applicable, has discussed with the practitioner the risks of developing a  
2 physical or psychological dependence on the controlled substance or  
3 opiate and alternative treatments that may be available.

4       Sec. 4. Original sections 28-101 and 28-401.01, Revised Statutes  
5 Supplement, 2017, are repealed.