

AMENDMENTS TO LB474

(Amendments to Standing Committee amendments, AM824)

Introduced by Flood, 19.

1 1. Strike amendment 1 and insert the following new amendments:

2 1. Strike original sections 11, 24, and 43 and insert the following
3 new sections:

4 Sec. 11. Dispensary means the facility operated by the Nebraska
5 State Patrol pursuant to section 43 of this act that is permitted to
6 acquire, possess, or dispense cannabis, cannabis products, and cannabis
7 accessories pursuant to the Medicinal Cannabis Act.

8 Sec. 24. Qualifying medical condition means a current diagnosis of
9 any of the following conditions:

10 (1) Amyotrophic lateral sclerosis;

11 (2) Autism with frequent or severe self-injurious or aggressive
12 behavior;

13 (3) Cancer;

14 (4) Crohn's disease or ulcerative colitis;

15 (5) Epilepsy or epileptic seizures;

16 (6) Glaucoma;

17 (7) Hepatitis C that causes moderate to severe nausea or cachexia;

18 (8) Human immunodeficiency virus or acquired immune deficiency
19 syndrome;

20 (9) Huntington's disease;

21 (10) Parkinson's disease;

22 (11) Post-traumatic stress disorder that has failed all other
23 conventional treatments;

24 (12) Spinal cord injury or disease with residual neurological
25 deficits;

26 (13) Terminal illness with a probable life expectancy of under one

1 year;

2 (14) Tourette's syndrome;

3 (15) A serious medical condition, or the treatment of a serious
4 medical condition, that causes severe nausea or cachexia;

5 (16) Severe and persistent muscle spasms caused by multiple
6 sclerosis, spinal cord injury, or muscular dystrophy; or

7 (17) Severe or chronic pain lasting longer than six months that is
8 not adequately managed, in the opinion of a health care practitioner,
9 despite treatment attempts using (a) conventional medications other than
10 opioids or opiates or (b) physical interventions.

11 Sec. 43. (1) By November 1, 2022, the Nebraska State Patrol shall
12 establish a single dispensary for the state. The dispensary shall be
13 sited within five hundred feet of a county jail. The dispensary shall
14 begin supplying cannabis for medicinal use on or before May 1, 2023.

15 (2) The dispensary shall only dispense cannabis, cannabis products,
16 or cannabis accessories to a certified patient, a designated caregiver, a
17 nonresident patient, or a nonresident caregiver. Prior to dispensing any
18 cannabis, cannabis products, or cannabis accessories, the dispensary
19 shall verify that the person requesting such distribution is a certified
20 patient, a designated caregiver, a nonresident patient, or a nonresident
21 caregiver using verification procedures prescribed by the department.

22 (3) Prior to dispensing cannabis, cannabis products, or cannabis
23 accessories, the dispensary shall:

24 (a) On a purchaser's first visit, require the purchaser to provide a
25 full set of fingerprints which shall be submitted to the Federal Bureau
26 of Investigation for a national criminal history record information
27 check;

28 (b) Run a check for outstanding warrants for the purchaser, and, in
29 the case of a designated caregiver or nonresident caregiver, for the
30 certified patient or nonresident patient on whose behalf the cannabis,
31 cannabis products, or cannabis accessories are being purchased; and

1 (c) Run a check to determine if child support payments are owed by
2 the purchaser, and, in the case of a designated caregiver or nonresident
3 caregiver, by the certified patient or nonresident patient on whose
4 behalf the cannabis, cannabis products, or cannabis accessories are being
5 purchased.

6 (4) Prior to dispensing cannabis, cannabis products, or cannabis
7 accessories, the dispensary shall require the purchaser to display a
8 government-issued identification document and the following
9 documentation:

10 (a) For a certified patient, either:

11 (i) The certified patient's written certification or a copy of such
12 written certification; or

13 (ii) A valid registry verification;

14 (b) For a designated caregiver, either:

15 (i) Both (A) the certified patient's written certification or a copy
16 of such written certification and (B) a copy of any affidavit required by
17 section 8 or 10 of this act; or

18 (ii) A valid registry verification; or

19 (c) For a nonresident patient or nonresident caregiver, the
20 documentation required by section 16 or 17 of this act.

21 (5)(a) The dispensary shall contract with or employ at least one
22 pharmacist who is licensed under the Pharmacy Practice Act and who has
23 completed at least fifteen hours of continuing education course material
24 on the medicinal use of cannabis, which has been approved by the
25 Medicinal Cannabis Board. The pharmacist shall be available to patients
26 and dispensary staff, in person or by telemedicine, during business hours
27 to advise and educate patients and to consult about appropriate dosing.

28 (b) Dispensary staff shall notify certified patients, designated
29 caregivers, nonresident patients, and nonresident caregivers of the
30 availability of the pharmacist to provide a consultation at no additional
31 charge at each sale of cannabis.

1 (c) The continuing education courses for pharmacists shall include
2 information on drug interactions, dosages for various cannabis
3 preparations, counter-indications, and the risks and benefits of
4 cannabis. Each dispensary staff member who provides cannabis or cannabis
5 products to a certified patient, a designated caregiver, a nonresident
6 patient, or a nonresident caregiver shall complete a four-hour cannabis
7 education course approved by the Medicinal Cannabis Board prior to
8 providing cannabis to a certified patient, a designated caregiver, a
9 nonresident patient, or a nonresident caregiver.

10 (6) The dispensary shall provide a discount of at least ten percent
11 to each certified patient who has a financial hardship waiver. The
12 discount may be limited to an allowable amount of cannabis each thirty
13 days.

14 (7) The dispensary shall not conduct any cultivation, harvesting,
15 manufacturing, or processing of cannabis.

16 (8) The Nebraska State Patrol, in consultation with the department,
17 shall adopt and promulgate rules and regulations setting forth:

18 (a) Procedures for the oversight of the dispensary and procedures to
19 ensure accurate record keeping; and

20 (b) Procedures for the implementation of appropriate security
21 measures to deter and prevent the theft of cannabis and unauthorized
22 entrance into areas containing cannabis.

23 (9) The Nebraska State Patrol shall remit all payments received from
24 the operation of the dispensary to the State Treasurer for credit to the
25 Medicinal Cannabis Regulation Fund.

26 (10) The dispensary shall comply with the Medicinal Cannabis Act and
27 rules and regulations adopted and promulgated by the department under the
28 act.

29 2. On page 16, strike beginning with "who" in line 5 through the
30 second "a" in line 6 and insert "shall complete a minimum of eight hours
31 of"; in lines 7 and 8 strike "course" and insert "courses"; in line 8

1 strike "the eleventh" and insert "a"; strike beginning with "a" in line
2 11 through line 12 and insert "at least twenty-five patients,"; in line
3 18 strike "eleven or more"; and in line 19 strike "three" and insert
4 "eight".

5 3. On page 17, strike lines 21 and 22; in line 23 strike "(c)" and
6 insert "(b)"; and in line 25 strike "(d)" and insert "(c)".

7 4. On page 19, lines 15 and 20, strike "dispensaries" and insert
8 "the dispensary"; and strike beginning with "The" in line 30 through line
9 31.

10 5. On page 20, strike line 1; and in lines 24 and 29 strike
11 "dispensaries" and insert "the dispensary".

12 6. On page 21, line 19, strike "dispensaries" and insert "the
13 dispensary".

14 7. On page 25, line 27, strike "a" and insert "the".

15 8. On page 26, line 6, strike "dispensaries" and insert "the
16 dispensary"; in line 16, strike "a" and insert "the"; strike lines 17
17 through 20; in line 21 strike "(b)" and insert "(a)"; and in line 23
18 strike "(c)" and insert "(b)".

19 9. On page 27, line 4, strike "(d)" and insert "(c)"; in line 8,
20 strike "A" and insert "The"; in lines 11, 15, and 17, strike
21 "dispensary,"; and strike beginning with "If" in line 20 through line 31.

22 10. On page 28, strike line 1; in line 2 strike "(3)" and insert
23 "(2)"; in line 9 strike "(4)" and insert "(3)"; in line 14 strike "(5)"
24 and insert "(4)"; in line 17 strike "(6)" and insert "(5)"; in line 20
25 strike "(7)" and insert "(6)"; and in line 22 strike "(8)(a)" and insert
26 "(7)(a)".

27 11. On page 29, line 16, strike "(9)" and insert "(8)"; and in line
28 23 strike "(10)" and insert "(9)".

29 12. On page 30, line 31, strike "or" and insert an underscored
30 comma.

31 13. On page 31, line 2, after "program" insert ", or (c) as

1 necessary by the Nebraska State Patrol to operate the dispensary"; in
2 line 9 strike "and dispensary staff"; and in line 10 after the period
3 insert "This subsection does not apply to the Nebraska State Patrol's
4 operations of the dispensary.".

5 14. On page 33, lines 28 and 30, strike "dispensary,".

6 15. On page 35, line 6, strike "dispensaries" and insert "the
7 dispensary"; in line 15, strike "a"; in line 16 strike "dispensary or";
8 in line 17 strike "a dispensary,"; in line 26 strike "a dispensary" and
9 insert "the dispensary".

10 16. On page 36, in lines 23 and 25, strike "dispensary,"; and strike
11 beginning with "(1)" in line 30 through line 31.

12 17. On page 37, strike line 1; in line 2 strike "(2)(a)" and insert
13 "(1)(a)"; in line 9 strike "(3)(a)" and insert "(2)(a)"; in line 18
14 strike "(4)" and insert "(3)"; in line 21 strike "(5)" and insert "(4)";
15 in line 25 strike "(3)(a)" and insert "(2)(a)"; in line 26 strike "(3)"
16 and insert "(2)"; strike beginning with "(e)" in line 27 through "(f)" in
17 line 28 and insert "and (e)"; and in line 29 strike "(6)" and insert
18 "(5)".

19 18. On page 38, line 2 strike "or fees" and insert "fees, and
20 payments to dispensaries".

21 19. On page 43, line 15, strike "dispensaries" and insert "the
22 dispensary".