

AMENDMENTS TO LB611

Introduced by Riepe, 12.

1           1. Strike the original sections and insert the following new  
2 sections:

3           Section 1. Section 71-475, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5           71-475 (1)(a) When administration of a drug occurs in a hospital  
6 pursuant to a chart order, hospital personnel may provide the unused  
7 portion of the drug to the patient upon discharge from the hospital for  
8 continued use in treatment of the patient if:

9           (i) The drug has been opened and used for treatment of the patient  
10 at the hospital and is necessary for the continued treatment of the  
11 patient and would be wasted if not used by the patient; and

12           (ii) The drug is:

13           (A) In a multidose device or a multidose container; or

14           (B) In the form of a liquid reconstituted from a dry stable state to  
15 a liquid resulting in a limited stability.

16           (b) A drug provided to a patient in accordance with this subsection  
17 shall be labeled with the name of the patient, the name of the drug  
18 including the quantity if appropriate, the date the drug was provided,  
19 and the directions for use.

20           (2)(a) A licensed health care practitioner authorized to prescribe  
21 controlled substances may provide to his or her patients being discharged  
22 from a hospital a sufficient quantity of drugs adequate, in the judgment  
23 of the practitioner, to continue treatment, which began in the hospital,  
24 until the patient is reasonably able to access a pharmacy.

25           (b) The pharmacist-in-charge at the hospital shall maintain records  
26 of the drugs provided to patients in accordance with this subsection  
27 which shall include the name of the patient, the name of the drug

1 including the quantity if appropriate, the date the drug was provided,  
2 and the directions for use.

3 (3) If a drug is provided to a patient in accordance with subsection  
4 (1) or (2) of this section:

5 (a) The drug shall be kept in a locked cabinet or automated  
6 medication system with access only by a licensed health care practitioner  
7 authorized to prescribe, dispense, or administer controlled substances;

8 (b) Prior to providing the drug to the patient, a written or  
9 electronic order shall be in the patient's record;

10 (c) The process at the hospital shall be under the direct  
11 supervision of the prescriber;

12 (d) If the label is prepared by a nurse, the prescriber shall verify  
13 the drug and the directions for the patient;

14 (e) When possible, the directions for the patient shall be  
15 preprinted on the label by the pharmacist;

16 (f) The label shall include the name of the patient, the name of the  
17 drug including the quantity if appropriate, the date the drug was  
18 provided, and the directions for use;

19 (g) A written information sheet shall be given to the patient for  
20 each drug provided; and

21 (h) Documentation in a readily retrievable format shall be  
22 maintained each time a drug is provided to a patient from the hospital  
23 pharmacy's inventory which shall include the date, the patient, the drug,  
24 and the prescriber.

25 (4)(a) When a hospital, an ambulatory surgical center, or a health  
26 care practitioner facility provides medication that is ordered at least  
27 twenty-four hours in advance for surgical procedures and is administered  
28 to a patient at the hospital, ambulatory surgical center, or health care  
29 practitioner facility, any unused portion of the medication shall be  
30 offered to the patient upon discharge when it is required for continuing  
31 treatment. The unused portion of any such medication accepted by the

1 patient upon discharge shall be labeled by the prescriber or a pharmacist  
2 consistent with labeling requirements in section 71-2479.

3 (b) For purposes of this subsection, medication means any topical  
4 antibiotic, anti-inflammatory, dilation, or glaucoma drop or ointment  
5 that a hospital, ambulatory surgical center, or health care practitioner  
6 facility has on stand-by or is retrieved from a dispensing system for a  
7 specified patient for use during a procedure or visit.

8 (c) If the medication is used in an operating room or emergency  
9 department setting, the prescriber is responsible for counseling the  
10 patient on its proper use and administration and no other patient  
11 counseling is required under section 38-2869.

12 Sec. 2. Original section 71-475, Reissue Revised Statutes of  
13 Nebraska, is repealed.