

AMENDMENTS TO LB933
(Amendments to AM2855)

Introduced by Cavanaugh, J., 9.

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

2 2. Strike the original sections and all amendments thereto and
3 insert the following new sections:

4 **Section 1.** Section 71-24,103, Revised Statutes Supplement, 2025, is
5 amended to read:

6 71-24,103 Sections 71-24,103 to 71-24,105 and sections 2 and 3 of
7 this act shall be known and may be cited as the Nebraska Medical Cannabis
8 Patient Protection Act.

9 **Sec. 2.** (1) Subject to the requirements in subsection (2) of this
10 section, a health care practitioner may issue a written recommendation
11 for medical cannabis. Such recommendation shall not be the basis of any
12 civil or criminal penalty or disciplinary action, except in the case of
13 malpractice or professional negligence as defined in section 44-2810.

14 (2)(a) Prior to issuing a written recommendation, a health care
15 practitioner shall: (i) Consider the medical condition of the qualified
16 patient, including potential risk factors for treatment and any
17 prescription drugs the qualified patient is currently taking; (ii)
18 determine whether, in the health care practitioner's professional
19 judgment, the potential benefits of cannabis outweigh the potential harms
20 for the alleviation of a qualified patient's medical condition, its
21 symptoms, or the side effects from treatment of such condition; and (iii)
22 discuss with the qualified patient or caregiver the risks associated with
23 treatment and obtain the qualified patient's or caregiver's consent.

24 (b) A health care practitioner who issues a written recommendation
25 to a qualified patient shall not: (i) Offer a discount or another thing
26 of value to the qualified patient or the qualified patient's parent,

1 guardian, or registered agent that is contingent upon, or encourages, the
2 qualified patient's decision to use a particular registered cannabis
3 establishment; (ii) issue a written recommendation to the health care
4 practitioner or the health care practitioner's family members, employees,
5 or coworkers; (iii) provide product samples containing cannabis; or (iv)
6 accept compensation from a registered cannabis establishment.

7 (3) Nothing in this section shall be construed to prohibit a health
8 care practitioner from exercising professional judgment in declining to
9 issue a written recommendation for medical cannabis.

10 **Sec. 3.** (1) A health care practitioner shall not be subject to
11 arrest, prosecution, or penalty, in any manner, or denied any right or
12 privilege, including, but not limited to, a civil penalty or disciplinary
13 action by the Department of Health and Human Services or by any other
14 occupational or professional licensing board, solely for providing a
15 written recommendation or for stating that, in the health care
16 practitioner's professional judgment, the potential benefits of cannabis
17 outweigh the potential harms for the alleviation of a patient's medical
18 condition, its symptoms, or the side effects from the treatment of such
19 condition.

20 (2) Nothing in this section shall prohibit a health care
21 practitioner from being subject to civil penalty or disciplinary action
22 for malpractice or professional negligence as defined in section 44-2810.

23 **Sec. 4.** Original section 71-24,103, Revised Statutes Supplement,
24 2025, is repealed.