

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 887

Introduced by Hallstrom, 1; Riepe, 12.

Read first time January 08, 2026

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to public health and welfare; to amend
2 sections 38-2871, 81-6,101, 81-6,106, and 81-6,107, Reissue Revised
3 Statutes of Nebraska, section 38-2852, Revised Statutes Cumulative
4 Supplement, 2024, and section 38-2866.01, Revised Statutes
5 Supplement, 2025; to change requirements relating to licensure
6 examinations for pharmacists, supervision of pharmacy technicians
7 and pharmacist interns, and transfer of prescriptions between
8 pharmacies; to eliminate a report under the Parkinson's Disease
9 Registry Act; to harmonize provisions; to repeal the original
10 sections; and to outright repeal section 81-6,103, Reissue Revised
11 Statutes of Nebraska.
12 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** Section 38-2852, Revised Statutes Cumulative Supplement,
2 2024, is amended to read:

3 38-2852 Every applicant for licensure as a pharmacist shall be
4 ~~required to~~ attain a passing grade to be determined by the board in an
5 examination in pharmacy and in an examination in jurisprudence of
6 pharmacy. The jurisprudence examination may occur at a time, before or
7 after graduation, as determined by the accredited pharmacy program
8 attended by the applicant.

9 **Sec. 2.** Section 38-2866.01, Revised Statutes Supplement, 2025, is
10 amended to read:

11 38-2866.01 (1) A pharmacist may supervise any combination of
12 pharmacy technicians and pharmacist interns at any time up to a total of
13 four people.

14 (2) A pharmacist intern shall be supervised at all times while
15 performing the functions of a pharmacist intern which may include all
16 aspects of the practice of pharmacy unless otherwise restricted. This
17 subsection does not apply to a pharmacist intern who is receiving
18 experiential training directed by the accredited pharmacy program in
19 which he or she is enrolled.

20 (3) For any pharmacist supervising four pharmacy technicians ~~or~~
21 ~~pharmacist interns~~, at least one individual person shall be a certified
22 pharmacy technician pursuant to section 38-2890.

23 **Sec. 3.** Section 38-2871, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 38-2871 (1) Original prescription information for any controlled
26 substances listed in Schedule III, IV, or V of section 28-405 and other
27 prescription drugs or devices not listed in section 28-405 may be
28 transferred between pharmacies for the purpose of refill dispensing on a
29 one-time basis, except that pharmacies electronically sharing a real-
30 time, online database may transfer up to the maximum refills permitted by
31 law and as authorized by the prescribing practitioner on the

1 prescription. Transfers are subject to the following:

2 (a) The transfer is communicated directly between two pharmacists or
3 pharmacist interns except when the pharmacies can use a real-time, online
4 database;

5 (b) The transferring pharmacist or pharmacist intern indicates void
6 on the record of the prescription;

7 (c) The transferring pharmacist or pharmacist intern indicates on
8 the record of the prescription the name, the address, and, if a
9 controlled substance, the Drug Enforcement Administration number of the
10 pharmacy to which the information was transferred, the name of the
11 pharmacist or pharmacist intern receiving the information, the date of
12 transfer, and the name of the transferring pharmacist or pharmacist
13 intern;

14 (d) The receiving pharmacist or pharmacist intern indicates on the
15 record of the transferred prescription that the prescription is
16 transferred;

17 (e) The transferred prescription includes the following information:

18 (i) The date of issuance of the original prescription;

19 (ii) The original number of refills authorized;

20 (iii) The date of original dispensing;

21 (iv) The number of valid refills remaining;

22 (v) The date and location of last refill; and

23 (vi) The name, the address, and, if a controlled substance, the Drug
24 Enforcement Administration number of the pharmacy from which the transfer
25 was made, the name of the pharmacist or pharmacist intern transferring
26 the information, the original prescription number, and the date of
27 transfer; and

28 (f) Both the original and transferred prescriptions must be
29 maintained by the transferring and receiving pharmacy for a period of
30 five years from the date of transfer.

31 (2) Prescription drugs or devices not listed in section 28-405 may

1 be transferred between pharmacies for the purpose of refill dispensing if
2 (a) the number of transfers does not exceed the number of originally
3 authorized refills and (b) the original prescription is still valid.

4 ~~(3)~~ (2) Nothing in this section shall prevent a pharmacist from
5 forwarding an original prescription for a noncontrolled substance to
6 another pharmacy at the request of the patient or the patient's
7 caregiver. An original prescription for a controlled substance shall not
8 be forwarded to another pharmacy unless permitted under 21 C.F.R.
9 1306.25.

10 **Sec. 4.** Section 81-6,101, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 81-6,101 The department shall:

13 (1) Adopt and promulgate rules and regulations, including a uniform
14 system of classification of Parkinson's disease which is consistent with
15 medically and clinically accepted standards and definitions for use in
16 reporting by medical personnel treating the disease;

17 (2) Execute any contracts that the department deems necessary to
18 carry out the Parkinson's Disease Registry Act;

19 (3) Receive and record the data obtained from a report ~~reports~~ filed
20 under section ~~sections~~ 81-6,102 and ~~81-6,103~~; and

21 (4) Comply with all necessary requirements to obtain funds or
22 grants.

23 **Sec. 5.** Section 81-6,106, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 81-6,106 Nothing in the Parkinson's Disease Registry Act requires a
26 physician or pharmacist to deny medical treatment or services to an
27 individual who refuses to provide the information necessary to make a
28 complete report ~~as reports~~ required under section 81-6,102 ~~or 81-6,103~~.

29 **Sec. 6.** Section 81-6,107, Reissue Revised Statutes of Nebraska, is
30 amended to read:

31 81-6,107 Any physician or pharmacist required to make a report

1 ~~reports~~ under section 81-6,102 or ~~81-6,103~~ is immune from liability,
2 civil, criminal, or otherwise, for filing an incomplete report as a
3 result of the failure of an individual to provide the information
4 necessary to make such report.

5 **Sec. 7.** Original sections 38-2871, 81-6,101, 81-6,106, and
6 81-6,107, Reissue Revised Statutes of Nebraska, section 38-2852, Revised
7 Statutes Cumulative Supplement, 2024, and section 38-2866.01, Revised
8 Statutes Supplement, 2025, are repealed.

9 **Sec. 8.** The following section is outright repealed: Section
10 81-6,103, Reissue Revised Statutes of Nebraska.