

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

February 19, 1999 LB 226

a controlled substance in excess of the recommended dosage for the treatment of pain if, one, the physician, in his or her judgment, believes the dosage is warranted; two, the dosage is not administered for the purpose of causing or assisting in causing death for any reason; and, three, the dosage is administered according to the guidelines adopted by the Board of Examiners in Medicine and Surgery. The third section requires the board to establish such guidelines, which they will do, and then, in addition to this, there is an amendment to the committee amendment that Senator Byars will introduce that just talks about how they are to be...the drugs are to be prescribed. But the committee amendments now become the bill and I would urge passage of the committee amendments.

SPEAKER KRISTENSEN: Mr. Clerk, an amendment on the desk to the committee amendments.

CLERK: Mr. President, Senator Byars would move to amend with AM0421. (See page 653 of the Legislative Journal.)

SPEAKER KRISTENSEN: Senator Byars, you're recognized to open on your amendment to the committee amendments.

SENATOR BYARS: Thank you, Mr. Speaker and colleagues. I'm not sure I've ever heard the committee amendments and the amendment to the committee amendment so fully explained before we ever got to the amendment to the committee amendments to the bill, but I want to thank Senator Jensen and Senator Hilgert in that regard. We found, in looking at the language in the bill and then in the committee amendments, that we actually got overly stingy on how these pain medications would be...would be given to individuals who have needs. And in the original bill, and then in the committee amendments, we tied the giving of these painkilling medications to be administered by a physician. We all know that there are many circumstances where a physician cannot be present 24 hours a day to administer these medications, so we have changed the language in the amendment to the committee amendments to allow a physician to prescribe, dispense or administer, all within the scope of practice regulations in the state of Nebraska. And we added, at the same time, that nurses, who are licensed under the Nurses (sic) Practice Act, to be able to do the same. We're doing nothing other than what is good