

AMENDMENTS TO LB 759

Introduced by Health and Human Services.

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

3 Section 1. (1) Prescription drugs or devices which have
4 been delivered to a Department of Correctional Services facility,
5 a criminal detention facility, a juvenile detention facility, or a
6 jail for administration to a patient held at such facility or jail
7 pursuant to a valid prescription, but which are not administered to
8 such patient, may be delivered to a pharmacist or pharmacy under
9 contract with the facility or jail for relabeling and redispensing
10 and administration to another patient held at such facility or jail
11 pursuant to a valid prescription as provided in this section.

12 (2) (a) The decision to accept delivery of a prescription
13 drug or device for relabeling and redispensing under this section
14 rests solely with the contracting pharmacist or pharmacy.

15 (b) A prescription drug or device shall be in the control
16 of the facility or jail at all times prior to the delivery of the
17 drug or device for relabeling and redispensing under this section.
18 The drug or device shall be delivered in the original and unopened
19 labeled container with the tamper-evident seal intact, and the
20 container shall bear the expiration date or calculated expiration
21 date and lot number of the drug or device.

22 (c) A prescription drug or device shall not be
23 re-labeled and redispensed under this section if the relabeling and

1 redispensing is otherwise prohibited by law.

2 (3) For purposes of this section:

3 (a) Administer has the definition found in section
4 38-2806;

5 (b) Calculated expiration date has the definition found
6 in section 38-2884;

7 (c) Criminal detention facility has the definition found
8 in section 83-4,125;

9 (d) Deliver or delivery has the definition found in
10 section 38-2813;

11 (e) Department of Correctional Services facility has the
12 definition of facility found in section 83-170;

13 (f) Dispense or dispensing has the definition found in
14 section 38-2817;

15 (g) Jail has the definition found in section 47-117;

16 (h) Juvenile detention facility has the definition found
17 in section 83-4,125;

18 (i) Prescription has the definition found in section
19 38-2840; and

20 (j) Prescription drug or device has the definition found
21 in section 38-2841.

22 (4) The Jail Standards Board, in consultation with the
23 Board of Pharmacy, shall adopt and promulgate rules and regulations
24 to carry out this section, including, but not limited to, rules and
25 regulations relating to (a) persons authorized to administer the
26 prescription drug or device to a patient and (b) the proper storage
27 and protection of the drug or device consistent with the directions

1 contained on the label or package insert provided by the pharmacist
2 or pharmacy for the drug or device.

3 Sec. 2. This act becomes operative on December 1, 2008.