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FLOOR DEBATE

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prescription drug. Currently, dealers in medical gases would need to obtain a pharmacy permit and the services of a pharmacist to legally dispense oxygen. Allowing for the implementation of a delegated dispensing agreement will assist them to continue to provide quality service without the expense and requirement of a pharmacy permit and a staff pharmacist. An Attorney General's Opinion issued last fall confirms that individuals dispensing medical gas are engaged in the practice of pharmacy and, as a result, the extension of drug-dispensing permits to those who dispense medical gas is needed. The bill also contains a modified version of LB 285 which provides an exemption from the offense of possession, delivery or manufacture of drug paraphernalia for pharmacists who sell hypodermic needles or syringes for the prevention of the spread of infectious disease. That's it in a nutshell. I'll be glad to try to answer any questions after Senator Jensen opens on the committee amendments.

SENATOR CUDABACK: Thank you, Senator Suttle. You've heard the opening on LB 398. Senator Jensen, to open on the committee amendments to LB 398.

SENATOR JENSEN: Thank you, Senator Cudaback, members of the Legislature. The committee amendment to LB 398 does become the bill. It includes provisions from LB 398, Senator Suttle's bill, LB 511, which is a bill that I introduced which was similar, and LB 285 which is a bill that Senator Janssen introduced and I'll address that in a moment. The amendment makes several technical changes but I'd like to briefly highlight some of the more substantive parts of the amendment. The amendment deals primarily with changes to the Uniform Control Substances Act and the statutes relating to the practice of pharmacy referred to as the Pharmacy Practice Act. The amendment changes and adds definitions under both acts in Sections 1 and 26. Section 20...or Section 3 of the amendment enhances the penalty for prescribing and administering drugs while intoxicated from a Class III misdemeanor to a Class IV felony. You can certainly understand the reason for that. Section 8 changes and adds provisions related to the inventory and storage of controlled substances. Section 12 eliminates (sic) the validity of a medical order to six months