

ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017
COMMITTEE STATEMENT
LB223

Hearing Date: Thursday March 23, 2017
Committee On: Health and Human Services
Introducer: Kuehn
One Liner: Change provisions relating to prescription drug monitoring

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:
Aye: 7 Senators Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams
Nay:
Absent:
Present Not Voting:

Verbal Testimony:

Proponents:

Senator John Kuehn
Deb Bass
Melanie Surber
Eric Dunning
Joey Gaines
Elizabeth Marriott
Kim Robak
Kevin Conway
Diana Meadors

Representing:

Introducer
NeHII
WellCare NE
Blue Cross & Blue Shield of NE
Nebraska Veterinary Medical Association
Nebraska Veterinary Medical Association
Nebraska Medical Association
Nebraska Hospital Association
Self

Opponents:

Marcia Mueting

Representing:

Nebraska Pharmacists Association

Neutral:

Representing:

Summary of purpose and/or changes:

LB 223 amends the Prescription Drug Monitoring Program by adding prescription information to be available to the statewide health information exchange for access for participants as long as there is compliance with privacy and security protections. Adds training requirement before accessing the prescription drug monitoring system. Training will be administered by the public/private statewide health information exchange. Adds prescriber's designee to definition of "designee". Adds an employee of the prescriber or dispenser who is not a licensed health care professional but appointed by the prescriber or dispenser pursuant to requirements established by the statewide health information exchange. Adds an emergency clause.

SECTION BY SECTION:

Section (1): Amends Section 71-2454 to add prescription information to be available to the statewide health information exchange for access for participants as long as there is compliance with privacy and security protections. Adds training

requirement before accessing the prescription drug monitoring system. Training will be administered by the statewide health information exchange. Adds prescriber's designee to definition of "designee". Adds an employee of the prescriber or dispenser who is not a licensed health care professional but appointed by the prescriber or dispenser pursuant to requirements established by the statewide health information exchange.

Section (2): Repeals Section 71-2454.

Section (3): Emergency clause.

Explanation of amendments:

AM 950 strikes all original provisions and becomes the bill.

Section (1):

Harmonizes language regarding statewide health information exchange.

Adds exception that if a patient opts out of the statewide health information exchange, the prescription information regarding that patient will not be accessible by the participants in the statewide health information exchange.

Changes date for veterinarian compliance from January 1, 2018 to July 1, 2018.

Provides requirements for veterinarian information to be reported.

Adds "confidential" and "privileged" to all data and reports obtained from the prescription drug monitoring system.

Adds no patient-identifying data shall be disclosed except to the statewide health information exchange, its participants, prescribers and dispensers.

Adds all other data is for confidential use of the Department, the statewide health information exchange and its participants. Provides requirements for Department to release data.

Adds additional training requirements to use the prescription drug monitoring system.

Allows the statewide health information exchange to access the prescription drug monitoring system for training and administrative purposes. Allows individuals already trained prior to effective date to be in compliance with training requirements.

Adds designee will be licensed or registered health care professional credentialed under the Uniform Credentialing Act. Strikes employee language as designee. Strikes direct supervision for designee. Adds definition of "participant".

Merv Riepe, Chairperson