

LEGISLATIVE BILL 252

Approved by the Governor April 14, 2021

Introduced by Williams, 36; Brandt, 32; Dorn, 30; Murman, 38.

A BILL FOR AN ACT relating to the Veterinary Drug Distribution Licensing Act; to amend section 71-8901, Reissue Revised Statutes of Nebraska; to provide for refills pursuant to certain veterinary drug orders as prescribed; to harmonize provisions; and to repeal the original section.
Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-8901, Reissue Revised Statutes of Nebraska, is amended to read:

71-8901 Sections 71-8901 to 71-8929 and section 2 of this act shall be known and may be cited as the Veterinary Drug Distribution Licensing Act.

Sec. 2. (1) Except as otherwise provided in this section, a veterinary drug distributor may refill and distribute a veterinary legend drug pursuant to a veterinary drug order issued on or after the effective date of this act by a veterinarian licensed in this state pursuant to a bona fide veterinarian-client-patient relationship without the prescriber's authorization if the prescriber is deceased and continuation of the veterinary legend drug is necessary for the animal's health, safety, and welfare.

(2) A refill under this section shall be limited in quantity to the amount sufficient to maintain the animal's health, safety, and welfare until a bona fide veterinarian-client-patient relationship can be established with a licensed veterinarian, but in no event shall the quantity exceed a thirty-day supply.

(3) If a licensed veterinarian indicates on a veterinary drug order that no emergency refills are authorized, a veterinary drug distributor shall not dispense under this section pursuant to that veterinary drug order.

(4) This section does not apply to controlled substances.

(5) A veterinary drug distributor shall not be required to refill any veterinary drug order under this section and shall not be liable for any damages resulting from refilling a veterinary drug order issued by a licensed veterinarian under this section unless such damages are a result of the gross negligence of the veterinary drug distributor.

Sec. 3. Original section 71-8901, Reissue Revised Statutes of Nebraska, is repealed.