

AMENDMENTS TO LB10

Introduced by Health and Human Services.

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

3 **Section 1.** Section 71-7455, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 71-7455 (1) A wholesale drug distributor engaged in the wholesale
6 distribution of prescription drugs in this state shall establish and
7 maintain accurate records of all transactions regarding the receipt and
8 distribution or other disposition of prescription drugs as provided in
9 this section.

10 (2) The department shall adopt and promulgate rules and regulations
11 to require that all prescription drugs that leave the normal distribution
12 chain be accompanied by a paper or electronic pedigree as provided in
13 section 71-7456. Such rules and regulations shall be adopted and
14 promulgated no later than July 1, 2007.

15 (3) A wholesale drug distributor engaged in the wholesale
16 distribution of prescription drugs as part of the Prescription Drug
17 Donation Program Act shall not be required to maintain a paper or
18 electronic pedigree pursuant to section 71-7456.

19 (4) ~~(3)~~ The department shall develop standards and requirements for
20 electronic pedigrees in order to effectively authenticate, track, and
21 trace prescription drugs. Prior to the development of such standards and
22 requirements, the department shall consult with the federal Food and Drug
23 Administration, manufacturers, wholesale drug distributors, pharmacies,
24 and other interested parties regarding the feasibility and the ways,
25 means, and practicality of requiring that all prescription drugs that
26 leave the normal distribution chain be accompanied by an electronic
27 pedigree. The standards and requirements may prescribe the information

1 required to be included as part of the electronic pedigree. Such
2 standards and requirements shall be developed no later than July 1, 2008.
3 All prescription drugs that leave the normal distribution chain shall not
4 be required to be accompanied solely by an electronic pedigree prior to
5 such date.

6 (5) ~~(4)~~ A retail pharmacy or chain pharmacy warehouse shall comply
7 with the requirements of this section only if the pharmacy or chain
8 pharmacy warehouse engages in the wholesale distribution of prescription
9 drugs in this state.

10 (6) ~~(5)~~ A wholesale drug distributor, other than the original
11 manufacturer of the finished form of the prescription drug, shall verify
12 all transactions listed on the pedigree before attempting to further
13 distribute such drug.

14 (7)(a) The department may receive prescription drugs and supplies
15 directly under the Prescription Drug Donation Program Act and dispense
16 such prescription drugs and supplies through licensed personnel during,
17 or in preparation for, a state of emergency declared by the Governor.

18 (b) The department may receive and distribute prescription drugs and
19 supplies to any individual who is impacted as a result of a state of
20 emergency declared by the Governor.

21 **Sec. 2.** Original section 71-7455, Reissue Revised Statutes of
22 Nebraska, is repealed.

23 **Sec. 3.** Since an emergency exists, this act takes effect when passed
24 and approved according to law.