

AMENDMENTS TO LB195

(Amendments to Standing Committee amendments, AM135)

Introduced by Bosn, 25.

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

3           **Section 1.** Section 28-470, Revised Statutes Cumulative Supplement,  
4 2024, is amended to read:

5           28-470 (1) A health professional who is authorized to prescribe or  
6 dispense an opioid overdose reversal medication ~~naloxone~~, if acting with  
7 reasonable care, may prescribe, administer, or dispense such medication  
8 ~~naloxone~~ to any of the following persons without being subject to  
9 administrative action or criminal prosecution:

10           (a) A person who is apparently experiencing or who is likely to  
11 experience an opioid-related overdose; or

12           (b) A family member, friend, or other person in a position to assist  
13 a person who is apparently experiencing or who is likely to experience an  
14 opioid-related overdose.

15           (2) A family member, friend, or any other person, including school  
16 personnel, who is in a position to assist a person who is apparently  
17 experiencing or who is likely to experience an opioid-related overdose,  
18 other than an emergency responder or peace officer, is not subject to  
19 actions under the Uniform Credentialing Act, administrative action, or  
20 criminal prosecution if the person, acting in good faith:

21           (a) Obtains an opioid overdose reversal medication ~~, obtains~~  
22 ~~naloxone~~ from a health professional, pursuant to or a prescription, or  
23 over the counter; ~~for naloxone from a health professional and~~

24           (b) Administers such medication ~~administers the naloxone obtained~~  
25 ~~from the health professional or acquired pursuant to the prescription to~~  
26 a person who is apparently experiencing an opioid-related overdose.

1 (3) An emergency responder who, acting in good faith, obtains an  
2 opioid overdose reversal medication ~~naloxone~~ from the emergency  
3 responder's emergency medical service organization and administers such  
4 medication ~~the naloxone~~ to a person who is apparently experiencing an  
5 opioid-related overdose shall not be:

6 (a) Subject to administrative action or criminal prosecution; or

7 (b) Personally liable in any civil action to respond in damages as a  
8 result of his or her acts of commission or omission arising out of and in  
9 the course of his or her rendering such care or services or arising out  
10 of his or her failure to act to provide or arrange for further medical  
11 treatment or care for the person who is apparently experiencing an  
12 opioid-related overdose, unless the emergency responder caused damage or  
13 injury by his or her willful, wanton, or grossly negligent act of  
14 commission or omission. This subdivision shall not affect the liability  
15 of such emergency medical service organization for the emergency  
16 responder's acts of commission or omission.

17 (4) A peace officer or law enforcement employee who, acting in good  
18 faith, obtains an opioid overdose reversal medication ~~naloxone~~ from the  
19 peace officer's or employee's law enforcement agency and administers such  
20 medication ~~the naloxone~~ to a person who is apparently experiencing an  
21 opioid-related overdose shall not be:

22 (a) Subject to administrative action or criminal prosecution; or

23 (b) Personally liable in any civil action to respond in damages as a  
24 result of his or her acts of commission or omission arising out of and in  
25 the course of his or her rendering such care or services or arising out  
26 of his or her failure to act to provide or arrange for further medical  
27 treatment or care for the person who is apparently experiencing an  
28 opioid-related overdose, unless the peace officer or employee caused  
29 damage or injury by his or her willful, wanton, or grossly negligent act  
30 of commission or omission. This subdivision shall not affect the  
31 liability of such law enforcement agency for the peace officer's or

1 employee's acts of commission or omission.

2 (5) For purposes of this section:

3 (a) Administer has the same meaning as in section 38-2806;

4 (b) Dispense has the same meaning as in section 38-2817;

5 (c) Emergency responder means an emergency medical responder, an  
6 emergency medical technician, an advanced emergency medical technician,  
7 or a paramedic licensed under the Emergency Medical Services Practice Act  
8 or practicing pursuant to the EMS Personnel Licensure Interstate Compact;

9 (d) Health professional means a physician, physician assistant,  
10 nurse practitioner, or pharmacist licensed under the Uniform  
11 Credentialing Act;

12 (e) Law enforcement agency means a police department, a town  
13 marshal, the office of sheriff, or the Nebraska State Patrol;

14 (f) Law enforcement employee means an employee of a law enforcement  
15 agency, a contractor of a law enforcement agency, or an employee of such  
16 contractor who regularly, as part of his or her duties, handles,  
17 processes, or is likely to come into contact with any evidence or  
18 property which may include or contain opioids;

19 (g) Opioid overdose reversal medication means any lifesaving  
20 medication approved by the United States Food and Drug Administration for  
21 reversing an opioid overdose, whether obtained by prescription, from a  
22 health professional, or over the counter, and includes, but is not  
23 limited to, naloxone and nalmefene ~~Naloxone means naloxone hydrochloride;~~  
24 and

25 (h) Peace officer has the same meaning as in section 49-801.

26 **Sec. 2.** Original section 28-470, Revised Statutes Cumulative  
27 Supplement, 2024, is repealed.