

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 181**

Introduced by Hansen, B., 16.

Read first time January 09, 2023

Committee:

- 1 A BILL FOR AN ACT relating to public health and welfare; to amend section
- 2 38-2801, Revised Statutes Cumulative Supplement, 2022; to provide
- 3 for filling and refilling prescriptions in certain situations; to
- 4 harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-2801, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 38-2801 Sections 38-2801 to 38-28,107 and section 2 of this act and  
4 the Nebraska Drug Product Selection Act shall be known and may be cited  
5 as the Pharmacy Practice Act.

6 Sec. 2. If a practitioner is no longer in practice for any reason,  
7 including death, extended illness, retirement, relocation, or suspension  
8 or revocation of the credential by the appropriate board, a pharmacist  
9 may use professional judgment to (1) continue to refill a prescription  
10 issued by such a practitioner that has previously authorized refills, (2)  
11 continue to fill a prescription issued by such a practitioner for a  
12 controlled substance listed in Schedule II, III, IV, or V of section  
13 28-405 with a delayed fill date noted at the time of prescribing, or (3)  
14 provide a one-time emergency refill of a prescription issued by such a  
15 practitioner for up to a ninety-day supply of maintenance medications,  
16 including controlled substances listed in Schedule III, IV, or V of  
17 section 28-405.

18 Sec. 3. Original section 38-2801, Revised Statutes Cumulative  
19 Supplement, 2022, is repealed.