

LEGISLATURE OF NEBRASKA

ONE HUNDRED THIRD LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 1072**

Final Reading

Introduced by Lathrop, 12.

Read first time January 22, 2014

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public health; to amend sections 71-2454 and  
2 71-2455, Revised Statutes Cumulative Supplement, 2012; to  
3 change provisions relating to the prescription drug  
4 monitoring program; to create a fund; and to repeal the  
5 original sections.

6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-2454, Revised Statutes Cumulative  
2 Supplement, 2012, is amended to read:

3           71-2454 It is the intent of the Legislature that an  
4 entity described in section 71-2455 establish a system of  
5 prescription drug monitoring for the purposes of (1) preventing the  
6 misuse of ~~prescription drugs controlled substances that are~~  
7 prescribed in an efficient and cost-effective manner and (2) allowing  
8 doctors and pharmacists to monitor the care and treatment of patients  
9 for whom such a prescription drug is prescribed to ensure that such  
10 prescription drugs are used for medically appropriate purposes and  
11 that the State of Nebraska remains on the cutting edge of medical  
12 information technology.

13           Sec. 2. Section 71-2455, Revised Statutes Cumulative  
14 Supplement, 2012, is amended to read:

15           71-2455 The Department of Health and Human Services, in  
16 collaboration with the Nebraska Health Information Initiative or any  
17 successor public-private statewide health information exchange, shall  
18 enhance or establish technology for prescription drug monitoring to  
19 carry out the purposes of section 71-2454. ~~No state funding shall be~~  
20 ~~used to implement or operate the prescription drug monitoring system~~  
21 ~~provided for in this section.~~ The department may use state funds and  
22 accept grants, gifts, or other funds in order to implement and  
23 operate the technology. The department may adopt and promulgate rules  
24 and regulations to authorize use of electronic health information, if  
25 necessary to carry out the purposes of sections 71-2454 and 71-2455.

1           Sec. 3. The Prescription Drug Monitoring Program Fund is  
2 created. The Department of Health and Human Services shall administer  
3 the fund which shall include any state funds, grants, or gifts  
4 received by the department for the purposes of carrying out the  
5 purposes of sections 71-2454 and 71-2455. Any money in the fund  
6 available for investment shall be invested by the state investment  
7 officer pursuant to the Nebraska Capital Expansion Act and the  
8 Nebraska State Funds Investment Act.

9           Sec. 4. Original sections 71-2454 and 71-2455, Revised  
10 Statutes Cumulative Supplement, 2012, are repealed.