

LEGISLATIVE BILL 74

Approved by the Governor March 12, 2019

Introduced by Williams, 36; Kolterman, 24.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section 38-2845, Reissue Revised Statutes of Nebraska, and sections 38-2801 and 38-2802, Revised Statutes Cumulative Supplement, 2018; to define and redefine terms; to provide for validation of acts, tasks, and functions by certified pharmacy technicians as prescribed; to harmonize provisions; and to repeal the original sections.

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

Section 1. Section 38-2801, Revised Statutes Cumulative Supplement, 2018, is amended to read:

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

Sec. 2. Section 38-2802, Revised Statutes Cumulative Supplement, 2018, is amended to read:

38-2802 For purposes of the Pharmacy Practice Act and elsewhere in the Uniform Credentialing Act, unless the context otherwise requires, the definitions found in sections 38-2803 to 38-2848 and section 4 of this act apply.

Sec. 3. Section 38-2845, Reissue Revised Statutes of Nebraska, is amended to read:

38-2845 Supervision means the personal guidance and direction by a pharmacist of the performance by a pharmacy technician of authorized activities or functions subject to (1) verification by such pharmacist or (2) validation by a certified pharmacy technician subject to section 5 of this act. Supervision of a pharmacy technician may occur by means of a real-time audiovisual communication system.

Sec. 4. Validation means the action of a certified pharmacy technician checking the accuracy and completeness of the acts, tasks, or functions undertaken by another certified pharmacy technician as provided in section 5 of this act.

Sec. 5. (1) A pharmacy technician may validate the acts, tasks, and functions of another pharmacy technician only if:

(a) Both pharmacy technicians are certified by a state or national certifying body which is approved by the board;

(b) Both certified pharmacy technicians are working within the confines of a hospital preparing medications for administration in the hospital;

(c) Using bar code technology, radio frequency identification technology, or similar technology to validate the accuracy of medication;

(d) Validating medication that is prepackaged by the manufacturer or prepackaged and verified by a pharmacist; and

(e) Acting in accordance with policies and procedures applicable in the hospital established by the pharmacist in charge.

(2) The pharmacist in charge in a hospital shall establish policies and procedures for validation of medication by two or more certified pharmacy technicians before such validation process is implemented in the hospital.

Sec. 6. Original section 38-2845, Reissue Revised Statutes of Nebraska, and sections 38-2801 and 38-2802, Revised Statutes Cumulative Supplement, 2018, are repealed.