

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 1325**

Introduced by Vargas, 7.

Read first time January 17, 2024

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section
- 2 38-2801, Revised Statutes Supplement, 2023; to allow pharmacists and
- 3 local public health departments to distribute fentanyl test strips
- 4 as prescribed; 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 Supplement, 2023, is  
2 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. A pharmacist or retailer may sell fentanyl test strips  
7 over-the-counter to the public to test for the presence of fentanyl, a  
8 fentanyl analog, or a drug adulterant within a controlled substance. A  
9 local public health department, as defined in section 71-1626, may  
10 distribute fentanyl test strips at the local public health department  
11 facility without a fee.

12 Sec. 3. Original section 38-2801, Revised Statutes Supplement,  
13 2023, is repealed.