



Nebraska - State Specific Information

Information provided is current as of January 8, 2026, and companies are encouraged to consult with legal counsel on these types of complex matters.

Cannabis Legalization History

Medical Use	Legalized - 2024 (Initiatives 437 & 438)
Recreational Use	Not legal
Possession/Personal Use Specifics	Patients with a signed recommendation from a licensed healthcare practitioner (MD, DO, PA, or NP) may possess up to 5 ounces of medical cannabis. Limited to pills, tinctures, capsules, and topicals.
	Sale of raw flower, vapes, and edibles is currently prohibited under commission emergency rules, though restrictions are in ongoing litigation. Home cultivation is prohibited.

State Regulatory Agency Information

State Regulatory Agency	Nebraska Medical Cannabis Commission (NMCC)
State Forms (If Applicable)	None Specified

State Testing Policy

General Information	Nebraska law (LB 438) remains strict zero-tolerance state. Not required to accommodate medical cannabis and may conduct pre-employment, random, and reasonable suspicion testing. Companies retain right to discipline or terminate employees for positive THC result, regardless of medical status. Remember, establishing robust documentation is a key risk mitigant for employers in states like Nebraska.
Safety Sensitive Positions	"Safety-sensitive" roles are broadly interpreted as any position where impairment could result in serious injury, death, or significant property damage.
Privacy Laws	Employers must ensure all drug testing information and results are kept strictly confidential. Results only be released to employer's authorized personnel and employee. Unauthorized disclosure of a positive test result can expose an employer to civil liability.