

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 910

FINAL READING

Introduced by Riepe, 12; Slama, 1; Brewer, 43; Dorn, 30; Dover, 19; Bosn, 25.

Read first time January 04, 2024

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to emergency medical services; to amend
2 sections 38-1201 and 38-3321, Revised Statutes Cumulative
3 Supplement, 2022; to authorize an emergency medical service to
4 transport an injured law enforcement canine; to authorize emergency
5 care providers to provide emergency medical care to injured law
6 enforcement canines; to harmonize provisions; to provide an
7 operative date; and to repeal the original sections.

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

1 Section 1. Section 38-1201, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 38-1201 Sections 38-1201 to 38-1237 and section 2 of this act shall
4 be known and may be cited as the Emergency Medical Services Practice Act.

5 Sec. 2. (1) For purposes of this section, law enforcement canine
6 means any canine that is owned or employed in the service of any state or
7 local law enforcement agency, the Department of Correctional Services,
8 any local fire department, or the State Fire Marshal for the purpose of
9 aiding in the detection of criminal activity, flammable materials, or
10 missing persons; the enforcement of laws; the investigation of fires; or
11 the apprehension of criminal offenders.

12 (2) An emergency medical service validly licensed for emergency
13 transport may transport a law enforcement canine injured in the line of
14 duty to a veterinary clinic or similar facility if there is no person
15 requiring medical attention or transport at that time.

16 (3) An emergency care provider may provide emergency medical care to
17 a law enforcement canine injured in the line of duty while at the scene
18 of an emergency or while a law enforcement canine is being transported to
19 a veterinary clinic or similar facility if there is no person requiring
20 medical attention or transport at that time.

21 (4) An emergency care provider who acts in good faith to provide
22 emergency medical care to an injured law enforcement canine pursuant to
23 subsection (2) or (3) of this section shall be immune from criminal or
24 civil liability.

25 (5) The department may adopt and promulgate rules and regulations to
26 implement the provisions of this section.

27 Sec. 3. Section 38-3321, Revised Statutes Cumulative Supplement,
28 2022, is amended to read:

29 38-3321 No person may practice veterinary medicine and surgery in
30 the state who is not a licensed veterinarian, no person may perform
31 delegated animal health care tasks in the state who is not a licensed

1 veterinary technician or an unlicensed assistant performing such tasks
2 within the limits established under subdivision (2) of section 38-3326,
3 and no person may perform health care therapy on animals in the state who
4 is not a licensed animal therapist. The Veterinary Medicine and Surgery
5 Practice Act shall not be construed to prohibit:

6 (1) An employee of the federal, state, or local government from
7 performing his or her official duties;

8 (2) A person who is a student in a veterinary school from performing
9 duties or actions assigned by his or her instructors or from working
10 under the direct supervision of a licensed veterinarian;

11 (3) A person who is a student in an approved veterinary technician
12 program from performing duties or actions assigned by his or her
13 instructors or from working under the direct supervision of a licensed
14 veterinarian or a licensed veterinary technician;

15 (4) Any merchant or manufacturer from selling feed or feeds whether
16 medicated or nonmedicated;

17 (5) A veterinarian regularly licensed in another state from
18 consulting with a licensed veterinarian in this state;

19 (6) Any merchant or manufacturer from selling from his or her
20 established place of business medicines, appliances, or other products
21 used in the prevention or treatment of animal diseases or any merchant or
22 manufacturer's representative from conducting educational meetings to
23 explain the use of his or her products or from investigating and advising
24 on problems developing from the use of his or her products;

25 (7) An owner of livestock or a bona fide farm or ranch employee from
26 performing any act of vaccination, surgery, pregnancy testing,
27 retrievable transplantation of embryos on bovine, including recovering,
28 freezing, and transferring embryos on bovine, or the administration of
29 drugs in the treatment of domestic animals under his or her custody or
30 ownership nor the exchange of services between persons or bona fide
31 employees who are principally farm or ranch operators or employees in the

1 performance of these acts;

2 (8) A member of the faculty of a veterinary school or veterinary
3 science department from performing his or her regular functions, or a
4 person lecturing or giving instructions or demonstrations at a veterinary
5 school or veterinary science department or in connection with a
6 continuing competency activity;

7 (9) Any person from selling or applying any pesticide, insecticide,
8 or herbicide;

9 (10) Any person from engaging in bona fide scientific research which
10 reasonably requires experimentation involving animals;

11 (11) Any person from treating or in any manner caring for domestic
12 chickens, turkeys, or waterfowl, which are specifically exempted from the
13 Veterinary Medicine and Surgery Practice Act;

14 (12) Any person from performing dehorning or castrating livestock,
15 not to include equidae. For purposes of the Veterinary Medicine and
16 Surgery Practice Act, castration shall be limited to the removal or
17 destruction of male testes;

18 (13) Any person who holds a valid credential in the State of
19 Nebraska in a health care profession or occupation regulated under the
20 Uniform Credentialing Act from consulting with a licensed veterinarian or
21 performing collaborative animal health care tasks on an animal under the
22 care of such veterinarian if all such tasks are performed under the
23 immediate supervision of such veterinarian;

24 (14) A person from performing a retrievable transplantation of
25 embryos on bovine, including recovering, freezing, and transferring
26 embryos on bovine, if the procedure is being performed by a person who
27 (a) holds a doctorate degree in animal science with an emphasis in
28 reproductive physiology from an accredited college or university and (b)
29 has and can show proof of valid professional liability insurance; ~~or~~

30 (15) Any person engaging solely in equine, cat, and dog massage
31 practice; or ~~or~~

1 (16) An emergency care provider providing emergency medical care to
2 a law enforcement canine injured in the line of duty as described in
3 section 2 of this act.

4 Sec. 4. This act becomes operative on July 1, 2025.

5 Sec. 5. Original sections 38-1201 and 38-3321, Revised Statutes
6 Cumulative Supplement, 2022, are repealed.