

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 88

Introduced by Blood, 3; Hansen, 26; Morfeld, 46; Wayne, 13; Williams, 36.

Read first time January 05, 2017

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend
2 sections 38-101, 38-126, 38-208, 38-319, 38-413, 38-517, 38-518,
3 38-615, 38-708, 38-809, 38-1066, 38-1067, 38-1070, 38-10,132,
4 38-1120, 38-1121, 38-1123, 38-1217, 38-1218, 38-1312, 38-1421,
5 38-1507, 38-1513, 38-1516, 38-1711, 38-1712, 38-1814, 38-1917,
6 38-1917.02, 38-2028, 38-2034, 38-2049, 38-2125, 38-2130, 38-2223,
7 38-2225, 38-2316, 38-2318, 38-2421, 38-2517, 38-2523, 38-2609,
8 38-2707, 38-2853, 38-2924, 38-3120, 38-3212, 38-3327, and 38-3419,
9 Reissue Revised Statutes of Nebraska; to provide for issuance of a
10 temporary credential to the spouse of a military member based on
11 reciprocity as prescribed; to harmonize provisions; to repeal the
12 original sections; and to declare an emergency.
13 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-101, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 38-101 Sections 38-101 to 38-1,142 and section 3 of this act and the
4 following practice acts shall be known and may be cited as the Uniform
5 Credentialing Act:

- 6 (1) The Advanced Practice Registered Nurse Practice Act;
- 7 (2) The Alcohol and Drug Counseling Practice Act;
- 8 (3) The Athletic Training Practice Act;
- 9 (4) The Audiology and Speech-Language Pathology Practice Act;
- 10 (5) The Certified Nurse Midwifery Practice Act;
- 11 (6) The Certified Registered Nurse Anesthetist Practice Act;
- 12 (7) The Chiropractic Practice Act;
- 13 (8) The Clinical Nurse Specialist Practice Act;
- 14 (9) The Cosmetology, Electrology, Esthetics, Nail Technology, and
15 Body Art Practice Act;
- 16 (10) The Dentistry Practice Act;
- 17 (11) The Emergency Medical Services Practice Act;
- 18 (12) The Environmental Health Specialists Practice Act;
- 19 (13) The Funeral Directing and Embalming Practice Act;
- 20 (14) The Genetic Counseling Practice Act;
- 21 (15) The Hearing Instrument Specialists Practice Act;
- 22 (16) The Licensed Practical Nurse-Certified Practice Act;
- 23 (17) The Massage Therapy Practice Act;
- 24 (18) The Medical Nutrition Therapy Practice Act;
- 25 (19) The Medical Radiography Practice Act;
- 26 (20) The Medicine and Surgery Practice Act;
- 27 (21) The Mental Health Practice Act;
- 28 (22) The Nurse Practice Act;
- 29 (23) The Nurse Practitioner Practice Act;
- 30 (24) The Nursing Home Administrator Practice Act;
- 31 (25) The Occupational Therapy Practice Act;

- 1 (26) The Optometry Practice Act;
- 2 (27) The Perfusion Practice Act;
- 3 (28) The Pharmacy Practice Act;
- 4 (29) The Physical Therapy Practice Act;
- 5 (30) The Podiatry Practice Act;
- 6 (31) The Psychology Practice Act;
- 7 (32) The Respiratory Care Practice Act;
- 8 (33) The Surgical First Assistant Practice Act;
- 9 (34) The Veterinary Medicine and Surgery Practice Act; and
- 10 (35) The Water Well Standards and Contractors' Practice Act.

11 If there is any conflict between any provision of sections 38-101 to
12 38-1,142 and section 3 of this act ~~38-1,139~~ and ~~38-1,141~~ and any
13 provision of a practice act, the provision of the practice act shall
14 prevail.

15 The Revisor of Statutes shall assign the Uniform Credentialing Act,
16 including the practice acts enumerated in subdivisions (1) through (34)
17 ~~(33)~~ of this section, to articles within Chapter 38.

18 Sec. 2. Section 38-126, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 38-126 To protect the health, safety, and welfare of the public and
21 to insure to the greatest extent possible the efficient, adequate, and
22 safe practice of health services, health-related services, and
23 environmental services:

24 (1)(a) The appropriate board may adopt rules and regulations to:

25 (i) Specify minimum standards required for a credential, including
26 education, experience, and eligibility for taking the credentialing
27 examination, ~~and on or before December 15, 2015,~~ specify methods to meet
28 the minimum standards through military service as provided in section
29 38-1,141, and on or before December 15, 2017, specify standards and
30 procedures for issuance of temporary credentials for military spouses as
31 provided in section 3 of this act;

1 (ii) Designate credentialing examinations, specify the passing score
2 on credentialing examinations, and specify standards, if any, for
3 accepting examination results from other jurisdictions;

4 (iii) Set continuing competency requirements in conformance with
5 section 38-145;

6 (iv) Set standards for waiver of continuing competency requirements
7 in conformance with section 38-146;

8 (v) Set standards for courses of study; and

9 (vi) Specify acts in addition to those set out in section 38-179
10 that constitute unprofessional conduct; and

11 (b) The department shall promulgate and enforce such rules and
12 regulations;

13 (2) For professions or businesses that do not have a board created
14 by statute:

15 (a) The department may adopt, promulgate, and enforce such rules and
16 regulations; and

17 (b) The department shall carry out any statutory powers and duties
18 of the board;

19 (3) The department, with the recommendation of the appropriate
20 board, if any, may adopt, promulgate, and enforce rules and regulations
21 for the respective profession, other than those specified in subdivision
22 (1) of this section, to carry out the Uniform Credentialing Act; and

23 (4) The department may adopt, promulgate, and enforce rules and
24 regulations with general applicability to carry out the Uniform
25 Credentialing Act.

26 Sec. 3. (1) The department, with the recommendation of the
27 appropriate board, shall issue a temporary credential to a military
28 spouse who complies with and meets the requirements of this section
29 pending issuance of the applicable credential under the Uniform
30 Credentialing Act.

31 (2) A military spouse shall submit the following with his or her

1 application for the applicable credential:

2 (a) A copy of his or her military dependent identification card
3 which identifies him or her as the spouse of an active duty member of the
4 United States Armed Forces;

5 (b) A copy of his or her spouse's military orders reflecting an
6 active-duty assignment in Nebraska;

7 (c) A copy of his or her credential from another jurisdiction and
8 the applicable statutes, rules, and regulations governing the credential;

9 (d) A copy of his or her fingerprints for a criminal background
10 check if required under section 38-131; and

11 (e) The fees required pursuant to sections 38-151 to 38-157 for the
12 application for the credential and for the temporary credential.

13 (3) If the department, with the recommendation of the appropriate
14 board, determines that the applicant is a resident of Nebraska, is the
15 spouse of an active duty member of the United States Armed Forces who is
16 assigned to a duty station in Nebraska, holds a valid credential in
17 another jurisdiction which has similar standards for the profession to
18 the Uniform Credentialing Act and the rules and regulations adopted and
19 promulgated under the act, has submitted fingerprints for a criminal
20 background check if required under section 38-131, and has paid the
21 applicable fees pursuant to sections 38-151 to 38-157, the department
22 shall issue a temporary credential to the applicant.

23 (4) A temporary credential issued under this section shall be valid
24 for six months and may not be renewed.

25 Sec. 4. Section 38-208, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 38-208 (1) An applicant for initial licensure as an advanced
28 practice registered nurse shall:

29 (a) Be licensed as a registered nurse under the Nurse Practice Act
30 or have authority based on the Nurse Licensure Compact to practice as a
31 registered nurse in Nebraska;

1 (b) Be a graduate of or have completed a graduate-level advanced
2 practice registered nurse program in a clinical specialty area of
3 certified registered nurse anesthetist, clinical nurse specialist,
4 certified nurse midwife, or nurse practitioner, which program is
5 accredited by a national accrediting body;

6 (c) Be certified as a certified registered nurse anesthetist, a
7 clinical nurse specialist, a certified nurse midwife, or a nurse
8 practitioner, by an approved certifying body or an alternative method of
9 competency assessment approved by the board, pursuant to the Certified
10 Nurse Midwifery Practice Act, the Certified Registered Nurse Anesthetist
11 Practice Act, the Clinical Nurse Specialist Practice Act, or the Nurse
12 Practitioner Practice Act, as appropriate to the applicant's educational
13 preparation;

14 (d) Provide evidence as required by rules and regulations; and

15 (e) Have committed no acts or omissions which are grounds for
16 disciplinary action in another jurisdiction or, if such acts have been
17 committed and would be grounds for discipline under the Nurse Practice
18 Act, the board has found after investigation that sufficient restitution
19 has been made.

20 (2) The department may issue a license under this section to an
21 applicant who holds a license from another jurisdiction if the licensure
22 requirements of such other jurisdiction meet or exceed the requirements
23 for licensure as an advanced practice registered nurse under the Advanced
24 Practice Registered Nurse Practice Act. An applicant under this
25 subsection shall submit documentation as required by rules and
26 regulations.

27 (3) A person licensed as an advanced practice registered nurse or
28 certified as a certified registered nurse anesthetist or a certified
29 nurse midwife in this state on July 1, 2007, shall be issued a license by
30 the department as an advanced practice registered nurse on such date.

31 (4) An applicant who is a military spouse may apply for a temporary

1 license as provided in section 3 of this act.

2 Sec. 5. Section 38-319, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 38-319 The department, with the recommendation of the board, may
5 issue a license based on licensure in another jurisdiction to an
6 individual who meets the requirements of the Alcohol and Drug Counseling
7 Practice Act or substantially equivalent requirements as determined by
8 the department, with the recommendation of the board. An applicant who is
9 a military spouse may apply for a temporary license as provided in
10 section 3 of this act.

11 Sec. 6. Section 38-413, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 38-413 (1) An applicant for licensure as an athletic trainer who
14 has met the standards set by the board pursuant to section 38-126 for a
15 license based on licensure in another jurisdiction but is not practicing
16 at the time of application for licensure shall present proof satisfactory
17 to the department that he or she has within the three years immediately
18 preceding the application for licensure completed continuing competency
19 requirements approved by the board pursuant to section 38-145.

20 (2) An applicant who is a military spouse may apply for a temporary
21 license as provided in section 3 of this act.

22 Sec. 7. Section 38-517, Reissue Revised Statutes of Nebraska, is
23 amended to read:

24 38-517 (1) An applicant for licensure to practice audiology or
25 speech-language pathology who has met the standards set by the board
26 pursuant to section 38-126 for a license based on licensure in another
27 jurisdiction but is not practicing at the time of application for
28 licensure shall present proof satisfactory to the department that he or
29 she has within the three years immediately preceding the application for
30 licensure completed continuing competency requirements approved by the
31 board pursuant to section 38-145.

1 (2) An applicant who is a military spouse may apply for a temporary
2 license as provided in section 3 of this act.

3 Sec. 8. Section 38-518, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-518 A temporary license to practice audiology or speech-language
6 pathology may be granted (1) to military spouses as provided in section 3
7 of this act or (2) to persons who establish residence in Nebraska and (a)
8 (1) who meet all the requirements for a license except passage of the
9 examination required by section 38-515, which temporary license shall be
10 valid only until the date on which the results of the next licensure
11 examination are available to the department and shall not be renewed, or
12 (b) (2) who meet all the requirements for a license except completion of
13 the professional experience required by section 38-515, which temporary
14 license shall be valid only until the sooner of completion of such
15 professional experience or eighteen months and shall not be renewed.

16 Sec. 9. Section 38-615, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 38-615 (1) An applicant for licensure under the Advanced Practice
19 Registered Nurse Practice Act to practice as a certified nurse midwife
20 shall submit such evidence as the board requires showing that the
21 applicant is currently licensed as a registered nurse by the state or has
22 the authority based on the Nurse Licensure Compact to practice as a
23 registered nurse in Nebraska, has successfully completed an approved
24 certified nurse midwifery education program, and is certified as a nurse
25 midwife by a board-approved certifying body.

26 (2) The department may, with the approval of the board, grant
27 temporary licensure as a certified nurse midwife for up to one hundred
28 twenty days upon application (a) to graduates of an approved nurse
29 midwifery program pending results of the first certifying examination
30 following graduation and (b) to nurse midwives currently licensed in
31 another state pending completion of the application for a Nebraska

1 license. A temporary license issued pursuant to this ~~subsection~~ section
2 may be extended for up to one year with the approval of the board.

3 (3) An applicant who is a military spouse may apply for a temporary
4 license as provided in section 3 of this act.

5 ~~(3) An individual holding a temporary certificate or permit as a~~
6 ~~nurse midwife on July 1, 2007, shall be deemed to be holding a temporary~~
7 ~~license under this section on such date. The holder of such temporary~~
8 ~~certificate or permit may continue to practice under such certificate or~~
9 ~~permit as a temporary license until it would have expired under its~~
10 ~~terms.~~

11 (4) If more than five years have elapsed since the completion of the
12 nurse midwifery program or since the applicant has practiced as a nurse
13 midwife, the applicant shall meet the requirements in subsection (1) of
14 this section and provide evidence of continuing competency, as may be
15 determined by the board, either by means of a reentry program,
16 references, supervised practice, examination, or one or more of the
17 continuing competency activities listed in section 38-145.

18 Sec. 10. Section 38-708, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 38-708 (1) The department may, with the approval of the board,
21 grant a temporary license in the practice of anesthesia for up to one
22 hundred twenty days upon application (a) ~~(1)~~ to graduates of an
23 accredited school of nurse anesthesia pending results of the first
24 certifying examination following graduation and (b) ~~(2)~~ to registered
25 nurse anesthetists currently licensed in another state pending completion
26 of the application for a Nebraska license. A temporary license issued
27 pursuant to this ~~subsection~~ section may be extended at the discretion of
28 the board with the approval of the department. ~~An individual holding a~~
29 ~~temporary permit as a registered nurse anesthetist on July 1, 2007, shall~~
30 ~~be deemed to be holding a temporary license under this section on such~~
31 ~~date. The permitholder may continue to practice under such temporary~~

1 ~~permit as a temporary license until it would have expired under its~~
2 ~~terms.~~

3 (2) An applicant for a license to practice as a certified registered
4 nurse anesthetist who a military spouse may apply for a temporary license
5 as provided in section 3 of this act.

6 Sec. 11. Section 38-809, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 38-809 (1) An applicant for licensure to practice chiropractic who
9 has met the standards set by the board pursuant to section 38-126 for a
10 license based on licensure in another jurisdiction but is not practicing
11 at the time of application for licensure shall present proof satisfactory
12 to the department that he or she has within the two years immediately
13 preceding the application for licensure completed continuing competency
14 requirements approved by the board pursuant to section 38-145.

15 (2) An applicant who is a military spouse may apply for a temporary
16 license as provided in section 3 of this act.

17 Sec. 12. Section 38-1066, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 38-1066 (1) The department may grant a license based on licensure
20 in another jurisdiction to any person who meets the requirements of
21 subdivisions (1) and (2) of section 38-1062 and who presents proof of the
22 following:

23 (a) ~~(1)~~ That he or she is currently licensed in the appropriate
24 category in another jurisdiction and that he or she has never been
25 disciplined or had his or her license revoked. An applicant seeking
26 licensure as an instructor in the manner provided in this section shall
27 be licensed as an instructor in another jurisdiction. An applicant
28 seeking licensure as a cosmetologist in the manner provided in this
29 section shall be licensed as a cosmetologist in another jurisdiction. An
30 applicant seeking licensure as an esthetician in the manner provided in
31 this section shall be licensed as a cosmetologist, an esthetician, or an

1 equivalent title in another jurisdiction. An applicant seeking licensure
2 as an esthetics instructor in the manner provided in this section shall
3 be licensed as a cosmetology instructor, esthetics instructor, or the
4 equivalent in another jurisdiction. An applicant seeking licensure as an
5 electrologist or an electrology instructor in the manner provided in this
6 section shall be licensed as an electrologist or an electrology
7 instructor, respectively, in another jurisdiction;

8 **(b)** ~~(2)~~ That such license was issued on the basis of an examination
9 and the results of the examination. If an examination was not required
10 for licensure in the other jurisdiction, the applicant shall take the
11 Nebraska examination; and

12 **(c)** ~~(3)~~ That the applicant complies with the hour requirements of
13 subdivision (5) of section 38-1062 through any combination of hours
14 earned as a student or apprentice in a cosmetology establishment or an
15 electrology establishment licensed or approved by the jurisdiction in
16 which it was located and hour-equivalents granted for recent work
17 experience, with hour-equivalents recognized as follows:

18 **(i)** ~~(a)~~ Each month of full-time practice as an instructor within the
19 five years immediately preceding application shall be valued as one
20 hundred hour-equivalents toward an instructor's license or a cosmetology
21 license and one hundred hour-equivalents toward an esthetician's license;

22 **(ii)** ~~(b)~~ Each month of full-time practice as a cosmetologist within
23 the five years immediately preceding application shall be valued as one
24 hundred hour-equivalents toward a cosmetology license and one hundred
25 hour-equivalents toward an esthetician's license;

26 **(iii)** ~~(c)~~ Each month of full-time practice as an esthetician within
27 the five years immediately preceding application shall be valued as one
28 hundred hour-equivalents toward an esthetician's license;

29 **(iv)** ~~(d)~~ Each month of full-time practice as an esthetics instructor
30 within the five years immediately preceding application shall be valued
31 as one hundred hour-equivalents toward an esthetics instructor's license;

1 and

2 (v) ~~(e)~~ Each month of full-time practice as an electrologist within
3 the five years immediately preceding application shall be valued as one
4 hundred hour-equivalents toward an electrologist's license.

5 (2) An applicant who is a military spouse may apply for a temporary
6 license as provided in section 3 of this act and may practice under the
7 temporary license without supervision.

8 Sec. 13. Section 38-1067, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 38-1067 (1) Applicants for Nebraska licensure who received their
11 training in foreign countries may not be licensed by waiver of
12 examination except as provided in section 3 of this act. In order to be
13 considered eligible to take the examination, they shall meet the
14 requirements of subdivisions (1) and (2) of section 38-1062 and, in order
15 to establish equivalency with subdivision (5) of section 38-1062, shall
16 present proof satisfactory to the department of one of the following:

17 (a) Current licensure or equivalent official recognition of the
18 right to practice in a foreign country; or

19 (b) At least five years of practice within the eight years
20 immediately preceding the application.

21 (2) In all cases such applicants shall take the examination for
22 licensure in the State of Nebraska.

23 Sec. 14. Section 38-1070, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 38-1070 An individual making application for registration or a
26 temporary license, other than a temporary license issued as provided in
27 section 3 of this act, shall meet, and present to the department evidence
28 of meeting, the requirements for the specific type of registration or
29 license applied for.

30 Sec. 15. Section 38-10,132, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 38-10,132 (1) The department may grant a license based on licensure
2 in another jurisdiction to a nail technician or nail technology
3 instructor who presents proof of the following:

4 (a) ~~(1)~~ He or she has attained the age of seventeen years;

5 (b) ~~(2)~~ He or she has completed formal education equivalent to a
6 United States high school education;

7 (c) ~~(3)~~ He or she is currently licensed as a nail technician or its
8 equivalent or as a nail technology instructor or its equivalent in
9 another jurisdiction and he or she has never been disciplined or had his
10 or her license revoked;

11 (d) ~~(4)~~ For licensure as a nail technician, evidence of:

12 (i) ~~(a)~~ Completion of a program of nail technician studies
13 consisting of a minimum of not less than one hundred fifty hours and not
14 more than three hundred hours, as set by the board, and successful
15 passage of a written examination. If a written examination was not
16 required for licensure in another jurisdiction, the applicant must take
17 the Nebraska written examination; or

18 (ii) ~~(b)~~ At least twelve months of practice as a nail technician
19 following issuance of such license in another jurisdiction; and

20 (e) ~~(5)~~ For licensure as a nail technology instructor, evidence of:

21 (i) ~~(a)~~ Completion of a program of studies consisting of a minimum
22 of not less than one hundred fifty hours and not more than three hundred
23 hours, as set by the board, beyond the program of studies required for
24 licensure in another jurisdiction as a nail technician, successful
25 passage of a written examination, and current licensure as a nail
26 technician in Nebraska as evidenced by possessing a valid Nebraska nail
27 technician license. If a written examination was not required for
28 licensure as a nail technology instructor, the applicant must take the
29 Nebraska written examination; or

30 (ii) ~~(b)~~ At least twelve months of practice as a nail technology
31 instructor following issuance of such license in another jurisdiction.

1 (2) An applicant who is a military spouse may apply for a temporary
2 license as provided in section 3 of this act.

3 Sec. 16. Section 38-1120, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-1120 (1) Every applicant for a license to practice dentistry
6 based on a license in another state or territory of the United States or
7 the District of Columbia shall meet the standards set by the board
8 pursuant to section 38-126 and shall have been actively engaged in the
9 practice of dentistry for at least three years, one of which must be
10 within the three years immediately preceding the application, under a
11 license in another state or territory of the United States or the
12 District of Columbia. Practice in an accredited school or college of
13 dentistry for the purpose of completing a postgraduate or residency
14 program in dentistry also serves as active practice toward meeting this
15 requirement.

16 (2) An applicant who is a military spouse may apply for a temporary
17 license as provided in section 3 of this act.

18 Sec. 17. Section 38-1121, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 38-1121 (1) Every applicant for a license to practice dental
21 hygiene based on a license in another state or territory of the United
22 States or the District of Columbia shall meet the standards set by the
23 board pursuant to section 38-126 and shall have been actively engaged in
24 the practice of dental hygiene for at least three years, one of which
25 must be within the three years immediately preceding the application,
26 under a license in another state or territory of the United States or the
27 District of Columbia. Practice in an accredited dental hygiene program
28 for the purpose of completing a postgraduate or residency program in
29 dental hygiene also serves as active practice toward meeting this
30 requirement.

31 (2) An applicant who is a military spouse may apply for a temporary

1 license as provided in section 3 of this act.

2 Sec. 18. Section 38-1123, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 38-1123 (1) The department, with the recommendation of the board,
5 shall issue a temporary license to any person who (a) has met the
6 requirements for a license to practice dentistry as set forth in section
7 38-1117, (b) is enrolled in an accredited school or college of dentistry
8 for the purpose of completing a postgraduate or residency program in
9 dentistry, and (c) is licensed in another jurisdiction under conditions
10 which the board finds equivalent to the requirements of the State of
11 Nebraska for obtaining a license to practice dentistry.

12 (2) Any person who desires a temporary license shall make
13 application to the department. Such application shall be accompanied by
14 the required fee.

15 (3) The temporary license shall be issued for a period of one year
16 and, upon application to the department, renewed annually without the
17 licensee having to pay a renewal fee.

18 (4) The temporary licensee shall be entitled to practice dentistry,
19 including prescribing legend drugs and controlled substances, only under
20 the auspices of the postgraduate or residency program in which he or she
21 is enrolled.

22 (5) This section does not apply to a temporary license issued under
23 section 3 of this act.

24 Sec. 19. Section 38-1217, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 38-1217 The board shall adopt rules and regulations necessary to:

27 (1)(a) For licenses issued prior to September 1, 2010, create the
28 following licensure classifications of out-of-hospital emergency care
29 providers: (i) First responder; (ii) emergency medical technician; (iii)
30 emergency medical technician-intermediate; and (iv) emergency medical
31 technician-paramedic; and (b) for licenses issued on or after September

1 1, 2010, create the following licensure classifications of out-of-
2 hospital emergency care providers: (i) Emergency medical responder; (ii)
3 emergency medical technician; (iii) advanced emergency medical
4 technician; and (iv) paramedic. The rules and regulations creating the
5 classifications shall include the practices and procedures authorized for
6 each classification, training and testing requirements, renewal and
7 reinstatement requirements, and other criteria and qualifications for
8 each classification determined to be necessary for protection of public
9 health and safety. A person holding a license issued prior to September
10 1, 2010, shall be authorized to practice in accordance with the laws,
11 rules, and regulations governing the license for the term of the license;

12 (2) Provide for temporary licensure of an out-of-hospital emergency
13 care provider who has completed the educational requirements for a
14 licensure classification enumerated in subdivision (1)(b) of this section
15 but has not completed the testing requirements for licensure under such
16 subdivision. Such temporary Temporary licensure shall be valid for one
17 year or until a license is issued under such subdivision and shall not be
18 subject to renewal. The rules and regulations shall include
19 qualifications and training necessary for issuance of such a temporary
20 license, the practices and procedures authorized for a temporary licensee
21 under this subdivision, and supervision required for a temporary licensee
22 under this subdivision. The requirements of this subdivision and the
23 rules and regulations adopted and promulgated pursuant to this
24 subdivision do not apply to a temporary license issued as provided in
25 section 3 of this act;

26 (3) Set standards for the licensure of basic life support services
27 and advanced life support services. The rules and regulations providing
28 for licensure shall include standards and requirements for: Vehicles,
29 equipment, maintenance, sanitation, inspections, personnel, training,
30 medical direction, records maintenance, practices and procedures to be
31 provided by employees or members of each classification of service, and

1 other criteria for licensure established by the board;

2 (4) Authorize emergency medical services to provide differing
3 practices and procedures depending upon the qualifications of out-of-
4 hospital emergency care providers available at the time of service
5 delivery. No emergency medical service shall be licensed to provide
6 practices or procedures without the use of personnel licensed to provide
7 the practices or procedures;

8 (5) Authorize out-of-hospital emergency care providers to perform
9 any practice or procedure which they are authorized to perform with an
10 emergency medical service other than the service with which they are
11 affiliated when requested by the other service and when the patient for
12 whom they are to render services is in danger of loss of life;

13 (6) Provide for the approval of training agencies and establish
14 minimum standards for services provided by training agencies;

15 (7) Provide for the minimum qualifications of a physician medical
16 director in addition to the licensure required by section 38-1212;

17 (8) Provide for the use of physician medical directors, qualified
18 physician surrogates, model protocols, standing orders, operating
19 procedures, and guidelines which may be necessary or appropriate to carry
20 out the purposes of the Emergency Medical Services Practice Act. The
21 model protocols, standing orders, operating procedures, and guidelines
22 may be modified by the physician medical director for use by any out-of-
23 hospital emergency care provider or emergency medical service before or
24 after adoption;

25 (9) Establish criteria for approval of organizations issuing
26 cardiopulmonary resuscitation certification which shall include criteria
27 for instructors, establishment of certification periods and minimum
28 curricula, and other aspects of training and certification;

29 (10) Establish renewal and reinstatement requirements for out-of-
30 hospital emergency care providers and emergency medical services and
31 establish continuing competency requirements. Continuing education is

1 sufficient to meet continuing competency requirements. The requirements
2 may also include, but not be limited to, one or more of the continuing
3 competency activities listed in section 38-145 which a licensed person
4 may select as an alternative to continuing education. The reinstatement
5 requirements for out-of-hospital emergency care providers shall allow
6 reinstatement at the same or any lower level of licensure for which the
7 out-of-hospital emergency care provider is determined to be qualified;

8 (11) Establish criteria for deployment and use of automated external
9 defibrillators as necessary for the protection of the public health and
10 safety;

11 (12) Create licensure, renewal, and reinstatement requirements for
12 emergency medical service instructors. The rules and regulations shall
13 include the practices and procedures for licensure, renewal, and
14 reinstatement;

15 (13) Establish criteria for emergency medical technicians-
16 intermediate, advanced emergency medical technicians, emergency medical
17 technicians-paramedic, or paramedics performing activities within their
18 scope of practice at a hospital or health clinic under subsection (3) of
19 section 38-1224. Such criteria shall include, but not be limited to: (a)
20 Requirements for the orientation of registered nurses, physician
21 assistants, and physicians involved in the supervision of such personnel;
22 (b) supervisory and training requirements for the physician medical
23 director or other person in charge of the medical staff at such hospital
24 or health clinic; and (c) a requirement that such activities shall only
25 be performed at the discretion of, and with the approval of, the
26 governing authority of such hospital or health clinic. For purposes of
27 this subdivision, health clinic has the definition found in section
28 71-416 and hospital has the definition found in section 71-419;

29 (14) Establish model protocols for compliance with the Stroke System
30 of Care Act by an emergency medical service and an out-of-hospital
31 emergency care provider; and

1 (15) Establish criteria and requirements for emergency medical
2 technicians-intermediate to renew licenses issued prior to September 1,
3 2010, and continue to practice after such classification has otherwise
4 terminated under subdivision (1) of this section. The rules and
5 regulations shall include the qualifications necessary to renew emergency
6 medical technicians-intermediate licenses after September 1, 2010, the
7 practices and procedures authorized for persons holding and renewing such
8 licenses, and the renewal and reinstatement requirements for holders of
9 such licenses.

10 Sec. 20. Section 38-1218, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 38-1218 (1) The Legislature adopts all parts of the United States
13 Department of Transportation curricula, including appendices, and skills
14 as the training requirements and permitted practices and procedures for
15 the licensure classifications listed in subdivision (1)(a) of section
16 38-1217 until modified by the board by rule and regulation. The
17 Legislature adopts the United States Department of Transportation
18 National Emergency Medical Services Education Standards and the National
19 Emergency Medical Services Scope of Practice for the licensure
20 classifications listed in subdivision (1)(b) of section 38-1217 until
21 modified by the board by rule and regulation. The board may approve
22 curricula for the licensure classifications listed in subdivision (1) of
23 section 38-1217.

24 (2) The department and the board shall consider the following
25 factors, in addition to other factors required or permitted by the
26 Emergency Medical Services Practice Act, when adopting rules and
27 regulations for a licensure classification:

28 (a) Whether the initial training required for licensure in the
29 classification is sufficient to enable the out-of-hospital emergency care
30 provider to perform the practices and procedures authorized for the
31 classification in a manner which is beneficial to the patient and

1 protects public health and safety;

2 (b) Whether the practices and procedures to be authorized are
3 necessary to the efficient and effective delivery of out-of-hospital
4 emergency medical care;

5 (c) Whether morbidity can be reduced or recovery enhanced by the use
6 of the practices and procedures to be authorized for the classification;
7 and

8 (d) Whether continuing competency requirements are sufficient to
9 maintain the skills authorized for the classification.

10 (3) An applicant for licensure for a licensure classification listed
11 in subdivision (1)(b) of section 38-1217 who is a military spouse may
12 apply for a temporary license as provided in section 3 of this act.

13 Sec. 21. Section 38-1312, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 38-1312 (1) An applicant for certification as a registered
16 environmental health specialist who has met the standards set by the
17 board pursuant to section 38-126 for certification ~~a license~~ based on a
18 credential licensure in another jurisdiction but is not practicing at the
19 time of application for certification shall present proof satisfactory to
20 the department that he or she has within the three years immediately
21 preceding the application for certification completed continuing
22 competency requirements approved by the board pursuant to section 38-145.

23 (2) An applicant who is a military spouse may apply for temporary
24 certification as provided in section 3 of this act.

25 Sec. 22. Section 38-1421, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 38-1421 The department, with the recommendation of the board, may
28 issue a license based on licensure in another jurisdiction to an
29 individual who meets the requirements of the Funeral Directing and
30 Embalming Practice Act or substantially equivalent requirements as
31 determined by the department, with the recommendation of the board. An

1 applicant for licensure under the act who is a military spouse may apply
2 for a temporary license as provided in section 3 of this act.

3 Sec. 23. Section 38-1507, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-1507 Temporary training_license means a hearing instrument
6 specialist license issued while the applicant is in training to become a
7 licensed hearing instrument specialist.

8 Sec. 24. Section 38-1513, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 38-1513 (1) The department, with the recommendation of the board,
11 shall issue a temporary training_license to any person who has met the
12 requirements for licensure as a hearing instrument specialist pursuant to
13 subsection (1) of section 38-1512. Previous experience or a waiting
14 period shall not be required to obtain a temporary training_license.

15 (2) Any person who desires a temporary training_license shall make
16 application to the department. The temporary training_license shall be
17 issued for a period of one year. A person holding a valid license as a
18 hearing instrument specialist shall be responsible for the supervision
19 and training of such applicant and shall maintain adequate personal
20 contact with him or her.

21 (3) If a person who holds a temporary training_license under this
22 section has not successfully passed the licensing examination within
23 twelve months of the date of issuance of the temporary training_license,
24 the temporary training_license may be renewed or reissued for a twelve-
25 month period. In no case may a temporary training_license be renewed or
26 reissued more than once. A renewal or reissuance may take place any time
27 after the expiration of the first twelve-month period.

28 Sec. 25. Section 38-1516, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 38-1516 (1) An applicant for licensure as a hearing instrument
31 specialist who has met the standards set by the board pursuant to section

1 38-126 for a license based on licensure in another jurisdiction but is
2 not practicing at the time of application for licensure shall present
3 proof satisfactory to the department that he or she has within the three
4 years immediately preceding the application for licensure completed
5 continuing competency requirements approved by the board pursuant to
6 section 38-145.

7 (2) An applicant who is a military spouse may apply for a temporary
8 license as provided in section 3 of this act.

9 Sec. 26. Section 38-1711, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 38-1711 (1) A temporary license to practice massage therapy may be
12 granted to any person who meets all the requirements for a license except
13 passage of the licensure examination required by section 38-1710. A
14 temporary licensee shall be supervised in his or her practice by a
15 licensed massage therapist. A temporary license shall be valid for sixty
16 days or until the temporary licensee takes the examination, whichever
17 occurs first. In the event a temporary licensee fails the examination
18 required by such section, the temporary license shall be null and void,
19 except that the department, with the recommendation of the board, may
20 extend the temporary license upon a showing of good cause why such
21 license should be extended. A temporary license may not be extended
22 beyond six months. A temporary license shall not be issued to any person
23 failing the examination if such person did not hold a valid temporary
24 license prior to his or her failure to pass the examination.

25 (2) This section shall not apply to a temporary license issued as
26 provided under section 3 of this act.

27 Sec. 27. Section 38-1712, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 38-1712 The department, with the recommendation of the board, may
30 issue a license based on licensure in another jurisdiction to an
31 individual who meets the requirements of the Massage Therapy Practice Act

1 or substantially equivalent requirements as determined by the department,
2 with the recommendation of the board. An applicant for a license to
3 practice under the act who is a military spouse may apply for a temporary
4 license as provided in section 3 of this act.

5 Sec. 28. Section 38-1814, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 38-1814 The department, with the recommendation of the board, may
8 issue a license based on licensure in another jurisdiction to an
9 individual who meets the requirements of the Medical Nutrition Therapy
10 Practice Act or substantially equivalent requirements as determined by
11 the department, with the recommendation of the board. An applicant for a
12 license to practice under the act who is a military spouse may apply for
13 a temporary license as provided in section 3 of this act.

14 Sec. 29. Section 38-1917, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 38-1917 The requirements of sections 38-1915 and 38-1916 do not
17 apply to a student while enrolled and participating in an educational
18 program in medical radiography who, as a part of an educational program,
19 applies X-rays to humans while under the supervision of the licensed
20 practitioners or medical radiographers associated with the educational
21 program. Students who have completed at least twelve months of the
22 training course described in subsection (1) of section 38-1918 may apply
23 for licensure as a temporary medical radiographer. Temporary medical
24 radiographer licenses issued under this section shall expire eighteen
25 months after issuance and shall not be renewed. Persons licensed under
26 this section as temporary medical radiographers shall be permitted to
27 perform the duties of a limited radiographer licensed in all anatomical
28 regions of subdivision (2)(b) of section 38-1918 and Abdomen.

29 Sec. 30. Section 38-1917.02, Reissue Revised Statutes of Nebraska,
30 is amended to read:

31 38-1917.02 The requirements of section 38-1917.01 do not apply to a

1 student while enrolled and participating in an educational program in
2 nuclear medicine technology who, as part of the educational program,
3 applies X-rays to humans using a computed tomography system while under
4 the supervision of the licensed practitioners, medical radiographers, or
5 limited computed tomography radiographers associated with the educational
6 program. A person registered by the Nuclear Medicine Technology
7 Certification Board or the American Registry of Radiologic Technologists
8 in nuclear medicine technology may apply for a license as a temporary
9 limited computed tomography radiographer. Temporary limited computed
10 tomography radiographer licenses issued under this section shall expire
11 twenty-four months after issuance and shall not be renewed. Persons
12 licensed under this section as temporary limited computed tomography
13 radiographers shall be permitted to perform medical radiography
14 restricted to computed tomography while under the direct supervision and
15 in the physical presence of licensed practitioners, medical
16 radiographers, or limited computed tomography radiographers.

17 Sec. 31. Section 38-2028, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 38-2028 (1) An applicant for a license to practice medicine and
20 surgery based on a license in another state or territory of the United
21 States or the District of Columbia shall meet the standards set by the
22 board pursuant to section 38-126, except that an applicant who has not
23 passed one of the licensing examinations specified in the rules and
24 regulations but has been duly licensed to practice medicine and surgery
25 in some other state or territory of the United States of America or in
26 the District of Columbia and obtained that license based upon a state
27 examination, as approved by the board, may be issued a license by the
28 department, with the recommendation of the board, to practice medicine
29 and surgery.

30 (2) An applicant who is a military spouse may apply for a temporary
31 license as provided in section 3 of this act.

1 Sec. 32. Section 38-2034, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 38-2034 (1) An applicant for a license to practice osteopathic
4 medicine and surgery based on a license in another state or territory of
5 the United States or the District of Columbia shall meet the standards
6 set by the board pursuant to section 38-126, except that an applicant who
7 has not passed one of the licensing examinations specified in the rules
8 and regulations but has been duly licensed to practice osteopathic
9 medicine and surgery in some other state or territory of the United
10 States of America or in the District of Columbia and obtained that
11 license based upon a state examination, as approved by the board, may be
12 issued a license by the department, upon the recommendation of the board,
13 to practice osteopathic medicine and surgery.

14 (2) An applicant who is a military spouse may apply for a temporary
15 license as provided in section 3 of this act.

16 Sec. 33. Section 38-2049, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 38-2049 (1) The department, with the recommendation of the board,
19 shall issue licenses to persons who are graduates of an approved program
20 and have passed a proficiency examination.

21 (2) The department, with the recommendation of the board, shall
22 issue temporary licenses under this subsection to persons who have
23 successfully completed an approved program but who have not yet passed a
24 proficiency examination. Any temporary license issued pursuant to this
25 subsection shall be issued for a period not to exceed one year and under
26 such conditions as determined by the department, with the recommendation
27 of the board. The temporary license issued under this subsection may be
28 extended by the department, with the recommendation of the board.

29 (3) Physician assistants approved by the board prior to April 16,
30 1985, shall not be required to complete the proficiency examination.

31 (4) An applicant who is a military spouse applying for a license to

1 practice as a physician assistant may apply for a temporary license as
2 provided in section 3 of this act.

3 Sec. 34. Section 38-2125, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 38-2125 The department, with the recommendation of the board, may
6 issue a license based on licensure in another jurisdiction to an
7 individual who meets the licensure requirements of the Mental Health
8 Practice Act or substantially equivalent requirements as determined by
9 the department, with the recommendation of the board. An applicant for a
10 license who is a military spouse may apply for a temporary license as
11 provided in section 3 of this act.

12 Sec. 35. Section 38-2130, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 38-2130 The department, with the recommendation of the board, may
15 issue a certificate based on licensure in another jurisdiction to
16 represent oneself as a certified marriage and family therapist, a
17 certified professional counselor, or a social worker to an individual who
18 meets the requirements of the Mental Health Practice Act relating to
19 marriage and family therapy, professional counseling, or social work, as
20 appropriate, or substantially equivalent requirements as determined by
21 the department, with the recommendation of the board. An applicant for a
22 certificate who is a military spouse may apply for a temporary
23 certificate as provided in section 3 of this act.

24 Sec. 36. Section 38-2223, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 38-2223 (1) An applicant for a license as a registered nurse or a
27 licensed practical nurse based on licensure in another jurisdiction shall
28 meet the continuing competency requirements as specified in rules and
29 regulations adopted and promulgated by the board in addition to the
30 standards set by the board pursuant to section 38-126.

31 (2) An applicant who is a military spouse may apply for a temporary

1 license as provided in section 3 of this act.

2 Sec. 37. Section 38-2225, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 38-2225 (1) A temporary license to practice nursing may be issued
5 to:

6 (a) An individual seeking to obtain licensure or reinstatement of
7 his or her license as a registered nurse or licensed practical nurse when
8 he or she has not practiced nursing in the last five years. A temporary
9 license issued under this subdivision is valid only for the duration of
10 the review course of study and only for nursing practice required for the
11 review course of study;

12 (b) Graduates of approved programs of nursing who have passed the
13 licensure examination, pending the completion of application for Nebraska
14 licensure as a registered nurse or licensed practical nurse. A temporary
15 license issued under this subdivision is valid for a period not to exceed
16 sixty days;~~or~~

17 (c) Nurses currently licensed in another state as either a
18 registered nurse or a licensed practical nurse who have graduated from an
19 educational program approved by the board, pending completion of
20 application for Nebraska licensure as a registered nurse or licensed
21 practical nurse. A temporary license issued under this subdivision shall
22 be valid for a period not to exceed sixty days;or -

23 (d) Military spouses as provided in section 3 of this act.

24 (2) A temporary license issued pursuant to subdivision (1)(a), (b),
25 or (c) of this section may be extended by the department, with the
26 recommendation of the board.

27 ~~(3) An individual holding a temporary permit to practice nursing on~~
28 ~~December 1, 2008, shall be deemed to be holding a temporary license under~~
29 ~~this section on such date. The permitholder may continue to practice~~
30 ~~under such temporary permit as a temporary license until it would have~~
31 ~~expired under its terms or after any period of extension under subsection~~

1 ~~(2) of this section.~~

2 Sec. 38. Section 38-2316, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 38-2316 The Nurse Practitioner Practice Act does not prohibit the
5 performance of activities of a nurse practitioner by a person who does
6 not have a license or temporary license under the act ~~an unlicensed~~
7 ~~person~~ if performed:

8 (1) In an emergency situation;

9 (2) By a legally qualified person from another state employed by the
10 United States Government and performing official duties in this state; or

11 (3) By a person enrolled in an approved nurse practitioner program
12 for the preparation of nurse practitioners as part of that approved
13 program. ~~;~~ ~~and~~

14 ~~(4) By a person holding a temporary license pursuant to section~~
15 ~~38-2318.~~

16 Sec. 39. Section 38-2318, Reissue Revised Statutes of Nebraska, is
17 amended to read:

18 38-2318 (1)(a) The department may grant a temporary license to
19 practice as a nurse practitioner for up to one hundred twenty days upon
20 application:

21 (i) ~~(1)~~ To graduates of an approved nurse practitioner program
22 pending results of the first credentialing examination following
23 graduation;

24 (ii) ~~(2)~~ To a nurse practitioner lawfully authorized to practice in
25 another state pending completion of the application for a Nebraska
26 license; and

27 (iii) ~~(3)~~ To applicants for purposes of a reentry program or
28 supervised practice as part of continuing competency activities
29 established by the board.

30 (b) A temporary license issued pursuant to this subsection ~~section~~
31 may be extended for up to one year with the approval of the board. ~~An~~

1 ~~individual holding a temporary permit as a nurse practitioner on July 1,~~
2 ~~2007, shall be deemed to be holding a temporary license under this~~
3 ~~section on such date. The permitholder may continue to practice under~~
4 ~~such temporary permit as a temporary license until it would have expired~~
5 ~~under its terms.~~

6 (2) An applicant who is a military spouse may apply for a temporary
7 license as provided in section 3 of this act.

8 Sec. 40. Section 38-2421, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 38-2421 The department may issue a license to any person who holds a
11 current nursing home administrator license from another jurisdiction and
12 is at least nineteen years old. An applicant for a license who is a
13 military spouse may apply for a temporary license as provided in section
14 3 of this act.

15 Sec. 41. Section 38-2517, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 38-2517 (1) Any person who has applied to take the examination
18 under section 38-2518 or 38-2519 and who has completed the education and
19 experience requirements of the Occupational Therapy Practice Act may be
20 granted a temporary license to practice as an occupational therapist or
21 an occupational therapy assistant. A temporary license shall allow the
22 person to practice only in association with a licensed occupational
23 therapist and shall be valid until the date on which the results of the
24 next licensure examination are available to the department. The temporary
25 license shall not be renewed if the applicant has failed the examination.
26 The temporary license may be extended by the department, with the
27 recommendation of the board. In no case may a temporary license be
28 extended beyond one year.

29 (2) This section does not apply to a temporary license issued as
30 provided in section 3 of this act.

31 ~~An individual holding a temporary permit on December 1, 2008, shall~~

1 ~~be deemed to be holding a temporary license under the Occupational~~
2 ~~Therapy Practice Act on such date. The permitholder may continue to~~
3 ~~practice under such temporary permit as a temporary license until it~~
4 ~~would have expired under its terms.~~

5 Sec. 42. Section 38-2523, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 38-2523 (1) An applicant for licensure to practice as an
8 occupational therapist or to practice as an occupational therapy
9 assistant who has met the standards set by the board pursuant to section
10 38-126 for a license based on licensure in another jurisdiction but is
11 not practicing at the time of application for licensure shall present
12 proof satisfactory to the department that he or she has within the three
13 years immediately preceding the application for licensure completed
14 continuing competency requirements approved by the board pursuant to
15 section 38-145.

16 (2) An applicant who is a military spouse may apply for a temporary
17 license as provided in section 3 of this act.

18 Sec. 43. Section 38-2609, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 38-2609 (1) In addition to the standards set by the board pursuant
21 to section 38-126, an applicant for licensure based on a license in
22 another state or territory of the United States or the District of
23 Columbia must have been actively engaged in the practice of optometry for
24 at least two of the three years immediately preceding the application for
25 licensure in Nebraska and must provide satisfactory evidence of being
26 credentialed in such other jurisdiction at a level with requirements that
27 are at least as stringent as or more stringent than the requirements for
28 the comparable credential being applied for in this state.

29 (2) An applicant who is a military spouse may apply for a temporary
30 license as provided in section 3 of this act.

31 Sec. 44. Section 38-2707, Reissue Revised Statutes of Nebraska, is

1 amended to read:

2 38-2707 (1) The department shall issue a temporary license to a
3 person who has applied for licensure pursuant to the Perfusion Practice
4 Act and who, in the judgment of the department, with the recommendation
5 of the board, is eligible for examination. An applicant with a temporary
6 license issued under this subsection may practice only under the direct
7 supervision of a perfusionist. The board may adopt and promulgate rules
8 and regulations governing such direct supervision which do not require
9 the immediate physical presence of the supervising perfusionist. A
10 temporary license issued under this subsection shall expire one year
11 after the date of issuance and may be renewed for a subsequent one-year
12 period, subject to the rules and regulations adopted under the act. A
13 temporary license issued under this subsection shall be surrendered to
14 the department upon its expiration.

15 (2) An applicant for licensure pursuant to the act who is a military
16 spouse may apply for a temporary license as provided in section 3 of this
17 act.

18 Sec. 45. Section 38-2853, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 38-2853 (1) A temporary pharmacist license may be granted to
21 persons meeting all of the qualifications for a pharmacist license except
22 the requirement that they be citizens of the United States. Such
23 temporary license shall be issued for a period of one year from the date
24 of issuance and may be renewed each year thereafter for four additional
25 years, and if the person so licensed has not become a citizen of the
26 United States within five years of the date such temporary license was
27 issued, such license shall terminate and the person so licensed shall
28 have no further right to practice pharmacy in this state. If a temporary
29 pharmacist licensee becomes a citizen of the United States while a
30 temporary pharmacist license is in force and provides evidence thereof to
31 the department, a pharmacist license may be issued in place of such

1 temporary license and no additional fee shall be charged unless such
2 temporary license had already expired, in which case a renewal fee shall
3 be charged. The applicant for a temporary pharmacist license shall submit
4 proof of his or her eligibility and intent to become a citizen of the
5 United States. The fees to be paid and procedures for the denial,
6 suspension, revocation, or reinstatement of such temporary license shall
7 be the same as for a pharmacist license.

8 (2) An applicant for licensure as a pharmacist who is a military
9 spouse may apply for a temporary license as provided in section 3 of this
10 act.

11 Sec. 46. Section 38-2924, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 38-2924 (1) An applicant for licensure to practice as a physical
14 therapist or to practice as a physical therapist assistant who has met
15 the standards set by the board pursuant to section 38-126 for a license
16 based on licensure in another jurisdiction but is not practicing at the
17 time of application for licensure shall present proof satisfactory to the
18 department that he or she has within the three years immediately
19 preceding the application for licensure completed continuing competency
20 requirements approved by the board pursuant to section 38-145.

21 (2) An applicant who is a military spouse may apply for a temporary
22 license as provided in section 3 of this act.

23 Sec. 47. Section 38-3120, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 38-3120 (1) A psychologist licensed under the laws of another
26 jurisdiction may be authorized by the department to practice psychology
27 for a maximum of one year if the psychologist has made application to the
28 department for licensure and has met the educational and experience
29 requirements for licensure in Nebraska, if the requirements for licensure
30 in the former jurisdiction are equal to or exceed the requirements for
31 licensure in Nebraska, and if the psychologist is not the subject of a

1 past or pending disciplinary action in another jurisdiction. Denial of
2 licensure shall terminate this authorization.

3 (2) An applicant for licensure as a psychologist who is a military
4 spouse may apply for a temporary license as provided in section 3 of this
5 act.

6 Sec. 48. Section 38-3212, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 38-3212 (1) An applicant for licensure to practice respiratory care
9 who has met the standards set by the board pursuant to section 38-126 for
10 a license based on licensure in another jurisdiction but is not
11 practicing at the time of application for licensure shall present proof
12 satisfactory to the department that he or she has within the three years
13 immediately preceding the application for licensure completed continuing
14 competency requirements approved by the board pursuant to section 38-145.

15 (2) An applicant who is a military spouse may apply for a temporary
16 license as provided in section 3 of this act.

17 Sec. 49. Section 38-3327, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 38-3327 (1) An applicant for a license to practice veterinary
20 medicine and surgery based on a license in another state or territory of
21 the United States, the District of Columbia, or a Canadian province shall
22 meet the standards set by the board pursuant to section 38-126 and shall
23 have been actively engaged in the practice of such profession at least
24 one of the three years immediately preceding the application under a
25 license in another state or territory of the United States, the District
26 of Columbia, or a Canadian province.

27 (2) An applicant for a license to practice as a licensed veterinary
28 technician based on a license in another state or territory of the United
29 States, the District of Columbia, or a Canadian province shall meet the
30 standards set by the board pursuant to section 38-126 and shall have been
31 actively engaged in the practice of such profession at least one of the

1 three years immediately preceding the application under a license in
2 another state or territory of the United States, the District of
3 Columbia, or a Canadian province.

4 (3) An applicant who is a military spouse may apply for a temporary
5 license to practice veterinary medicine and surgery or to practice as a
6 licensed veterinary technician as provided in section 3 of this act.

7 Sec. 50. Section 38-3419, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 38-3419 (1) The department, with the recommendation of the state
10 board, may issue a license under the Genetic Counseling Practice Act
11 based on licensure in another jurisdiction to an individual who meets the
12 requirements of the Genetic Counseling Practice Act or substantially
13 equivalent requirements as determined by the department, with the
14 recommendation of the state board.

15 (2) An individual practicing genetic counseling in Nebraska before
16 January 1, 2013, may apply for licensure under the act if, on or before
17 July 1, 2013, he or she:

18 (a) Provides satisfactory evidence to the state board that he or she
19 (i) has practiced genetic counseling for a minimum of ten years preceding
20 January 1, 2013, (ii) has a postbaccalaureate degree at the master's
21 level or higher in genetics or a related field of study, and (iii) has
22 never failed the certification examination;

23 (b) Submits three letters of recommendation from at least one
24 individual practicing genetic counseling who qualifies for licensure
25 under the Genetic Counseling Practice Act and either a clinical
26 geneticist or medical geneticist certified by the national medical
27 genetics board. An individual submitting a letter of recommendation shall
28 have worked with the applicant in an employment setting during at least
29 five of the ten years preceding submission of the letter and be able to
30 attest to the applicant's competency in providing genetic counseling; and

31 (c) Provides documentation of attending approved continuing

1 education programs within the five years preceding application.

2 (3) An applicant who is a military spouse may apply for a temporary
3 license as provided in section 3 of this act.

4 Sec. 51. Original sections 38-101, 38-126, 38-208, 38-319, 38-413,
5 38-517, 38-518, 38-615, 38-708, 38-809, 38-1066, 38-1067, 38-1070,
6 38-10,132, 38-1120, 38-1121, 38-1123, 38-1217, 38-1218, 38-1312, 38-1421,
7 38-1507, 38-1513, 38-1516, 38-1711, 38-1712, 38-1814, 38-1917,
8 38-1917.02, 38-2028, 38-2034, 38-2049, 38-2125, 38-2130, 38-2223,
9 38-2225, 38-2316, 38-2318, 38-2421, 38-2517, 38-2523, 38-2609, 38-2707,
10 38-2853, 38-2924, 38-3120, 38-3212, 38-3327, and 38-3419, Reissue Revised
11 Statutes of Nebraska, are repealed.

12 Sec. 52. Since an emergency exists, this act takes effect when
13 passed and approved according to law.