

**ONE HUNDRED NINTH LEGISLATURE - FIRST SESSION - 2025**  
**COMMITTEE STATEMENT**  
**LB202**

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**Hearing Date:** Wednesday March 05, 2025  
**Committee On:** Health and Human Services  
**Introducer:** Kauth  
**One Liner:** Exempt certain activities from disciplinary action under the Medicine and Surgery Practice Act

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**

<b>Aye:</b>	5	Senators Hardin, Ballard, Fredrickson, Hansen, Meyer
<b>Nay:</b>	1	Senator Riepe
<b>Absent:</b>		
<b>Present Not Voting:</b>	1	Senator Quick

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**Testimony:**

**Proponents:**  
Senator Kathleen Kauth

**Representing:**  
Opening Presenter

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 202 would protect physicians and surgeons from discipline for expressing an opinion or providing medical advice that differs from medical consensus.

Sec. 1: It is the intent of the Legislature to ensure the protection of the rights under the First Amendment of the U.S. Constitution for individuals licensed to practice osteopathic medicine and surgery by providing for the public expression of differing medical opinions and allowing such opinions to be subjected to the scrutiny of public/professional forums. A license to practice medicine and surgery of osteopathic medicine and surgery shall not be subject to any disciplinary measures as a result of the applicant or licensee expressing an opinion in a public/professional forum.

Sec. 2: Repealer

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**Explanation of amendments:**

AM 57 adds language as Subsection 2(b) in which the expression of an opinion by an applicant or licensee in a public or professional forum does not include the expression of an opinion offered in the course of the applicant's or licensee's practice, including providing services to a patient.

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Brian Hardin, Chairperson

