

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1127

Introduced by Kolterman, 24.

Read first time January 18, 2018

Committee:

- 1 A BILL FOR AN ACT relating to health and human services; to amend
- 2 sections 38-151 and 71-8701, Reissue Revised Statutes of Nebraska;
- 3 to provide additional fees for certain credentials; to provide for a
- 4 termination date; to create a fund; to harmonize provisions; to
- 5 provide an operative date; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-151, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 38-151 (1) It is the intent of the Legislature that the revenue to
4 cover the cost of the credentialing system administered by the department
5 is to be derived from General Funds, cash funds, federal funds, gifts,
6 grants, or fees from individuals or businesses seeking credentials. The
7 credentialing system includes the totality of the credentialing
8 infrastructure and the process of issuance and renewal of credentials,
9 examinations, inspections, investigations, continuing competency,
10 compliance assurance, the periodic review under section 38-128, and the
11 activities conducted under the Nebraska Regulation of Health Professions
12 Act, for individuals and businesses that provide health services, health-
13 related services, and environmental services.

14 (2) The department shall determine the cost of the credentialing
15 system for such individuals and businesses by calculating the total of
16 the base costs, the variable costs, and any adjustments as provided in
17 sections 38-152 to 38-154.

18 (3) When fees are to be established pursuant to section 38-155 for
19 individuals or businesses other than individuals in the practice of
20 constructing or decommissioning water wells and installing water well
21 pumps and pumping equipment, the department, with the recommendation of
22 the appropriate board if applicable, shall base the fees on the cost of
23 the credentialing system and shall include usual and customary cost
24 increases, a reasonable reserve, and the cost of any new or additional
25 credentialing activities. For individuals in the practice of constructing
26 or decommissioning water wells and installing water well pumps and
27 pumping equipment, the Water Well Standards and Contractors' Licensing
28 Board shall establish the fees as otherwise provided in this subsection.
29 All such fees shall be used as provided in section 38-157.

30 (4) In addition to the fees established under section 38-155, each
31 applicant for the initial issuance and renewal of a credential to

1 practice as a physician, osteopathic physician, or physician assistant
2 under the Medicine and Surgery Practice Act, as a nurse under the Nurse
3 Practice Act, as an occupational therapist under the Occupational Therapy
4 Practice Act, as a pharmacist under the Pharmacy Practice Act, or as a
5 physical therapist under the Physical Therapy Practice Act shall also be
6 charged an annual patient safety fee of ten dollars. Revenue from such
7 fee shall be remitted to the State Treasurer for credit to the Patient
8 Safety Cash Fund. The patient safety fee shall terminate on January 1,
9 2025, unless extended by the Legislature.

10 Sec. 2. Section 71-8701, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 71-8701 Sections 71-8701 to 71-8721 and section 3 of this act shall
13 be known and may be cited as the Patient Safety Improvement Act.

14 Sec. 3. The Patient Safety Cash Fund is created. The Patient Safety
15 Cash Fund shall only be used to support the activities of a patient
16 safety organization. Any money in the fund available for investment shall
17 be invested by the state investment officer pursuant to the Nebraska
18 Capital Expansion Act and the Nebraska State Funds Investment Act.

19 Sec. 4. This act becomes operative on January 1, 2019.

20 Sec. 5. Original sections 38-151 and 71-8701, Reissue Revised
21 Statutes of Nebraska, are repealed.