

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 421

Introduced by McGill, 26; Crawford, 45.

Read first time January 22, 2013

Committee:

A BILL

1 FOR AN ACT relating to the Uniform Credentialing Act; to amend
2 sections 38-126 and 38-161, Reissue Revised Statutes of
3 Nebraska; to provide powers and duties for professional
4 boards relating to credentialing of veterans; and to
5 repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-126, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 38-126 To protect the health, safety, and welfare of the
4 public and to insure to the greatest extent possible the efficient,
5 adequate, and safe practice of health services, health-related
6 services, and environmental services:

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

9 (i) Specify minimum standards required for a credential,
10 including education, experience, and eligibility for taking the
11 credentialing examination;

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

15 (iii) Set continuing competency requirements in
16 conformance with section 38-145;

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

19 (v) Set standards for courses of study; ~~and~~

20 (vi) Provide for use of a current and valid credential
21 from another jurisdiction to obtain a credential under the Uniform
22 Credentialing Act by a person who is leaving service in the United
23 States Armed Forces;

24 (vii) Provide for use of an expired credential issued
25 under the Uniform Credentialing Act to practice temporarily in order

1 to obtain a current credential under the act by a person who is
2 leaving service in a reserve component of the United States Armed
3 Forces; and

4 ~~(vi)-(viii)~~ Specify acts in addition to those set out in
5 section 38-179 that constitute unprofessional conduct; and

6 (b) The department shall promulgate and enforce such
7 rules and regulations;

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

10 (a) The department may adopt, promulgate, and enforce
11 such rules and regulations; and

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

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

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

22 Sec. 2. Section 38-161, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 38-161 (1) The purpose of each board is to protect the
25 health, safety, and welfare of the public as prescribed in the

1 Uniform Credentialing Act.

2 (2) The duties of each board include, but are not limited
3 to, (a) setting the minimum standards of proficiency and competency
4 in accordance with section 38-126, (b) providing recommendations in
5 accordance with section 38-149, (c) providing recommendations related
6 to the issuance or denial of credentials, disciplinary action, and
7 changes in legislation, and (d) providing the department with
8 recommendations on regulations to carry out the Uniform Credentialing
9 Act in accordance with section 38-126.

10 (3) Each board may appoint advisory committees or other
11 advisory bodies as necessary for specific purposes. At least one
12 board member shall serve on each advisory committee or body, and
13 other members may be appointed from outside the board.

14 (4) Each board shall consider the ability of veterans to
15 meet the requirements for its credentialed profession using military
16 training, education, and experience.

17 Sec. 3. Original sections 38-126 and 38-161, Reissue
18 Revised Statutes of Nebraska, are repealed.