

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 788**

Introduced by Campbell, 25.

Read first time January 05, 2012

Committee:

A BILL

1 FOR AN ACT relating to the Respiratory Care Practice Act; to amend  
2 sections 38-3214 and 38-3215, Reissue Revised Statutes of  
3 Nebraska; to change requirements for the practice of  
4 respiratory care; and repeal the original sections.  
5 Be it enacted by the people of the State of Nebraska,

1                   Section 1. Section 38-3214, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   38-3214 Any health care facility or home care agency  
4 providing inpatient or outpatient respiratory care service shall  
5 designate a medical director, who shall be a licensed physician who  
6 has special interest and knowledge in the diagnosis and treatment of  
7 respiratory problems. Such physician shall (1) be an active medical  
8 staff member of a licensed health care facility, (2) whenever  
9 possible be qualified by special training or experience in the  
10 management of acute and chronic respiratory disorders, and (3) be  
11 competent to monitor and assess the quality, safety, and  
12 appropriateness of the respiratory care services which are being  
13 provided. The medical director shall be accessible to and assure the  
14 competency of respiratory care practitioners and shall require that  
15 respiratory care be ordered by a nurse practitioner as defined in  
16 section 38-2312, a licensed physician assistant, or a licensed  
17 physician who has medical responsibility for any patient that needs  
18 such care.

19                   Sec. 2. Section 38-3215, Reissue Revised Statutes of  
20 Nebraska, is amended to read:

21                   38-3215 The practice of respiratory care shall be  
22 performed only under the direction of a medical director and upon the  
23 order of a nurse practitioner as defined in section 38-2312, a  
24 licensed physician assistant, or a licensed physician.

25                   Sec. 3. Original sections 38-3214 and 38-3215, Reissue

1 Revised Statutes of Nebraska, are repealed.