

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 910

Introduced by Riepe, 12.

Read first time January 04, 2024

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to emergency medical services; to amend
- 2 sections 38-1201 and 38-3321, Revised Statutes Cumulative
- 3 Supplement, 2022; to authorize emergency care providers to provide
- 4 emergency medical care to injured law enforcement canines; to
- 5 harmonize provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-1201, Revised Statutes Cumulative Supplement,
2 2022, is amended to read:

3 38-1201 Sections 38-1201 to 38-1237 and section 2 of this act shall
4 be known and may be cited as the Emergency Medical Services Practice Act.

5 Sec. 2. (1) For purposes of this section, law enforcement canine
6 means any canine that is owned or employed in the service of any state or
7 local law enforcement agency, the Department of Correctional Services,
8 any local fire department, or the State Fire Marshal for the purpose of
9 aiding in the detection of criminal activity, flammable materials, or
10 missing persons; the enforcement of laws; the investigation of fires; or
11 the apprehension of criminal offenders.

12 (2) An emergency care provider validly licensed for emergency
13 transport may transport a law enforcement canine injured in the line of
14 duty to a veterinary clinic or similar facility if there is no person
15 requiring medical attention or transport at that time.

16 (3) An emergency care provider may provide emergency medical care to
17 a law enforcement canine injured in the line of duty while at the scene
18 of an emergency or while a law enforcement canine is being transported to
19 a veterinary clinic or similar facility. An emergency care provider who
20 acts in good faith to provide emergency medical care to an injured law
21 enforcement canine shall be immune from criminal or civil liability.

22 (4) The department may adopt and promulgate rules and regulations to
23 implement the provisions of this section.

24 Sec. 3. Section 38-3321, Revised Statutes Cumulative Supplement,
25 2022, is amended to read:

26 38-3321 No person may practice veterinary medicine and surgery in
27 the state who is not a licensed veterinarian, no person may perform
28 delegated animal health care tasks in the state who is not a licensed
29 veterinary technician or an unlicensed assistant performing such tasks
30 within the limits established under subdivision (2) of section 38-3326,
31 and no person may perform health care therapy on animals in the state who

1 is not a licensed animal therapist. The Veterinary Medicine and Surgery
2 Practice Act shall not be construed to prohibit:

3 (1) An employee of the federal, state, or local government from
4 performing his or her official duties;

5 (2) A person who is a student in a veterinary school from performing
6 duties or actions assigned by his or her instructors or from working
7 under the direct supervision of a licensed veterinarian;

8 (3) A person who is a student in an approved veterinary technician
9 program from performing duties or actions assigned by his or her
10 instructors or from working under the direct supervision of a licensed
11 veterinarian or a licensed veterinary technician;

12 (4) Any merchant or manufacturer from selling feed or feeds whether
13 medicated or nonmedicated;

14 (5) A veterinarian regularly licensed in another state from
15 consulting with a licensed veterinarian in this state;

16 (6) Any merchant or manufacturer from selling from his or her
17 established place of business medicines, appliances, or other products
18 used in the prevention or treatment of animal diseases or any merchant or
19 manufacturer's representative from conducting educational meetings to
20 explain the use of his or her products or from investigating and advising
21 on problems developing from the use of his or her products;

22 (7) An owner of livestock or a bona fide farm or ranch employee from
23 performing any act of vaccination, surgery, pregnancy testing,
24 retrievable transplantation of embryos on bovine, including recovering,
25 freezing, and transferring embryos on bovine, or the administration of
26 drugs in the treatment of domestic animals under his or her custody or
27 ownership nor the exchange of services between persons or bona fide
28 employees who are principally farm or ranch operators or employees in the
29 performance of these acts;

30 (8) A member of the faculty of a veterinary school or veterinary
31 science department from performing his or her regular functions, or a

1 person lecturing or giving instructions or demonstrations at a veterinary
2 school or veterinary science department or in connection with a
3 continuing competency activity;

4 (9) Any person from selling or applying any pesticide, insecticide,
5 or herbicide;

6 (10) Any person from engaging in bona fide scientific research which
7 reasonably requires experimentation involving animals;

8 (11) Any person from treating or in any manner caring for domestic
9 chickens, turkeys, or waterfowl, which are specifically exempted from the
10 Veterinary Medicine and Surgery Practice Act;

11 (12) Any person from performing dehorning or castrating livestock,
12 not to include equidae. For purposes of the Veterinary Medicine and
13 Surgery Practice Act, castration shall be limited to the removal or
14 destruction of male testes;

15 (13) Any person who holds a valid credential in the State of
16 Nebraska in a health care profession or occupation regulated under the
17 Uniform Credentialing Act from consulting with a licensed veterinarian or
18 performing collaborative animal health care tasks on an animal under the
19 care of such veterinarian if all such tasks are performed under the
20 immediate supervision of such veterinarian;

21 (14) A person from performing a retrievable transplantation of
22 embryos on bovine, including recovering, freezing, and transferring
23 embryos on bovine, if the procedure is being performed by a person who
24 (a) holds a doctorate degree in animal science with an emphasis in
25 reproductive physiology from an accredited college or university and (b)
26 has and can show proof of valid professional liability insurance; ~~or~~

27 (15) Any person engaging solely in equine, cat, and dog massage
28 practice; or ~~or~~

29 (16) An emergency care provider providing emergency medical care to
30 a law enforcement canine injured in the line of duty as described in
31 section 2 of this act.

1 Sec. 4. Original sections 38-1201 and 38-3321, Revised Statutes
2 Cumulative Supplement, 2022, are repealed.