

## LEGISLATIVE BILL 788

Approved by the Governor April 10, 2012

Introduced by Campbell, 25.

FOR AN ACT relating to the Respiratory Care Practice Act; to amend sections 38-3214 and 38-3215, Reissue Revised Statutes of Nebraska; to change requirements for the practice of respiratory care; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

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

38-3214 Any health care facility or home care agency providing inpatient or outpatient respiratory care service shall designate a medical director, who shall be a licensed physician who has special interest and knowledge in the diagnosis and treatment of respiratory problems. Such physician shall (1) be an active medical staff member of a licensed health care facility, (2) whenever possible be qualified by special training or experience in the management of acute and chronic respiratory disorders, and (3) be competent to monitor and assess the quality, safety, and appropriateness of the respiratory care services which are being provided. The medical director shall be accessible to and assure the competency of respiratory care practitioners and shall require that respiratory care be ordered by a licensed physician, a licensed physician assistant, a nurse practitioner as defined in section 38-2312, or a certified registered nurse anesthetist as defined in section 38-704, who has medical responsibility for any patient that needs such care.

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

38-3215 The practice of respiratory care shall be performed only under the direction of a medical director and upon the order of a licensed physician, a licensed physician assistant, a nurse practitioner as defined in section 38-2312, or a certified registered nurse anesthetist as defined in section 38-704.

Sec. 3. Original sections 38-3214 and 38-3215, Reissue Revised Statutes of Nebraska, are repealed.