

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 834

Introduced by Blood, 3.

Read first time January 03, 2024

Committee: Health and Human Services

1 A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend
2 section 38-1123, Reissue Revised Statutes of Nebraska, and section
3 38-129.01, Revised Statutes Cumulative Supplement, 2022; to
4 establish requirements for a resident license; to harmonize
5 provisions; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-129.01, Revised Statutes Cumulative
2 Supplement, 2022, is amended to read:

3 38-129.01 (1) The department, with the recommendation of the
4 appropriate board, shall issue a temporary credential to a military
5 spouse who complies with and meets the requirements of this section
6 pending issuance of the applicable credential under the Uniform
7 Credentialing Act. This section shall not apply to a license to practice
8 dentistry, including a resident ~~temporary~~ license under section 38-1123.

9 (2) A military spouse shall submit the following with his or her
10 application for the applicable credential:

11 (a) A copy of his or her military dependent identification card
12 which identifies him or her as the spouse of an active duty member of the
13 United States Armed Forces;

14 (b) A copy of his or her spouse's military orders reflecting an
15 active-duty assignment in Nebraska;

16 (c) A copy of his or her credential from another jurisdiction and
17 the applicable statutes, rules, and regulations governing the credential;
18 and

19 (d) A copy of his or her fingerprints for a criminal background
20 check if required under section 38-131.

21 (3) If the department, with the recommendation of the appropriate
22 board, determines that the applicant is the spouse of an active duty
23 member of the United States Armed Forces who is assigned to a duty
24 station in Nebraska, holds a valid credential in another jurisdiction
25 which has similar standards for the profession to the Uniform
26 Credentialing Act and the rules and regulations adopted and promulgated
27 under the act, and has submitted fingerprints for a criminal background
28 check if required under section 38-131, the department shall issue a
29 temporary credential to the applicant. The applicant shall not be
30 required to pay any fees pursuant to the Uniform Credentialing Act for
31 the temporary credential or the initial regular credential except the

1 actual cost of the fingerprinting and criminal background check for an
2 initial license under section 38-131.

3 (4) A temporary credential issued under this section shall be valid
4 until the application for the regular credential is approved or rejected,
5 not to exceed one year.

6 Sec. 2. Section 38-1123, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 38-1123 (1) The department, with the recommendation of the board,
9 shall issue a resident temporary license to any person who (a) presents
10 proof of graduation with a doctorate degree in dental surgery or dental
11 medicine from an accredited school or college of dentistry ~~has met the~~
12 ~~requirements for a license to practice dentistry as set forth in section~~
13 ~~38-1117~~, (b) is enrolled in an accredited school or college of dentistry
14 for the purpose of completing a postgraduate or residency program in
15 dentistry, (c) passes an examination approved by the board, which shall
16 consist of the National Board Dental Examination, Parts I and II, or the
17 Integrated National Board Dental Examination, as constructed and
18 administered by the American Dental Association Joint Commission on
19 National Dental Examinations, (d) passes the practical examination
20 administered by the Central Regional Dental Testing Service, ADEX, or any
21 other regional or state practical examination approved by the board, or
22 (e) and ~~(e)~~ is licensed in another jurisdiction under conditions which
23 the board finds equivalent to the requirements of the State of Nebraska
24 for obtaining a license to practice dentistry.

25 (2) For purposes of approving regional or state practical
26 examinations, an accredited school or college of dentistry shall provide
27 input to the board annually.

28 (3) ~~(2)~~ Any person who desires a resident temporary license shall
29 make application to the department. Such application shall be accompanied
30 by the required fee.

31 (4) ~~(3)~~ The resident temporary license shall be issued for a period

1 of one year and, upon application to the department, renewed annually
2 without the licensee having to pay a renewal fee.

3 (5) (4) The resident ~~temporary~~ licensee shall be entitled to
4 practice dentistry, including prescribing legend drugs and controlled
5 substances, only under the auspices of the postgraduate or residency
6 program in which he or she is enrolled.

7 (6) An applicant who is licensed pursuant to this section and has
8 completed a postgraduate or residency program in dentistry at an
9 accredited school or college of dentistry shall have demonstrated the
10 applicant's skill in clinical dentistry for purposes of section 38-1117.

11 Sec. 3. Original section 38-1123, Reissue Revised Statutes of
12 Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement,
13 2022, are repealed.