

AMENDMENTS TO LB 1173

Introduced by Health and Human Services.

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 38-101, Revised Statutes Supplement,  
4 2007, is amended to read:

5           38-101 Sections 38-101 to 38-1,139 and section 2 of this  
6 act and the following practice acts shall be known and may be cited  
7 as the Uniform Credentialing Act:

8           (1) The Advanced Practice Registered Nurse Practice Act;

9           (2) The Alcohol and Drug Counseling Practice Act;

10          (3) The Athletic Training Practice Act;

11          (4) The Audiology and Speech-Language Pathology Practice

12 Act;

13          (5) The Certified Nurse Midwifery Practice Act;

14          (6) The Certified Registered Nurse Anesthetist Practice

15 Act;

16          (7) The Chiropractic Practice Act;

17          (8) The Clinical Nurse Specialist Practice Act;

18          (9) The Cosmetology, Electrology, Esthetics, Nail

19 Technology, and Body Art Practice Act;

20          (10) The Dentistry Practice Act;

21          (11) The Emergency Medical Services Practice Act;

22          (12) The Environmental Health Specialists Practice Act;

23          (13) The Funeral Directing and Embalming Practice Act;

1                   (14) The Hearing Aid Instrument Dispensers and Fitters  
2 Practice Act;

3                   (15) The Licensed Practical Nurse-Certified Practice Act;

4                   (16) The Massage Therapy Practice Act;

5                   (17) The Medical Nutrition Therapy Practice Act;

6                   (18) The Medical Radiography Practice Act;

7                   (19) The Medicine and Surgery Practice Act;

8                   (20) The Mental Health Practice Act;

9                   (21) The Nurse Practice Act;

10                  (22) The Nurse Practitioner Practice Act;

11                  (23) The Nursing Home Administrator Practice Act;

12                  (24) The Occupational Therapy Practice Act;

13                  (25) The Optometry Practice Act;

14                  (26) The Perfusion Practice Act;

15                  (27) The Pharmacy Practice Act;

16                  (28) The Physical Therapy Practice Act;

17                  (29) The Podiatry Practice Act;

18                  (30) The Psychology Practice Act;

19                  (31) The Respiratory Care Practice Act;

20                  (32) The Veterinary Medicine and Surgery Practice Act;

21 and

22                  (33) The Water Well Standards and Contractors' Practice  
23 Act.

24                  If there is any conflict between any provision of  
25 sections 38-101 to 38-1,139 and any provision of a practice  
26 act, the provision of the practice act shall prevail.

27                  The Revisor of Statutes shall assign the Uniform

1    Credentialing Act, including the practice acts enumerated in  
2    subdivisions (1) through (32) of this section, to consecutive  
3    articles within Chapter 38.

4            Sec. 2. Any person who holds a valid credential in  
5    the State of Nebraska in a health care profession or occupation  
6    regulated under the Uniform Credentialing Act may consult with a  
7    licensed veterinarian employed by an accredited zoological park or  
8    garden or perform collaborative animal health care tasks on an  
9    animal under the care of such veterinarian if all such tasks are  
10   performed under the immediate supervision of such veterinarian.  
11   Engaging in such conduct is hereby authorized and shall not be  
12   considered a part of the credentialed person's scope of practice or  
13   a violation of the credentialed person's scope of practice.

14            Sec. 3. Section 38-3321, Revised Statutes Supplement,  
15    2007, is amended to read:

16            38-3321 No person may practice veterinary medicine and  
17    surgery in the state who is not a licensed veterinarian. The  
18    Veterinary Medicine and Surgery Practice Act shall not be construed  
19    to prohibit:

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

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

26            (3) A person who is a student in an approved veterinary  
27    technician program from performing duties or actions assigned by

1 his or her instructors or from working under the direct supervision  
2 of a licensed veterinarian or a licensed veterinary technician;

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

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

7 (6) Any merchant or manufacturer from selling from his or  
8 her established place of business medicines, appliances, or other  
9 products used in the prevention or treatment of animal diseases  
10 or any merchant or manufacturer's representative from conducting  
11 educational meetings to explain the use of his or her products or  
12 from investigating and advising on problems developing from the use  
13 of his or her products;

14 (7) An owner of livestock or a bona fide farm or ranch  
15 employee from performing any act of vaccination, surgery, pregnancy  
16 testing, or the administration of drugs in the treatment of  
17 domestic animals under his or her custody or ownership nor the  
18 exchange of services between persons or bona fide employees who are  
19 principally farm or ranch operators or employees in the performance  
20 of these acts;

21 (8) A member of the faculty of a veterinary school  
22 or veterinary science department from performing his or her  
23 regular functions, or a person lecturing or giving instructions  
24 or demonstrations at a veterinary school or veterinary science  
25 department or in connection with a continuing competency activity;

26 (9) Any person from selling or applying any pesticide,  
27 insecticide, or herbicide;

1                   (10) Any person from engaging in bona fide scientific  
2 research which reasonably requires experimentation involving  
3 animals;

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

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

11                   (13) Any person who holds a valid credential in the State  
12 of Nebraska in a health care profession or occupation regulated  
13 under the Uniform Credentialing Act from consulting with a licensed  
14 veterinarian employed by an accredited zoological park or garden  
15 or performing collaborative animal health care tasks on an animal  
16 under the care of such veterinarian if all such tasks are performed  
17 under the immediate supervision of such veterinarian.

18                   Sec. 4. This act becomes operative on December 1, 2008.

19                   Sec. 5. Original sections 38-101 and 38-3321, Revised  
20 Statutes Supplement, 2007, are repealed.