

COMMITTEE STATEMENT

LB 698

HEARING DATE: February 24, 1999

COMMITTEE ON: Health and Human Services

TITLE: (Suttle) Change nursing license and practice requirements

ROLL CALL VOTE – FINAL COMMITTEE ACTION

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

7 Yes Senators Jensen, Byars, Dierks, Price, Suttle, Thompson,
Tyson

No

Present, not voting

Absent

PROPOSERS

Senator Deborah Suttle

John Roberts

Eric Evans

Tim Kolb

Vicky Burbach

Charles A. Meyer

Mary Scherling

Kay Minnick

James Lind

Janine Line

REPRESENTING

Principal Introducer

NE Association of Hospitals & Health Systems

NE Consortium of Citizens with Disabilities

NE Statewide Independent Living Council

Health & Human Services Regulation & Licensure

NE Board of Nursing

NE Nurses Association

Self

Self

Self

OPPOSERS

None

REPRESENTING

NEUTRAL

Teresa Stitche Fritz

REPRESENTING

Developmental Disabilities Planning Council

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SUMMARY OF PURPOSE AND/OR CHANGES:

LB 698 amends provisions of the Nurse Practice Act (the act). The bill deletes a requirement for the Board of Nursing (the board) to elect officers at its January meeting, and requires such elections at its last scheduled meeting of the calendar year.

The bill deletes the requirement for the board to conduct a four-year review of nursing practice and education standards, and deletes a requirement that the board provide surveys for state nursing programs at least every four years.

LB 698 requires the board to participate in the Nurse Licensure Compact, and provides for the executive director of the board to be the state administrator of the compact.

LB 698 provides for renewal of a nursing license upon receipt of the renewal fee and an additional \$50 fee. Current law provides only that no revocation will be entered upon meeting such requirements. The bill also provides that licenses that are not renewed will be lapsed instead of revoked.

LB 698 deletes provisions requiring approval from the board for reinstatement of an inactive license. Only nurses whose licenses are inactive for disciplinary reasons will be required to petition the board for reinstatement.

Current law provides sanctions for persons who practice nursing while their license is expired or lapsed. LB 698 also applies the same sanctions to licenses that have been suspended or revoked.

The bill deletes a requirement of a four-year survey of state nursing programs, and only requires such surveys as determined by the board through its rules and regulations.

Current law provides that the performance of health maintenance activities is not prohibited under the act, if performed by a designated caregiver for a competent individual, at the direction of that individual. LB 698 changes the term "caregiver" to "care aide," and provides that a "care aide" may be directed by a "caretaker" to provide such activities for an incompetent individual. "Health maintenance activities" are redefined to include those activities performed by a caretaker, and caretaker is defined.

The bill deletes a requirement that an applicant for a license to practice licensed practical nursing hold a diploma from an approved program in "licensed nursing," and requires only that the diploma be in "nursing."

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EXPLANATION OF AMENDMENTS, IF ANY:

The committee amendment incorporates provisions of LB 494 (Suttle) and LB 757 (Landis) into LB 698, and makes other changes to the bill. The amendment: (1) provides for direction by a registered nurse (RN) for certain activities performed by a licensed practical nurse (LPN), which activities an RN had previously been able to delegate to an LPN; (2) removes provisions limiting the practice of licensed practical nursing to a long term care facility or a hospital; (3) amends the definition of "caretaker" to require that such person be "legally permitted to delegate the health maintenance activities" of a minor child or incompetent adult, and harmonizes the definition of same term in the Medication Aide Act; and (4) declares an emergency.

Senator Jim Jensen, Chairperson