

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

January 19, 2000 LB 523

an overview of exactly what this bill does. Healthcare professionals today work in an increasingly mobile technology dependent society, within the field, growth of multistate delivery systems and evidence of the benefits of telehealth, physicians, nurses, and other professionals greater opportunity to practice across state lines. In addition, many health plans are setting up telephone advice lines to link nurses with enrollees, often located in different states, as a means of providing patient education and other triage services. While most telehealth activities occur within individual state boundaries, the spread of interstate practice threatens a state's exclusive prerogative to regulate nursing and other health professions by calling into question whether the federal government has jurisdiction over matters under the U.S. Constitution interstate commerce clause. To head off any potential challenge, the National Council of State Boards of Nursing, nursing is calling on states to take the lead in regulating interstate nursing practice. Specifically, it was recommended the adoption of the mutual recognition model on nursing regulation under which states may enter into a legal agreement with each other to recognize their respective nurses' licenses regardless of differing standards. The net effect would be to let registered practice...registered nurses practice physically and electronically in any state participating in the agreement under the license issued by their state of residence with only one licensing record for interstate practice. RNs would be held accountable for the practice laws in the state where they provide services, such as a motor vehicle operator must obey the laws of the state where they drive. The committee statement on your computer will give you a thumbnail sketch of exactly what is in the bill, if you are at all interested in the exact items in the bill. I have...several states have already passed this. Currently, Utah, who was the first to pass it, Arkansas, Maryland, Texas, North Carolina, and Wisconsin, and I've passed out a colored flyer to let you know about those things. There are several legislations that are looking at this right now and our neighbors Iowa and South Dakota are having it in front of their Legislature right now. We had some problems, the Kansas and the Nebraska Attorneys General thought that this was giving up legislative authority and, therefore, ruled it unconstitutional. Over the interim, we worked on this with the Attorney General's Office and they have come up with language