

AMENDMENTS TO LB 1062

1 1. Insert the following new section:

2 "Sec. 5. Section 71-131, Revised Statutes Supplement,
3 2000, is amended to read:

4 71-131. (1) In the absence of any specific requirement
5 or provision relating to any particular profession:

6 (a) The department may, upon the recommendation of the
7 appropriate professional board, adopt and promulgate rules and
8 regulations to specify the passing grade on licensure or
9 certification examinations. In the absence of such rules and
10 regulations, an examinee shall be required to obtain an average
11 grade of seventy-five and shall be required to obtain a grade of
12 sixty in each subject examined;

13 (b) A person who desires to take a licensure or
14 certification examination but does not wish to receive a license or
15 certification may take such examination by meeting the examination
16 eligibility requirements and paying the cost of the examination and
17 an administrative fee of twenty-five dollars; and

18 (c) An examinee who fails a licensure or certification
19 examination may retake the entire examination or the part failed
20 upon payment of the licensure or certification fee each time he or
21 she is examined. The department shall withhold from the licensure
22 or certification fee the cost of any national examination used and
23 the administrative fee authorized in section 71-163 when an
24 examinee fails a licensure or certification examination and shall

1 return to the examinee the remainder of the licensure or
2 certification fee collected, except that:

3 (i) If the state-developed jurisprudence portion of the
4 licensure or certification examination was failed, the examinee may
5 retake that portion without charge; and

6 (ii) If any component of a national examination was
7 failed, the examinee shall be charged the cost for purchasing such
8 examination.

9 (2) In pharmacy, all applicants shall be required to
10 attain a grade to be determined by the Board of Pharmacy in an
11 examination in pharmacy and a grade of seventy-five in an
12 examination in jurisprudence of pharmacy.

13 (3) In social work, the passing criterion for such
14 examination shall be established and may be changed by the Board of
15 Mental Health Practice by rule and regulation. The board may
16 exempt an applicant from the written examination if he or she meets
17 all the requirements for certification without examination pursuant
18 to section 71-1,319 or rules and regulations adopted and
19 promulgated by the department pursuant to section 71-139.

20 (4) In professional counseling, the passing criterion for
21 such examination shall be established and may be changed by the
22 Board of Mental Health Practice by rule and regulation. The board
23 may exempt an applicant from the written examination if he or she
24 meets all of the requirements for certification without examination
25 pursuant to rules and regulations adopted and promulgated by the
26 department pursuant to section 71-139.

27 (5) In marriage and family therapy, the passing criterion

1 for such examination shall be established and may be changed by the
2 Board of Mental Health Practice by rule and regulation. The board
3 may exempt an applicant from the written examination if he or she
4 meets all of the requirements for certification without examination
5 pursuant to section 71-1,329 or rules and regulations adopted and
6 promulgated by the department pursuant to section 71-139.

7 (6) Applicants for licensure in medicine and surgery and
8 osteopathic medicine and surgery shall pass the licensing
9 examination. An applicant who fails to pass any part of the
10 licensing examination within four attempts shall complete one
11 additional year of postgraduate medical education at an accredited
12 school or college of medicine or osteopathic medicine. All parts
13 of the licensing examination must be successfully completed within
14 seven years, except that if the applicant has been enrolled in a
15 combined doctorate of medicine and doctorate of philosophy degree
16 program in an accredited school or college of medicine, all parts
17 of the licensing examination must be successfully completed within
18 ten years. An applicant who fails to successfully complete the
19 licensing examination within ~~seven years~~ the time allowed shall
20 retake that part of the examination which ~~is more than seven years~~
21 ~~old~~ was not completed within the time allowed.

22 (7) In medical nutrition therapy, the passing criterion
23 for such examination shall be established and may be changed by the
24 Board of Medical Nutrition Therapy by rule and regulation. Such
25 examination shall test for the essential clinical elements of the
26 field of medical nutrition therapy. The board shall base its
27 actions on broad categorical parameters derived from the essential

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1 elements of the field of medical nutrition therapy. It shall not
2 endorse nor restrict its assessment to any particular nutritional
3 school of thought in its selection of examinations, passing
4 criterion for such examinations, evaluation of credentials,
5 approval of continuing education hours, application of practice
6 standards, or in any other actions. The board may exempt an
7 applicant from the written examination if he or she meets all of
8 the requirements for licensure without examination pursuant to
9 section 71-1,291 or rules and regulations adopted and promulgated
10 by the department pursuant to section 71-139.".

11 2. On page 69, line 8, after the first comma insert
12 "71-131,".

13 3. Renumber the remaining sections and correct internal
14 references accordingly.