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March 23, 2006 LB 445, 994

CLERK: AM2754. (Legislative Journal page 1069.)

SENATOR CUDABACK: Senator Jensen, to open.

SENATOR JENSEN: Thank you, Mr. President and members of the Legislature. LB 994 was designated a cleanup bill by the Health and Human Services Committee, and anything that we as a committee moved to go into LB 994, we did so because we thought it was noncontroversial. And I do that, and I want to give just a little bit of history on AM2754, which is a physical therapy bill. This was LB 445, as advanced by the committee in 2005. In 2003, the Physical Therapy Association began a quest to make some changes in their physical therapy practice and statutes. The first statute was in 1957. There was an inclusion of physical therapist assistants in 1979, and the statute is old and antiquated, and needed to be updated, and they began that process and in 2003 held a series of meetings, 2004 contacted other professional groups, including the Nebraska Medical Association, Nebraska Chiropractic Association, Nebraska Occupational Therapy Association, to inform them of their intent, and also to invite their comment. I want to make it clear that that process took place and also, there was a decision that the 407 review process, which is made part of the Department of Health and Human Services, Regulation and Licensure, and also a part of the Nebraska Board of Health, on May 19 sent a letter of intent to enter into a 407 process to the department. In a letter dated June 10 of 2004--June 10 of 2004--they were informed by the department that the draft language that was proposed was not a scope of practice change, not a scope of practice change for physical therapy, and thus, a 407 review was not necessary. We heard this bill in February of 2005, and there were a number of people who appeared that were in opposition. In March, after working with several different groups, and those groups were the Nebraska physicians, surgeons, osteopaths, occupational therapists, even physical athletic trainers, there came an agreement and...to advance the bill. Then at that point in time, late in the session, we heard from schools that they were not happy with the amendment. And so we began to work with the schools, and actually about in late January or February, we received approval from the schools. Also, by the way, back then we had approval from the