

Enrollment and Review Change to LB247

Introduced by Enrollment and Review Committee: McGill, 26,
Chairperson

The following changes, required to be reported for
publication in the Journal, have been made:

1. In the Johnson amendment, AM1391:

a. On page 3, line 16, "On and after April 20, 2002, a written consent or relinquishment for adoption under this section shall not be valid unless signed at least forty-eight hours after the birth of the child." has been inserted after the underscored period; and the matter beginning with "On" in line 23 through line 26 has been struck and shown as stricken;

b. On page 16, line 13, "or" has been struck and shown as stricken; and

c. The following new sections have been inserted:

Sec. 19. Section 43-105, Reissue Revised Statutes of Nebraska, is amended to read:

43-105 (1) If consent is not required of both parents of a child born in lawful wedlock if living, the surviving parent of a child born in lawful wedlock, or the mother or mother and father of a child born out of wedlock, because of the provisions of subdivision ~~(3)~~ (1)(c) of section 43-104, substitute consents shall be filed as follows:

~~(1)~~ (a) Consent to the adoption of a minor child who has been committed to the Department of Health and Human Services may be given by the department or its duly authorized agent in accordance with section 43-906;

~~(2)~~ ~~when~~ (b) When a parent has relinquished a minor child for adoption to any child placement agency licensed or approved by the department or its duly authorized agent, consent to the adoption of such child may be given by such agency; and

~~(3)~~ ~~in~~ (c) In all other cases when consent cannot be given as provided in subdivision ~~(3)~~ (1)(c) of section 43-104, consent shall be given by the guardian or guardian ad litem of such minor child appointed by a court, which consent shall be authorized by the court having jurisdiction of such guardian or guardian ad litem.

(2) Substitute consent provisions of this section do not apply to a biological father whose consent is not required under section 43-104.22.

Sec. 20. Section 43-106, Reissue Revised Statutes of Nebraska, is amended to read:

43-106 Consents required to be given under sections 43-104 and 43-105, except under subdivision ~~(2)~~ (1)(b) of section 43-104, must be acknowledged before an officer authorized to acknowledge deeds in this state and signed in the presence of at least one witness, in addition to the officer. Consents under subdivision ~~(2)~~ (1)(b) of section 43-104 shall be shown by a duly certified copy of order of the court required to grant such consent.

2. In the Johnson amendment, AM1367:

a. Section 10 has been struck and the following new section inserted:

Sec. 58. Section 71-101, Revised Statutes Cumulative Supplement, 2006, as amended by section 296, Legislative Bill 296, One Hundredth Legislature, First Session, 2007, section 1, Legislative Bill 463, One Hundredth Legislature, First Session, 2007, section 1, Legislative Bill 236, One Hundredth Legislature, First Session, 2007, section 1, Legislative Bill 481, One Hundredth Legislature, First Session, 2007, and section 23, Legislative Bill 247, One Hundredth Legislature, First Session, 2007, is amended to read:

~~71-101~~ Sections 1 to 139 of this act, ~~section 4 of this act, sections 39 and 42 of this act, sections 31 to 38 of this act,~~ the ~~Perfusion Practice Act,~~ and the following practice acts shall be known and may be cited as the Uniform Credentialing Act:

- (1) The Advanced Practice Registered Nurse Practice Act;
- (2) The Alcohol and Drug Counseling Practice Act;
- (3) The Athletic Training Practice Act;
- (4) The Audiology and Speech-Language Pathology Practice Act;
- (5) The Certified Nurse Midwifery Practice Act;
- (6) The Certified Registered Nurse Anesthetist Practice Act;
- (7) The Chiropractic Practice Act;
- (8) The Clinical Nurse Specialist Practice Act;
- (9) The Cosmetology, Electrology, Esthetics, Nail

Technology, and Body Art Practice Act;

(10) The Dentistry Practice Act;

(11) The Emergency Medical Services Practice Act;

(12) The Environmental Health Specialists Practice Act;

(13) The Funeral Directing and Embalming Practice Act;

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

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

(16) The Massage Therapy Practice Act;

(17) The Medical Nutrition Therapy Practice Act;

(18) The Medical Radiography Practice Act;

(19) The Medicine and Surgery Practice Act;

(20) The Mental Health Practice Act;

(21) The Nurse Practice Act;

(22) The Nurse Practitioner Practice Act;

(23) The Nursing Home Administrator Practice Act;

(24) The Occupational Therapy Practice Act;

(25) The Optometry Practice Act;

(26) The Perfusion Practice Act;

~~(26)~~ (27) The Pharmacy Practice Act;

~~(27)~~ (28) The Physical Therapy Practice Act;

~~(28)~~ (29) The Podiatry Practice Act;

~~(29)~~ (30) The Psychology Practice Act;

~~(30)~~ (31) The Respiratory Care Practice Act;

~~(31)~~ (32) The Veterinary Medicine and Surgery Practice Act; and

~~(32)~~ (33) The Water Well Standards and Contractors' Practice Act.

If there is any conflict between any provision of sections 1 to 139 of this act and any provision of a practice act, the provision of the practice act shall prevail.

The Revisor of Statutes shall assign the Uniform Credentialing Act, including the practice acts enumerated in subdivisions (1) through ~~(31)~~ (32) of this section, to consecutive articles within Chapter 38.

b. On page 10, line 4, "660" has been struck and "677" inserted; and

c. On page 14, line 26, "section 341, Legislative Bill 296, One Hundredth Legislature, First Session, 2007," has been inserted after "2007,".

3. On page 1, the matter beginning with "drugs" in line 1 through line 8 and all amendments thereto have been struck and "public health and welfare; to amend sections 43-102, 43-104, 43-104.01, 43-104.02, 43-104.03, 43-104.04, 43-104.05, 43-104.08, 43-104.09, 43-104.12, 43-104.13, 43-104.14, 43-104.17, 43-104.22, 43-105, 43-106, 43-906, 43-1411, 71-193.15, 71-193.17, 71-1,186, 71-1,187, 71-1,195.01, 71-1,195.02, 71-1,195.03, 71-1,195.04, 71-1,195.05, 71-1,195.06, 71-1,195.07, 71-1,195.08, 71-1,195.09, 71-1,296, 71-1,307, 71-1,308, 71-1,315, 71-1,316, 71-1,333, 71-1,335, 71-1,336, 71-1,337, 71-1,338, 71-2421, 71-4702, 71-4707, 71-8402, and 81-651, Reissue Revised Statutes of Nebraska, sections 28-401, 28-405, 28-412, 71-101, 71-1,147.35, 71-1913.01, 71-5403, and 71-7438, Revised Statutes Cumulative Supplement, 2006, section 71-1,135.02, Reissue Revised Statutes of Nebraska, as amended by section 23, Legislative Bill 236, One Hundredth Legislature, First Session, 2007, section 341, Legislative Bill 296, One Hundredth Legislature, First Session, 2007, and section 885, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; section 71-1,147, Reissue Revised Statutes of Nebraska, as amended by section 30, Legislative Bill 236, One Hundredth Legislature, First Session, 2007, and section 963, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; section 71-1,186, Reissue Revised Statutes of Nebraska, as amended by section 27, Legislative Bill 247, One Hundredth Legislature, First Session, 2007, and section 188, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; section 71-1,195.09, Reissue Revised Statutes of Nebraska, as amended by section 37, Legislative Bill 247, One Hundredth Legislature, First Session, 2007, and section 211, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; section 71-1,200, Reissue Revised Statutes

of Nebraska, as amended by section 130, Legislative Bill 463, One Hundredth Legislature, First Session, 2007, and section 1, Legislative Bill 152, One Hundredth Legislature, First Session, 2007; section 71-4702, Reissue Revised Statutes of Nebraska, as amended by section 52, Legislative Bill 247, One Hundredth Legislature, First Session, 2007, and section 573, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; section 71-4707, Reissue Revised Statutes of Nebraska, as amended by section 576, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; section 71-101, Revised Statutes Cumulative Supplement, 2006, as amended by section 296, Legislative Bill 296, One Hundredth Legislature, First Session, 2007, section 1, Legislative Bill 463, One Hundredth Legislature, First Session, 2007, section 1, Legislative Bill 236, One Hundredth Legislature, First Session, 2007, section 1, Legislative Bill 481, One Hundredth Legislature, First Session, 2007, and section 23, Legislative Bill 247, One Hundredth Legislature, First Session, 2007; section 71-102, Revised Statutes Cumulative Supplement, 2006, as amended by section 297, Legislative Bill 296, One Hundredth Legislature, First Session, 2007, section 21, Legislative Bill 463, One Hundredth Legislature, First Session, 2007, and section 2, Legislative Bill 236, One Hundredth Legislature, First Session, 2007; section 71-104.01, Revised Statutes Cumulative Supplement, 2006, as amended by section 31, Legislative Bill 463, One Hundredth Legislature, First Session, 2007, and section 2, Legislative Bill 481, One Hundredth Legislature, First Session, 2007; sections 125, 187, 191, 192, 193, 720, 886, 887, 897, and 932, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; and sections 8, 12, 32, 35, 36, and 42, Legislative Bill 236, One Hundredth Legislature, First Session, 2007; to change and eliminate provisions relating to controlled substances, treatment of narcotic-dependent persons, adoption procedures, consent for adoption, the biological father registry, claims for paternity, petitions for custody, children born out of wedlock, notice and hearing, relinquishment of parental rights, dental hygienists, drug utilization review, audiology, speech-language pathology, mental health practice, immunization requirements for child care programs, return of dispensed drugs and devices, hearing aid instrument dispensers and fitters, drug product selection, wholesale drug distributors, credentialing of health care professionals, optometry, perfusion, pharmacy technicians, and in-home personal services; to define and redefine terms; to require insurance coverage of colorectal cancer screenings; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide operative dates; to repeal the original sections; to outright repeal sections 71-1,186.01 and 71-1,192, Reissue Revised Statutes of Nebraska; section 71-1,190.01, Reissue Revised Statutes of Nebraska, as amended by section 356, Legislative Bill 296, One Hundredth Legislature, First Session, 2007; sections 71-1,135.03, 71-1,135.05, and

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71-1,147.34, Reissue Revised Statutes of Nebraska, as amended by sections 888, 873, and 987, respectively, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; sections 71-1,195.03, 71-1,315, 71-1,316, 71-1,333, and 71-1,338, Reissue Revised Statutes of Nebraska, as amended by sections 31, 43, 44, 45, and 49, respectively, Legislative Bill 247, One Hundredth Legislature, First Session, 2007; section 71-1,147.33, Revised Statutes Cumulative Supplement, 2006, as amended by section 349, Legislative Bill 296, One Hundredth Legislature, First Session, 2007, and section 986, Legislative Bill 463, One Hundredth Legislature, First Session, 2007; and section 15, Legislative Bill 236, One Hundredth Legislature, First Session, 2007; and to declare an emergency." inserted.

4. On page 27, lines 6 and 7, "effective date of this act" has been struck and "operative date of this section" inserted.

5. Sections have been renumbered, internal references corrected, and operative date, repealer, and outright repealer sections combined to incorporate all adopted amendments.