

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 834

Introduced by Howard, 9; Blood, 3; Crawford, 45.

Read first time January 04, 2018

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend
- 2 section 38-101, Revised Statutes Supplement, 2017; to define terms;
- 3 to provide for waiver of fees as prescribed; to harmonize
- 4 provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-101, Revised Statutes Supplement, 2017, is
2 amended to read:

3 38-101 Sections 38-101 to 38-1,142 and sections 2 and 3 of this act
4 and the following practice acts shall be known and may be cited as the
5 Uniform Credentialing Act:

- 6 (1) The Advanced Practice Registered Nurse Practice Act;
- 7 (2) The Alcohol and Drug Counseling Practice Act;
- 8 (3) The Athletic Training Practice Act;
- 9 (4) The Audiology and Speech-Language Pathology Practice Act;
- 10 (5) The Certified Nurse Midwifery Practice Act;
- 11 (6) The Certified Registered Nurse Anesthetist Practice Act;
- 12 (7) The Chiropractic Practice Act;
- 13 (8) The Clinical Nurse Specialist Practice Act;
- 14 (9) The Cosmetology, Electrology, Esthetics, Nail Technology, and
15 Body Art Practice Act;
- 16 (10) The Dentistry Practice Act;
- 17 (11) The Dialysis Patient Care Technician Registration Act;
- 18 (12) The Emergency Medical Services Practice Act;
- 19 (13) The Environmental Health Specialists Practice Act;
- 20 (14) The Funeral Directing and Embalming Practice Act;
- 21 (15) The Genetic Counseling Practice Act;
- 22 (16) The Hearing Instrument Specialists Practice Act;
- 23 (17) The Licensed Practical Nurse-Certified Practice Act until
24 November 1, 2017;
- 25 (18) The Massage Therapy Practice Act;
- 26 (19) The Medical Nutrition Therapy Practice Act;
- 27 (20) The Medical Radiography Practice Act;
- 28 (21) The Medicine and Surgery Practice Act;
- 29 (22) The Mental Health Practice Act;
- 30 (23) The Nurse Practice Act;
- 31 (24) The Nurse Practitioner Practice Act;

- 1 (25) The Nursing Home Administrator Practice Act;
- 2 (26) The Occupational Therapy Practice Act;
- 3 (27) The Optometry Practice Act;
- 4 (28) The Perfusion Practice Act;
- 5 (29) The Pharmacy Practice Act;
- 6 (30) The Physical Therapy Practice Act;
- 7 (31) The Podiatry Practice Act;
- 8 (32) The Psychology Practice Act;
- 9 (33) The Respiratory Care Practice Act;
- 10 (34) The Surgical First Assistant Practice Act;
- 11 (35) The Veterinary Medicine and Surgery Practice Act; and
- 12 (36) The Water Well Standards and Contractors' Practice Act.

13 If there is any conflict between any provision of sections 38-101 to
14 38-1,142 and any provision of a practice act, the provision of the
15 practice act shall prevail.

16 The Revisor of Statutes shall assign the Uniform Credentialing Act,
17 including the practice acts enumerated in subdivisions (1) through (35)
18 of this section, to articles within Chapter 38.

19 Sec. 2. For purposes of sections 2 and 3 of this act:

20 (1) Licensing means any required training, education, or fee to work
21 in a specific profession;

22 (2) Licensing authority means an agency, examining board,
23 credentialing board, or other entity with the authority to impose
24 occupational fees or licensing requirements on any profession;

25 (3) Low-income individual means an individual enrolled in a state or
26 federal public assistance program, including, but not limited to, the
27 medical assistance program established pursuant to the Medical Assistance
28 Act, the federal Supplemental Nutrition Assistance Program, or the
29 federal Temporary Assistance for Needy Families program, or whose
30 household adjusted gross income is below one hundred thirty percent of
31 the federal income poverty guideline, or a higher threshold to be set by

1 the Licensure Unit of the Division of Public Health of the Department of
2 Health and Human Services;

3 (4) Military families means active duty service members, honorably
4 discharged veterans, spouses of active duty service members or honorably
5 discharged veterans, and unremarried surviving spouses of deceased
6 service members;

7 (5) Occupational fee means an amount charged to professionals or
8 businesses for the privilege of providing goods or services within a
9 certain jurisdiction; and

10 (6) Young worker means an applicant under section 2 of this act who
11 is between the ages of eighteen and twenty-five years.

12 Sec. 3. Notwithstanding any other provision of law:

13 (1) All licensing authorities shall waive all initial occupational
14 fees and fees from licensing requirements for low-income individuals,
15 military families, and young workers; and

16 (2) An individual seeking a waiver of initial occupational fees and
17 fees from licensing requirements shall apply to the appropriate licensing
18 authority in a format prescribed by the licensing authority. The
19 licensing authority shall process the application within thirty days
20 after receiving it from the applicant.

21 Sec. 4. Original section 38-101, Revised Statutes Supplement, 2017,
22 is repealed.