

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 283**

FINAL READING

Introduced by Stuthman, 22

Read first time January 10, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to public health and welfare; to amend section  
2 71-6728, Reissue Revised Statutes of Nebraska, and  
3 section 71-162, Revised Statutes Cumulative Supplement,  
4 2006; to provide for biennial renewal of medication aide  
5 registrations; to eliminate payment of administrative  
6 costs of the credentialing system as prescribed; and to  
7 repeal the original sections.

8 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 71-162, Revised Statutes Cumulative  
2 Supplement, 2006, is amended to read:

3           71-162 (1) It is the intent of the Legislature that the  
4 revenue to cover the cost of the credentialing system administered  
5 by the department is to be derived from General Funds, cash funds,  
6 federal funds, gifts, grants, or fees from individuals or entities  
7 seeking credentials. The credentialing system includes the totality  
8 of the credentialing infrastructure and the process of issuance and  
9 renewal of credentials, examinations, inspections, investigations,  
10 continuing competency, compliance assurance, and the credentialing  
11 review process for the following individuals and entities that  
12 provide health services and health-related services:

13           (a) Individuals in the practice of acupuncture; advanced  
14 practice nursing; alcohol and drug counseling; asbestos abatement,  
15 inspection, project design, and training; athletic training;  
16 audiology; speech-language pathology; chiropractic; dentistry;  
17 dental hygiene; environmental health; hearing aid instrument  
18 dispensing and fitting; lead-based paint abatement, inspection,  
19 project design, and training; medical nutrition therapy; medical  
20 radiography; ~~medication aide services~~; medicine and surgery;  
21 mental health practice; nursing; ~~nursing assistant or paid dining~~  
22 ~~assistant services~~; nursing home administration; occupational  
23 therapy; optometry; osteopathic medicine; pharmacy; physical  
24 therapy; podiatry; psychology; radon detection, measurement,  
25 and mitigation; respiratory care; social work; swimming pool

1 operation; veterinary medicine and surgery; water system operation;  
2 constructing or decommissioning water wells and installing water  
3 well pumps and pumping equipment; and

4 (b) Individuals in the practice of and entities in the  
5 business of body art; cosmetology; electrology; emergency medical  
6 services; esthetics; funeral directing and embalming; massage  
7 therapy; and nail technology.

8 (2) The department shall determine the cost of the  
9 credentialing system for such individuals and entities by  
10 calculating the total of the base costs, the variable costs, and  
11 any adjustments as provided in sections 71-162.01 to 71-162.03.

12 (3) When fees are to be established pursuant to section  
13 71-162.04 for individuals or entities other than individuals in  
14 the practice of constructing or decommissioning water wells and  
15 installing water well pumps and pumping equipment, the department,  
16 upon recommendation of the appropriate board if applicable, shall  
17 base the fees on the cost of the credentialing system and shall  
18 include usual and customary cost increases, a reasonable reserve,  
19 and the cost of any new or additional credentialing activities.  
20 For individuals in the practice of constructing or decommissioning  
21 water wells and installing water well pumps and pumping equipment,  
22 the Water Well Standards and Contractors' Licensing Board shall  
23 establish the fees as otherwise provided in this subsection. All  
24 such fees shall be collected as provided in section 71-163.

25 Sec. 2. Section 71-6728, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2           71-6728 Registration as a medication aide shall be  
3 renewed ~~triennially~~ biennially based upon competency. The  
4 department may prescribe by rule and regulation how a medication  
5 aide can show competency for purposes of renewal. Payment of the  
6 applicable fee shall be a condition of renewal. After the effective  
7 date of this act, any registration that is renewed shall expire  
8 two years after the date the registration would have expired if it  
9 had not been renewed.

10           Sec. 3. Original section 71-6728, Reissue Revised  
11 Statutes of Nebraska, and section 71-162, Revised Statutes  
12 Cumulative Supplement, 2006, are repealed.