

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 369**

Introduced by Erdman, 47

Read first time January 12, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Uniform Licensing Law; to amend  
2 section 71-1,307, Reissue Revised Statutes of Nebraska;  
3 to redefine mental health practice; and to repeal the  
4 original section.

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

1           Section 1. Section 71-1,307, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3           71-1,307 (1) (a) Mental health practice ~~shall mean~~ means  
4 the provision of treatment, assessment, psychotherapy, counseling,  
5 or equivalent activities to individuals, couples, families, or  
6 groups for behavioral, cognitive, social, mental, or emotional  
7 disorders, including interpersonal or personal situations.

8           (b) Mental health practice ~~shall~~ does not include  
9 the practice of psychology or medicine, prescribing drugs or  
10 electroconvulsive therapy, treating physical disease, injury, or  
11 deformity, ~~diagnosing major mental illness or disorder except~~  
12 ~~in consultation with a qualified physician or a psychologist~~  
13 ~~licensed to engage in the practice of psychology as provided~~  
14 ~~in section 71-1,206.14, or~~ measuring personality or intelligence  
15 for the purpose of diagnosis or treatment planning. ~~7~~ using  
16 psychotherapy with individuals suspected of having major mental  
17 or emotional disorders except in consultation with a qualified  
18 physician or licensed psychologist, or using psychotherapy to treat  
19 the concomitants of organic illness except in consultation with a  
20 qualified physician or licensed psychologist.

21           (c) Mental health practice ~~shall include~~ includes the  
22 initial assessment of organic mental or emotional disorders for the  
23 purpose of referral or consultation.

24           (2) Nothing in sections 71-1,306, 71-1,310, and 71-1,311  
25 shall be deemed to constitute authorization to engage in activities

1 beyond those described in this section. Persons certified under  
2 sections 71-1,295 to 71-1,338 but not licensed under section  
3 71-1,314 shall not engage in mental health practice.

4           Sec. 2. Original section 71-1,307, Reissue Revised  
5 Statutes of Nebraska, is repealed.