

LEGISLATURE OF NEBRASKA  
ONE HUNDREDTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 972**

Introduced by Gay, 14.

Read first time January 15, 2008

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to optometry; to amend sections 38-2609  
2 and 38-2611, Revised Statutes Supplement, 2007; to  
3 change provisions relating to reciprocal licensure  
4 and continuing competency requirements; to provide an  
5 operative date; and to repeal the original sections.  
6 Be it enacted by the people of the State of Nebraska,

1           Section 1. Section 38-2609, Revised Statutes Supplement,  
2 2007, is amended to read:

3           38-2609 In addition to the standards set by the board  
4 pursuant to section 38-126, an applicant for licensure based on  
5 a license in another state or territory of the United States or  
6 the District of Columbia must have been actively engaged in the  
7 practice of optometry for at least ~~one~~ two of the three years  
8 immediately preceding the application for licensure in Nebraska and  
9 must provide evidence of being credentialed in another state which  
10 indicates licensure at the highest level recognized by the other  
11 state and which is approved by the board.

12           Sec. 2. Section 38-2611, Revised Statutes Supplement,  
13 2007, is amended to read:

14           38-2611 The department, with the recommendation of the  
15 board, may waive continuing competency requirements, in part or in  
16 total, for any two-year licensing period when a credential holder  
17 submits documentation that circumstances beyond his or her control  
18 prevented completion of such requirements as provided in section  
19 38-146. In addition to circumstances determined by the department  
20 to be beyond the credential holder's control pursuant to such  
21 section, such circumstances shall include situations in which:

22           (1) The credential holder has submitted proof that he or  
23 she was suffering from a serious or disabling illness or physical  
24 disability which prevented completion of the required continuing  
25 competency activities during the twenty-four months preceding the

1 renewal date; or and

2 (2) The credential holder was initially licensed within  
3 the twenty-six months immediately preceding the renewal date.

4 Sec. 3. This act becomes operative on December 1, 2008.

5 Sec. 4. Original sections 38-2609 and 38-2611, Revised  
6 Statutes Supplement, 2007, are repealed.