

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 481

Introduced by Haar, 21; Christensen, 44; Dierks, 40; Friend, 10;
Fulton, 29; Harms, 48; McCoy, 39; Nordquist, 7.

Read first time January 20, 2009

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to certified nurse midwives; to amend
2 section 38-613, Reissue Revised Statutes of Nebraska; to
3 eliminate the restriction on attending home deliveries;
4 and to repeal the original section.

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

1 Section 1. Section 38-613, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 38-613 (1) The specific medical functions to be performed
4 by a certified nurse midwife within the scope of permitted practice
5 prescribed by section 38-611 shall be described in the practice
6 agreement which shall be reviewed and approved by the board. A copy
7 of the agreement shall be maintained on file with the board as a
8 condition of lawful practice under the Certified Nurse Midwifery
9 Practice Act.

10 (2) A certified nurse midwife shall perform the functions
11 detailed in the practice agreement only under the supervision of
12 the licensed practitioner responsible for the medical care of the
13 patients described in the practice agreement. If the collaborating
14 licensed practitioner named in the practice agreement becomes
15 temporarily unavailable, the certified nurse midwife may perform
16 the authorized medical functions only under the supervision of
17 another licensed practitioner designated as a temporary substitute
18 for that purpose by the collaborating licensed practitioner.

19 (3) A certified nurse midwife may perform authorized
20 medical functions only in the following settings:

21 (a) In a licensed or certified health care facility as an
22 employee or as a person granted privileges by the facility;

23 (b) In the primary office of a licensed practitioner
24 or in any setting authorized by the collaborating licensed
25 practitioner; ~~except that a certified nurse midwife shall not~~

1 ~~attend a home delivery, or~~

2 (c) Within an organized public health agency.

3 (4) The department shall, after consultations with the
4 board, adopt and promulgate rules and regulations to carry out the
5 Certified Nurse Midwifery Practice Act.

6 Sec. 2. Original section 38-613, Reissue Revised Statutes
7 of Nebraska, is repealed.