

LEGISLATURE OF NEBRASKA  
ONE HUNDRED THIRD LEGISLATURE  
FIRST SESSION  
**LEGISLATIVE BILL 428**

Introduced by Haar, 21; Wallman, 30.

Read first time January 22, 2013

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to the Certified Nurse Midwifery Practice Act; to  
2 amend section 38-613, Reissue Revised Statutes of  
3 Nebraska; to change provisions relating to permitted  
4 practice; 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 the  
12 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 the  
16 authorized medical functions only under the supervision of another  
17 licensed practitioner designated as a temporary substitute for that  
18 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 or  
24 in any setting authorized by the collaborating licensed practitioner;  
25 or , ~~except that a certified nurse midwife shall not attend a home~~

1 ~~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7 of Nebraska, is repealed.