

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 425

Introduced by Crawford, 45; Watermeier, 1.

Read first time January 13, 2017

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Nurse Practitioner Practice Act; to
- 2 amend sections 38-2305, 38-2314.01, 38-2317, and 38-2322, Reissue
- 3 Revised Statutes of Nebraska; to redefine a term; to change and
- 4 eliminate certain licensure requirements as prescribed; to permit
- 5 practice without an integrated practice agreement for certain nurse
- 6 practitioners; to harmonize provisions; and to repeal the original
- 7 sections.
- 8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-2305, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 38-2305 Approved nurse practitioner program means a program which:

4 (1) Is a graduate-level program accredited by a national accrediting
5 body recognized by the United States Department of Education ~~minimum of~~
6 ~~one full-time academic year or nine months in length and includes both a~~
7 ~~didactic component and a preceptorship of five hundred contact hours;~~

8 (2) Includes, but is not limited to, instruction in biological,
9 behavioral, and health sciences relevant to practice as a nurse
10 practitioner in a specific clinical area; and

11 (3) For the specialties of women's health and neonatal, grants a
12 post-master certificate, master's degree, or doctoral degree for all
13 applicants who graduated on or after July 1, 2007, and for all other
14 specialties, grants a post-master certificate, master's degree, or
15 doctoral degree for all applicants who graduated on or after July 19,
16 1996.

17 Sec. 2. Section 38-2314.01, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 38-2314.01 Transition-to-practice agreement means a collaborative
20 agreement for two thousand hours of initial practice between a nurse
21 practitioner and a supervising provider which provides for the delivery
22 of health care through a collaborative practice and which meets the
23 requirements of section 38-2322.

24 Sec. 3. Section 38-2317, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 38-2317 (1) An applicant for licensure under the Advanced Practice
27 Registered Nurse Practice Act to practice as a nurse practitioner shall
28 have:

29 (a) A license as a registered nurse in the State of Nebraska or the
30 authority based upon the Nurse Licensure Compact to practice as a
31 registered nurse in Nebraska;

1 (b) Evidence of having successfully completed a graduate-level
2 program in the clinical specialty area of nurse practitioner practice,
3 which program is accredited by a national accrediting body;

4 ~~(c) Evidence of having successfully completed thirty contact hours~~
5 ~~of education in pharmacotherapeutics; and~~

6 (c) ~~(d)~~ Proof of having passed an examination pertaining to the
7 specific nurse practitioner role in nursing adopted or approved by the
8 board with the approval of the department. Such examination may include
9 any recognized national credentialing examination for nurse practitioners
10 conducted by an approved certifying body which administers an approved
11 certification program; and -

12 (d) Evidence of completion of two thousand hours of practice as a
13 nurse practitioner which have been completed under a transition-to-
14 practice agreement, under a collaborative agreement, under an integrated
15 practice agreement, through independent practice, or under any
16 combination of such agreements and practice, as allowed in this state or
17 another state.

18 (2) If more than five years have elapsed since the completion of the
19 nurse practitioner program or since the applicant has practiced in the
20 specific nurse practitioner role, the applicant shall meet the
21 requirements in subsection (1) of this section and provide evidence of
22 continuing competency as required by the board.

23 Sec. 4. Section 38-2322, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 38-2322 ~~(1) In order to be licensed as a nurse practitioner, an~~
26 ~~individual who has a master's degree or doctorate degree in nursing and~~
27 ~~has completed an approved nurse practitioner program and who can~~
28 ~~demonstrate separate course work in pharmacotherapeutics, advanced health~~
29 ~~assessment, and pathophysiology or psychopathology shall submit to the~~
30 ~~department proof of professional liability insurance required under~~
31 ~~section 38-2320.~~

1 ~~(2) In order to practice as a nurse practitioner in this state, an~~
2 ~~individual who holds or has held a license as a nurse practitioner in~~
3 ~~this state or in another state shall submit to the department a~~
4 ~~transition-to-practice agreement or evidence of completion of two~~
5 ~~thousand hours of practice as a nurse practitioner which have been~~
6 ~~completed under a transition-to-practice agreement, under a collaborative~~
7 ~~agreement, under an integrated practice agreement, through independent~~
8 ~~practice, or under any combination of such agreements and practice, as~~
9 ~~allowed in this state or another state.~~

10 (1)(a) ~~(3)(a)~~ A transition-to-practice agreement shall be a formal
11 written agreement that provides that the nurse practitioner and the
12 supervising provider practice collaboratively within the framework of
13 their respective scopes of practice.

14 (b) The nurse practitioner and the supervising provider shall each
15 be responsible for his or her individual decisions in managing the health
16 care of patients through consultation, collaboration, and referral. The
17 nurse practitioner and the supervising provider shall have joint
18 responsibility for the delivery of health care to a patient based upon
19 the scope of practice of the nurse practitioner and the supervising
20 provider.

21 (c) The supervising provider shall be responsible for supervision of
22 the nurse practitioner to ensure the quality of health care provided to
23 patients.

24 (d) In order for a nurse practitioner to be a supervising provider
25 for purposes of a transition-to-practice agreement, the nurse
26 practitioner shall submit to the department evidence of completion of ten
27 thousand hours of practice as a nurse practitioner which have been
28 completed under a transition-to-practice agreement, under a collaborative
29 agreement, under an integrated practice agreement, through independent
30 practice, or under any combination of such agreements or practice, as
31 allowed in this state or another state.

1 (2) A nurse practitioner who was licensed in good standing in
2 Nebraska on or before August 30, 2015, and had attained the equivalent of
3 an initial two thousand hours of practice supervised by a physician or
4 osteopathic physician shall be allowed to practice without a transition-
5 to-practice agreement.

6 (3) (4) For purposes of this section:

7 (a) Supervising provider means a physician, osteopathic physician,
8 or nurse practitioner licensed and practicing in Nebraska and practicing
9 in the same practice specialty, related specialty, or field of practice
10 as the nurse practitioner being supervised; and

11 (b) Supervision means the ready availability of the supervising
12 provider for consultation and direction of the activities of the nurse
13 practitioner being supervised within such nurse practitioner's defined
14 scope of practice.

15 Sec. 5. Original sections 38-2305, 38-2314.01, 38-2317, and
16 38-2322, Reissue Revised Statutes of Nebraska, are repealed.