

LEGISLATIVE BILL 283

Approved by the Governor February 21, 2007

Introduced by Stuthman, 22

FOR AN ACT relating to public health and welfare; to amend section 71-6728, Reissue Revised Statutes of Nebraska, and section 71-162, Revised Statutes Cumulative Supplement, 2006; to provide for biennial renewal of medication aide registrations; to eliminate payment of administrative costs of the credentialing system as prescribed; and to repeal the original sections.

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

Section 1. Section 71-162, Revised Statutes Cumulative Supplement, 2006, is amended to read:

71-162 (1) It is the intent of the Legislature that the revenue to cover the cost of the credentialing system administered by the department is to be derived from General Funds, cash funds, federal funds, gifts, grants, or fees from individuals or entities seeking credentials. The credentialing system includes the totality of the credentialing infrastructure and the process of issuance and renewal of credentials, examinations, inspections, investigations, continuing competency, compliance assurance, and the credentialing review process for the following individuals and entities that provide health services and health-related services:

(a) Individuals in the practice of acupuncture; advanced practice nursing; alcohol and drug counseling; asbestos abatement, inspection, project design, and training; athletic training; audiology; speech-language pathology; chiropractic; dentistry; dental hygiene; environmental health; hearing aid instrument dispensing and fitting; lead-based paint abatement, inspection, project design, and training; medical nutrition therapy; medical radiography; ~~medication aide services~~; medicine and surgery; mental health practice; nursing; ~~nursing assistant or paid dining assistant services~~; nursing home administration; occupational therapy; optometry; osteopathic medicine; pharmacy; physical therapy; podiatry; psychology; radon detection, measurement, and mitigation; respiratory care; social work; swimming pool operation; veterinary medicine and surgery; water system operation; constructing or decommissioning water wells and installing water well pumps and pumping equipment; and

(b) Individuals in the practice of and entities in the business of body art; cosmetology; electrology; emergency medical services; esthetics; funeral directing and embalming; massage therapy; and nail technology.

(2) The department shall determine the cost of the credentialing system for such individuals and entities by calculating the total of the base costs, the variable costs, and any adjustments as provided in sections 71-162.01 to 71-162.03.

(3) When fees are to be established pursuant to section 71-162.04 for individuals or entities other than individuals in the practice of constructing or decommissioning water wells and installing water well pumps and pumping equipment, the department, upon recommendation of the appropriate board if applicable, shall base the fees on the cost of the credentialing system and shall include usual and customary cost increases, a reasonable reserve, and the cost of any new or additional credentialing activities. For individuals in the practice of constructing or decommissioning water wells and installing water well pumps and pumping equipment, the Water Well Standards and Contractors' Licensing Board shall establish the fees as otherwise provided in this subsection. All such fees shall be collected as provided in section 71-163.

Sec. 2. Section 71-6728, Reissue Revised Statutes of Nebraska, is amended to read:

71-6728 Registration as a medication aide shall be renewed ~~triennially~~ biennially based upon competency. The department may prescribe by rule and regulation how a medication aide can show competency for purposes of renewal. Payment of the applicable fee shall be a condition of renewal. After the effective date of this act, any registration that is renewed shall expire two years after the date the registration would have expired if it had not been renewed.

Sec. 3. Original section 71-6728, Reissue Revised Statutes of Nebraska, and section 71-162, Revised Statutes Cumulative Supplement, 2006, are repealed.