

LEGISLATIVE BILL 92

Approved by the Governor February 10, 1975

Introduced by Kennedy, 21

AN ACT to amend sections 71-179 and 71-1,104, Reissue Revised Statutes of Nebraska, 1943, and section 71-162, Revised Statutes Supplement, 1974, relating to health; to change qualifications for an individual to be licensed to practice chiropractic or medicine and surgery as prescribed; to define terms; to repeal the original sections, and also Chapter 71, article 4, Reissue Revised Statutes of Nebraska, 1943; and to declare an emergency.

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

Section 1. That section 71-162, Revised Statutes Supplement, 1974, be amended to read as follows:

71-162. The following fees shall be collected by the Department of Health and turned in to the state treasury as is now provided by law:

(1) For a license to practice osteopathy, ~~chiropractic~~, and dental hygiene issued upon the basis of an examination given by the board of examiners, twenty-five dollars;

(2) For a license to practice medicine and surgery issued upon the basis of an examination given by the board of examiners or without examination based on a license granted in another state, territory, or the District of Columbia, one hundred dollars and this may be adjusted by the Department of Health upon recommendation of the Board of Examiners in Medicine and Surgery to cover necessary expenses;

(3) For a license to practice embalming issued upon the basis of an examination given by the board of examiners, thirty dollars;

(4) For a license to practice physical therapy issued upon the basis of an examination given by the board of examiners, thirty-five dollars;

(5) For a license to practice chiropractic, dentistry, podiatry, or optometry issued upon the basis of an examination given by the board of examiners, fifty dollars;

(6) For a license to practice pharmacy issued upon the basis of an examination given by the board of examiners, sixty-five dollars;

(7) For a license to practice any of the professions enumerated in subdivisions (1), (3), (4), and (5) of this section, except podiatry, dentistry, and dental hygiene, issued without examination upon a license granted in another state, territory, or the District of Columbia, fifty dollars;

(8) For a license issued to practice dentistry without examination upon a license granted in another state, territory, or the District of Columbia, fifty dollars;

(9) For a license issued to practice podiatry when based upon an examination held by the National Board of Podiatry Examiners, fifty dollars;

(10) For a license to practice podiatry issued without an examination based upon a license granted in another state, territory, or the District of Columbia, one hundred dollars;

(11) For a license to practice pharmacy issued without an examination upon a license granted in another state, territory, or the District of Columbia, one hundred dollars;

(12) For a license to practice dental hygiene issued without examination upon a license granted in another state, territory, or the District of Columbia, twenty-five dollars;

(13) For the annual renewal of a license to practice any of the professions enumerated in this section the fee shall be as follows: Dental hygiene, osteopathy, physical therapy, and embalming, ten dollars; optometry, twenty-five dollars; and chiropractic, podiatry, pharmacy, dentistry, and medicine and surgery, fifteen dollars. All money paid as license and renewal fees shall be kept in a separate fund to be used for the benefit of the profession so paying such fees;

(14) For a certified statement that a licensee is licensed in this state, two dollars; and

(15) For a duplicate original license, two dollars.

Sec. 2. That section 71-179, Reissue Revised Statutes of Nebraska, 1943, be amended to read as

follows:

71-179. Every applicant for a license to practice chiropractic shall (1) present satisfactory evidence that he has completed a four-year course in an accredited high school; ~~(2) present to the Department of Health a certificate of ability in anatomy, physiology, chemistry, bacteriology, pathology, and hygiene issued by the Board of Basic Sciences;~~ ~~(3)~~ (2) present proof of graduation from an accredited school or college of chiropractic; and ~~(4)~~ (3) pass an examination prescribed by the Board of Examiners in Chiropractic in the subjects of anatomy, adjusting, bacteriology, chemistry, chiropractic physiotherapy, hygiene, pathology, roentgenology, orthopedics, physiology, symptomatology, palpation, principles and practice of chiropractic; Provided, that the Board of Examiners in Chiropractic may waive the written examination for an applicant who holds a National Board of Chiropractic Examiners Certificate who meets the requirements of this section and who satisfactorily passes all oral and practical examinations of the Board of Examiners in Chiropractic.

Sec. 3. That section 71-1,104, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,104. Each applicant for a license to practice medicine and surgery shall ~~(1) present to the Department of Health a certificate of ability in basic sciences, issued by the Board of Basic Sciences on the basis of an examination conducted by the board or issued on the basis of a certificate of ability in the basic science portion of the examination of the National Board of Medical Examiners or the Federation Licensing Examination or other appropriate examination;~~ (2) (1) present proof that he or she is a graduate of an accredited school or college of medicine; (3) (2) unless waived by the Board of Examiners in Medicine and Surgery with the approval of the Department of Health present proof that he or she has served at least one year of graduate medical education approved by the Board of Examiners in Medicine and Surgery; and (4) (3) pass an examination prescribed and conducted by the Board of Examiners in Medicine and Surgery, and approved by the Department of Health covering appropriate medical subjects.

Sec. 4. Whenever the term healing art or healing arts is used in any statute, unless such statute specifically designates otherwise, it shall be construed to refer exclusively to a health profession in which a licensed practitioner offers or undertakes to diagnose,

treat, operate on, or prescribe for any human pain, injury, disease, deformity, or physical or mental condition. Nothing in this section shall be construed to enlarge the scope or definition for practice of any practitioner licensed in accordance with Chapter 71, article 1.

Sec. 5. That original sections 71-179 and 71-1,104, Reissue Revised Statutes of Nebraska, 1943, and section 71-162, Revised Statutes Supplement, 1974, and also Chapter 71, article 4, Reissue Revised Statutes of Nebraska, 1943, are repealed.

Sec. 6. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.