

LEGISLATIVE BILL 263

Approved by the Governor February 19, 1982

Introduced by Public Health and Welfare Committee,
Cullan, 49 Chpn.; Fenger, 45; Wesely, 26; R.
Peterson, 21; Barrett, 39; Higgins, 9

AN ACT to amend section 71-1,162, Reissue Revised Statutes of Nebraska, 1943, and section 71-162, Revised Statutes Supplement, 1981, relating to public health; to increase the examination fees for embalming and funeral directing licenses; to increase and change certain fees as prescribed; to delete a restriction or license renewal; and to repeal the original sections.

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

Section 1. That section 71-162, Revised Statutes Supplement, 1981, 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 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 and osteopathy issued upon the basis of an examination given by the board of examiners, one hundred fifty 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~~ fifty 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 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, one hundred dollars;

(7) For a license to practice chiropractic issued upon the basis of an examination given by the board of examiners, seventy-five dollars;

(8) For a license to practice any of the professions enumerated in subdivisions (1), (3), (4), (5), (7), and (16) of this section, except podiatry and dental hygiene, issued without examination upon a license granted in another state, territory, or the District of Columbia, fifty dollars;

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

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

(11) For a license to practice audiology or speech pathology issued upon the basis of an examination given by the board of examiners, seventy-five dollars;

(12) 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;

(13) 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;

(14) 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;

(15) For a license to practice audiology or speech pathology issued without examination upon a license granted in another state, territory, or the District of Columbia, or when examination is waived or a national examination is used, seventy-five dollars;

(16) For a license to practice funeral directing issued upon the basis of an examination given by the board of examiners, ~~thirty~~ fifty dollars;

(17) For a license to practice medicine and surgery and osteopathy issued 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;

(18) For the annual renewal of a license to practice ~~any--of--the--professions--enumerated--in--this section--the--fee--shall--be--as--follows:--~~Dental dental hygiene, physical therapy, funeral directing, and embalming, ten-dollars; optometry, audiology, and speech pathology, twenty-five--dollars;--and chiropractic, podiatry, pharmacy, dentistry, medicine and surgery, and osteopathy, the board of examiners for each such profession shall establish such fee which shall be in an amount between ten and fifty dollars and shall be based on the administrative costs of renewal. 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;

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

(20) For a duplicate original license, two five dollars.

Sec. 2. That section 71-1,162, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

71-1,162. (1) All licenses shall expire annually on April 1 of each year, but may be renewed annually by registration with the Department of Health and payment of the annual renewal fee of fifteen which shall be in an amount between ten and fifty dollars. The board of examiners shall establish such fee which shall be based on the administrative costs of renewal; Provided, that the board shall receive ten at least five dollars and the department at least five dollars, less the state's share of fifteen per cent contributed to the General Fund.

(2) At least thirty days before the expiration of his or her license, as set forth in subsection (1) of this section, the department shall notify each licensee by a letter addressed to him or her at his or her last place of residence as noted upon its records, that his or her license will expire on April 1 and provide him or her with a form for reregistration. The department shall issue a new certificate of registration to all persons registering under the provisions of this act. Any licensee, who fails to pay the renewal fee, on or before the date of expiration of his or her license, shall be given a second notice in the same manner advising him or her (a) of his or her failure to pay, (b) that his or her

license on that account has expired, (c) that the department will suspend action for thirty days following the date of expiration, (d) that upon the receipt of the annual renewal fee, together with an additional fee of one-dollar five dollars, within that time, no order of revocation will be entered, and (e) that upon failure to receive the amount then due and one-dollar five dollars in addition to the regular renewal fee, as provided by subsection (1) of this section, an order of revocation will be entered.

(3) Any licensee who allows his or her license to lapse by failing to renew the same, as provided in subsections (1) and (2) of this section, may be reinstated upon the recommendation of the board and the payment of the regular and additional renewal fees then due. ~~;-Provided;-that-any-licensee-who-fails-to-renew-his-license-after-five-years-have-elapsed-since-the-date-of-expiration-may-not-have-his-license-renewed;-but-the-holder-must-make-application-for-a-new-license-and-take-the-licensing-examination-~~

(4) The department may waive the payment of the registration renewal fee of a licensed veterinarian during the period when he or she is on active duty with any branch of the armed services of the United States, not to exceed the longer of three years or the duration of a national emergency.

(5) Each Nebraska licensed veterinarian in active practice within the State of Nebraska shall be required on or before April 1 of each year, commencing in 1971, to attend sixteen hours, annually, of such approved scientific schools, clinics, forums, lectures, or veterinary educational seminars, as may be announced and approved by the Board of Examiners in Veterinary Medicine and Surgery, as a prerequisite for the licensee's next subsequent annual license renewal; Provided, that at least sixteen hours of such educational program is conducted annually in the State of Nebraska.

Each licensed veterinarian in active practice within the State of Nebraska shall, on or before April 1 of each year, certify on forms provided by the Board of Examiners in Veterinary Medicine and Surgery that he or she has complied with sections 71-1,153 to 71-1,167 and this section during the preceding year. Such board shall, on or before April 1 of each year, report all licensees who have complied with the educational requirements to the Director of the Bureau of Examining Boards of the Department of Health. Licensees who have not complied with such requirements shall not be issued a renewal license, unless exempt or excused for good cause

shown. The following licensees shall be exempt from the requirements of this subsection:

(a) Any person holding a Nebraska license but who is not practicing veterinary medicine in Nebraska;

(b) Any licensee serving in the regular armed forces of the United States during any part of the twelve months immediately preceding the annual license renewal date;

(c) Any licensee submitting proof that he or she was suffering from a serious or disabling illness or physical disability which prevented his or her attendance at any qualified educational seminar within the State of Nebraska during the twelve months immediately preceding any annual license renewal date; and

(d) Any licensee first licensed within the twelve months immediately preceding the renewal date provided in this section.

Sec. 3. That original section 71-1,162, Reissue Revised Statutes of Nebraska, 1943, and section 71-162, Revised Statutes Supplement, 1981, are repealed.