

AMENDMENTS TO LB752

(Amendments to E & R amendments, ER131)

Introduced by Arch, 14.

1 1. Insert the following new sections:

2 Sec. 7. Section 38-131, Revised Statutes Cumulative Supplement,
3 2020, is amended to read:

4 38-131 (1) An applicant for an initial license to practice as a
5 registered nurse, a licensed practical nurse, a physical therapist, a
6 physical therapy assistant, a psychologist, an advanced emergency medical
7 technician, an emergency medical technician, an audiologist, a speech-
8 language pathologist, a licensed independent mental health practitioner,
9 an occupational therapist, an occupational therapy assistant, or a
10 paramedic or to practice a profession which is authorized to prescribe
11 controlled substances shall be subject to a criminal background check. A
12 criminal background check may also be required for initial licensure or
13 reinstatement of a license governed by the Uniform Credentialing Act if a
14 criminal background check is required by an interstate licensure compact.
15 Except as provided in subsection (3) of this section, the applicant shall
16 submit with the application a full set of fingerprints which shall be
17 forwarded to the Nebraska State Patrol to be submitted to the Federal
18 Bureau of Investigation for a national criminal history record
19 information check. The applicant shall authorize release of the results
20 of the national criminal history record information check to the
21 department. The applicant shall pay the actual cost of the fingerprinting
22 and criminal background check.

23 (2) This section shall not apply to a dentist who is an applicant
24 for a dental locum tenens under section 38-1122, to a physician or
25 osteopathic physician who is an applicant for a physician locum tenens
26 under section 38-2036, or to a veterinarian who is an applicant for a

1 veterinarian locum tenens under section 38-3335.

2 (3) An applicant for a temporary educational permit as defined in
3 section 38-2019 shall have ninety days from the issuance of the permit to
4 comply with subsection (1) of this section and shall have his or her
5 permit suspended after such ninety-day period if the criminal background
6 check is not complete or revoked if the criminal background check reveals
7 that the applicant was not qualified for the permit.

8 Sec. 10. Section 38-2101, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 38-2101 Sections 38-2101 to 38-2139 and section 16 of this act shall
11 be known and may be cited as the Mental Health Practice Act.

12 Sec. 16. The only persons credentialed pursuant to the Mental Health
13 Practice Act that are eligible to be licensed professional counselors
14 under the Licensed Professional Counselors Interstate Compact are
15 licensed independent mental health practitioners with a certification in
16 professional counseling.

17 2. On page 33, line 22, after the second comma insert "G,".

18 3. On page 35, line 17, strike "license" and insert "Licensee"; and
19 in line 29 strike "Member States" and insert "Home State".

20 4. On page 37, line 10, after "state" insert "or through the process
21 described in Article 5".

22 5. Renumber the remaining sections, correct internal references, and
23 correct the repealer accordingly.