

**ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023**  
**COMMITTEE STATEMENT (CORRECTED)**  
**LB431**

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**Hearing Date:** Wednesday February 15, 2023  
**Committee On:** Health and Human Services  
**Introducer:** Halloran  
**One Liner:** Change provisions relating to criminal history record information checks under the Uniform Credentialing Act

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**Roll Call Vote - Final Committee Action:**

Advanced to General File

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**Vote Results:**

**Aye:** 7 Senators Ballard, Cavanaugh, M., Day, Hansen, B., Hardin, Walz, Riepe  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Testimony:**

**Proponents:**

Senator Steve Halloran  
Jeff Avey  
Charity Menefee

**Representing:**

Introducer  
Nebraska State Patrol  
Director of Public Health, DHHS

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

\* ADA Accommodation Written Testimony

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**Summary of purpose and/or changes:**

LB 431 changes criminal background checks requirements for an applicant's license to practice as a nurse, physical therapist, physical therapy assistant, psychologist, advanced emergency medical technician, audiologist, speech-language pathologist, licensed independent mental health practitioner, occupational therapist or a paramedic.

The language: A criminal background check may also be required for initial licensure or reinstatement of a license governed by the Uniform Credentialing Act if a criminal background check is required by an interstate licensure compact. is stricken.

Language regarding licensure requirements involving criminal history background checks is changed. Such an applicant for an initial license shall submit a full set of fingerprints to the Nebraska State Patrol for a criminal history record information check. The applicant shall authorize release of the results of the national criminal history record information check by the F.B.I. to DHHS.

New language is added that authorizes the Nebraska State Patrol to submit the fingerprints of such applicants to the F.B.I. and to issue a report to DHHS that includes the criminal history record information concerning the applicant. The Nebraska State Patrol shall forward submitted fingerprints to the F.B.I. for a national criminal history record information check. The Nebraska State Patrol shall issue a report to DHHS that includes the criminal history record information concerning the applicant.

DHHS and the Nebraska State Patrol may adopt and promulgate rules and regulations concerning costs associated with the fingerprinting and the national criminal history record information check.

For purposes of interpretation by the F.B.I., term, department, in this bill means the Division of Public Health of the Department of Health and Human Services.

Emergency clause is provided.

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Ben Hansen, Chairperson