

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1187

Introduced by Hardin, 48.

Read first time January 12, 2024

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to health occupations and professions; to
- 2 amend sections 38-2057 and 38-2212, Reissue Revised Statutes of
- 3 Nebraska; to allow registered nurses to perform auricular
- 4 acupuncture as prescribed; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-2057, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 38-2057 The provisions of the Medicine and Surgery Practice Act
4 relating to acupuncture do not apply to:

5 (1) Any other health care practitioner credentialed under the
6 Uniform Credentialing Act practicing within the scope of his or her
7 profession;

8 (2) A student practicing acupuncture under the supervision of a
9 person licensed to practice acupuncture under the Uniform Credentialing
10 Act as part of a course of study approved by the department;~~or~~

11 (3) The practice of acupuncture by any person licensed or certified
12 to practice acupuncture in any other jurisdiction when practicing in an
13 educational seminar sponsored by a state-approved acupuncture or
14 professional organization if the practice is supervised directly by a
15 person licensed to practice acupuncture under the Uniform Credentialing
16 Act; or -

17 (4) The practice of auricular acupuncture performed by a registered
18 nurse at the direction of a licensed physician, nurse practitioner, or
19 physician assistant. For purposes of this subdivision, auricular
20 acupuncture means the insertion of semi-permanent needles at a
21 combination of five points on the surface of the outer ear for the
22 treatment of acute or chronic pain or to manage symptoms of withdrawal
23 during the treatment of substance use disorder.

24 Sec. 2. Section 38-2212, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 38-2212 (1) The practice of nursing by a registered nurse means
27 assuming responsibility and accountability for nursing actions.

28 (2) Nursing actions include, but are not limited to:

29 (a) Assessing human responses to actual or potential health
30 conditions;

31 (b) Establishing nursing diagnoses;

1 (c) Establishing goals and outcomes to meet identified health care
2 needs;

3 (d) Establishing and maintaining a plan of care;

4 (e) Prescribing nursing interventions to implement the plan of care;

5 (f) Implementing the plan of care;

6 (g) Teaching health care practices;

7 (h) Delegating, directing, or assigning nursing interventions that
8 may be performed by others and that do not conflict with the Nurse
9 Practice Act;

10 (i) Maintaining safe and effective nursing care rendered directly or
11 indirectly;

12 (j) Evaluating responses to interventions, including, but not
13 limited to, performing physical and psychological assessments of patients
14 under restraint and seclusion as required by federal law, if the
15 registered nurse has been trained in the use of emergency safety
16 intervention;

17 (k) Teaching theory and practice of nursing;

18 (l) Conducting, evaluating, and utilizing nursing research;

19 (m) Administering, managing, and supervising the practice of
20 nursing; ~~and~~

21 (n) Collaborating with other health professionals in the management
22 of health care; and -

23 (o) Performing auricular acupuncture on a patient at the direction
24 of a licensed physician, nurse practitioner, or physician assistant,
25 after completion of an instructional program and supervised clinical
26 practice through the Department of Health and Human Services or the
27 United States Department of Veterans Affairs.

28 Sec. 3. Original sections 38-2057 and 38-2212, Reissue Revised
29 Statutes of Nebraska, are repealed.