

LEGISLATURE OF NEBRASKA  
ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION

**LEGISLATIVE BILL 834**

FINAL READING

Introduced by Blood, 3.

Read first time January 03, 2024

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend
- 2 section 38-1123, Reissue Revised Statutes of Nebraska, and section
- 3 38-129.01, Revised Statutes Cumulative Supplement, 2022; to
- 4 establish requirements for a resident license; to harmonize
- 5 provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-129.01, Revised Statutes Cumulative  
2 Supplement, 2022, is amended to read:

3 38-129.01 (1) The department, with the recommendation of the  
4 appropriate board, shall issue a temporary credential to a military  
5 spouse who complies with and meets the requirements of this section  
6 pending issuance of the applicable credential under the Uniform  
7 Credentialing Act. This section shall not apply to a license to practice  
8 dentistry, including a resident temporary license under section 38-1123.

9 (2) A military spouse shall submit the following with his or her  
10 application for the applicable credential:

11 (a) A copy of his or her military dependent identification card  
12 which identifies him or her as the spouse of an active duty member of the  
13 United States Armed Forces;

14 (b) A copy of his or her spouse's military orders reflecting an  
15 active-duty assignment in Nebraska;

16 (c) A copy of his or her credential from another jurisdiction and  
17 the applicable statutes, rules, and regulations governing the credential;  
18 and

19 (d) A copy of his or her fingerprints for a criminal background  
20 check if required under section 38-131.

21 (3) If the department, with the recommendation of the appropriate  
22 board, determines that the applicant is the spouse of an active duty  
23 member of the United States Armed Forces who is assigned to a duty  
24 station in Nebraska, holds a valid credential in another jurisdiction  
25 which has similar standards for the profession to the Uniform  
26 Credentialing Act and the rules and regulations adopted and promulgated  
27 under the act, and has submitted fingerprints for a criminal background  
28 check if required under section 38-131, the department shall issue a  
29 temporary credential to the applicant. The applicant shall not be  
30 required to pay any fees pursuant to the Uniform Credentialing Act for  
31 the temporary credential or the initial regular credential except the

1 actual cost of the fingerprinting and criminal background check for an  
2 initial license under section 38-131.

3 (4) A temporary credential issued under this section shall be valid  
4 until the application for the regular credential is approved or rejected,  
5 not to exceed one year.

6 Sec. 2. Section 38-1123, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 38-1123 (1) The department, with the recommendation of the board,  
9 shall issue a resident temporary license to any person who (a)(i)  
10 presents proof of graduation with a doctorate degree in dental surgery or  
11 dental medicine from an accredited school or college of dentistry ~~(a) has~~  
12 ~~met the requirements for a license to practice dentistry as set forth in~~  
13 ~~section 38-1117, (ii) (b) is enrolled in an accredited school or college~~  
14 ~~of dentistry for the purpose of completing a postgraduate or residency~~  
15 ~~program in dentistry, (iii) passes an examination approved by the board,~~  
16 ~~which shall consist of the National Board Dental Examination, Parts I and~~  
17 ~~II, or the Integrated National Board Dental Examination, as constructed~~  
18 ~~and administered by the American Dental Association Joint Commission on~~  
19 ~~National Dental Examinations, (iv) passes the practical examination~~  
20 ~~administered by the Central Regional Dental Testing Service, ADEX, or any~~  
21 ~~other regional or state practical examination approved by the board, and~~  
22 ~~(v) passes a jurisprudence examination based on Nebraska law and~~  
23 ~~administrative rules and regulations governing the practice of dentistry~~  
24 ~~and dental hygiene, or (b)(i) and (c) is licensed in another jurisdiction~~  
25 ~~under conditions which the board finds equivalent to the requirements of~~  
26 ~~the State of Nebraska for obtaining a license to practice dentistry and~~  
27 ~~(ii) passes a jurisprudence examination based on Nebraska law and~~  
28 ~~administrative rules and regulations governing the practice of dentistry~~  
29 ~~and dental hygiene.~~

30 (2) An accredited school or college of dentistry shall provide input  
31 to the board annually for purposes of approving regional or state

1 practical examinations.

2       ~~(3)~~ ~~(2)~~ Any person who desires a resident ~~temporary~~ license shall  
3 make application to the department. Such application shall be accompanied  
4 by the required fee.

5       ~~(4)~~ ~~(3)~~ The resident ~~temporary~~ license shall be issued for a period  
6 of one year and, upon application to the department, renewed annually  
7 without the licensee having to pay a renewal fee.

8       ~~(5)~~ ~~(4)~~ The resident ~~temporary~~ licensee shall be entitled to  
9 practice dentistry, including prescribing legend drugs and controlled  
10 substances, only under the auspices of the postgraduate or residency  
11 program in which he or she is enrolled.

12       ~~(6)~~ An applicant who is licensed pursuant to this section and has  
13 completed a postgraduate or residency program in dentistry at an  
14 accredited school or college of dentistry shall have demonstrated the  
15 applicant's skill in clinical dentistry for purposes of section 38-1117.

16       Sec. 3.   Original section 38-1123, Reissue Revised Statutes of  
17 Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement,  
18 2022, are repealed.