

LEGISLATIVE BILL 66

Approved by the Governor May 9, 1997

Introduced by Schrock, 38; Cudaback, 36; Dw. Pedersen, 39; Schellpeper, 18

AN ACT relating to nurses; to amend sections 71-1,132.30 and 71-1774, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nurse Practice Act and the Licensed Practical Nurse-Certified Act; and to repeal the original sections.

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

Section 1. Section 71-1,132.30, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,132.30. The Nurse Practice Act confers no authority to practice medicine or surgery. The act does not prohibit, ~~until October 1, 1997,~~ performance of health maintenance activities by a designated caregiver for a competent individual at the direction of that individual. Health maintenance activities are those activities which enable the individual to live in his or her home and community. Such activities are those specialized procedures, beyond activities of daily living, which the individual would perform for himself or herself if he or she were physically able and which the attending physician or registered nurse determines can be safely performed in the home and community by a designated caregiver as directed by the competent individual. A competent individual is someone who has the capability and capacity to make an informed decision.

Sec. 2. Section 71-1774, Reissue Revised Statutes of Nebraska, is amended to read:

71-1774. For purposes of the Licensed Practical Nurse-Certified Act:

- (1) Administration ~~shall include~~ includes observing, initiating, monitoring, discontinuing, maintaining, regulating, adjusting, documenting, assessing, planning, intervening, and evaluating;
- (2) Approved certification course ~~shall mean~~ means a course for the education and training of a licensed practical nurse-certified which the board has approved;
- (3) Board ~~shall mean~~ means the Board of Nursing;
- (4) Delegation ~~shall mean~~ means the decision by a registered nurse to give the responsibility for the performance of an act or procedure to a licensed practical nurse-certified;
- (5) Department ~~shall mean~~ means the Department of Health and Human Services Regulation and Licensure;
- (6) Direct supervision ~~shall mean~~ means that the licensed practitioner or registered nurse ~~shall be is~~ in the clinical area and ~~shall retain~~ retains accountability for patient care;
- (7) Initial venipuncture ~~shall mean~~ means the initiation of intravenous therapy based on a new order from a licensed practitioner for an individual for whom a previous order for intravenous therapy was not in effect;
- (8) Intravenous therapy ~~shall mean~~ means the therapeutic infusion or injection of substances through the venous system;
- (9) Licensed practical nurse-certified ~~shall mean~~ means a licensed practical nurse providing services in a long-term care facility or in a hospital ~~with a licensed bed capacity of fifty beds or less~~ who meets the standards established pursuant to section 71-1777 and who holds a valid certificate issued by the department pursuant to the act;
- (10) Licensed practitioner ~~shall mean~~ means any person authorized by state law to prescribe intravenous therapy and nasogastric tube insertion;
- (11) Nasogastric tube insertion ~~shall mean~~ means the placing of a tube via the nares or mouth into the stomach; and
- (12) Pediatric patient ~~shall mean~~ means a patient who is younger than eighteen years old and who weighs thirty-five kilograms or less.

Sec. 3. Original sections 71-1,132.30 and 71-1774, Reissue Revised Statutes of Nebraska, are repealed.