

FAQs Related to Executive Order No. 20-10 and No. 20-27 and Credentialing

Updated June 18, 2020

Q: How long do the executive orders last?

A: Executive Order No. 20-10 will remain in effect until 30 days after the lifting of the COVID-19 state of emergency. All waivers of Nebraska statutes and regulations in Executive Order No. 20-27 will remain in effect until January 1, 2021.

Note also that Executive Order No. 20-27 does not waive any statutes pertaining to waivers of continuing competency under the Uniform Credentialing Act (UCA), discussed below. It merely directs the Department to issue guidance on such waivers. The Department's statutory authority to grant such waivers is unaffected by the expiration of the executive order.

Q: What professions are included in Executive Order No. 20-10 and No. 20-27?

A: Professions listed in the [Uniform Credentialing Act \(UCA\)](#) (Neb. Rev. Stat. § 38-121) and the [Medication Aide Act](#) are affected by these executive orders. Not all provisions of these executive orders apply to all professions, however. More specific guidance about individual professions is given below.

Q: Can I practice in Nebraska under my credential from another U.S. state or territory?

A: The executive orders temporarily allow individuals who are actively credentialed in a U.S. state or territory, other than Nebraska, to practice in Nebraska without needing a Nebraska credential. The credential in the other State must be active, in good standing, and free from disciplinary action. This only applies to people credentialed to engage in the practice of:

- **Advanced Practice Nursing**
 - Certified Nurse Midwives (CNM)
 - Nurse Practitioners (NP)
 - Clinical Nurse Specialists (CNS)
 - Certified Registered Nurse Anesthetists (CRNA)
- **Emergency Medical Services**
 - Emergency Medical Responders (EMR)
 - Emergency Medical Technicians (EMT)
 - Advanced Emergency Medical Technicians (AEMT)
 - Paramedics
- **Medication Aide [new with Executive Order No. 20-27]**
- **Medicine and Surgery**
 - Physicians (MD)
 - Physician Assistants (PA)
 - Acupuncturists
- **Mental Health Practice**
 - Licensed Independent Mental Health Practitioners (LIMHP)



- Licensed Mental Health Practitioners (LMHP)
- Provisional Licensed Mental Health Practitioners (PLMHP)
- Social Workers
- **Nursing**
 - Registered Nurses (RN)
 - Licensed Practical Nurses (LPN)
- **Osteopathic Medicine and Surgery**
 - Osteopathic Physicians and Surgeons (DO)
- **Perfusion**
 - Perfusionists
- **Pharmacy**
 - Pharmacists
 - Pharmacist Interns
 - Pharmacy Technicians
- **Psychology**
 - Psychologists
 - Provisional Licensed Psychologists (PLP)
- **Respiratory Care**
 - Respiratory Care Practitioners
- **Surgical Assisting**
 - Surgical First Assistants

Q: I am unable to take my credential examination because testing centers are closed or have limited numbers of slots available, and there are no alternative options. Is there some way I can get a credential while waiting to take my examination?

A: Yes. The Department may issue a provisional credential to applicants in the following professions who meet all other requirements for the credential and have registered for the examination: advanced practice nursing, alcohol and drug counseling, audiology, speech-language pathology, chiropractic, dentistry, dental hygiene, emergency medical services, hearing instrument dispensing and fitting, massage therapy, medical nutrition therapy, medical radiography, medicine and surgery, mental health practice, nursing, nursing home administration, occupational therapy, osteopathy, perfusion, pharmacy, physical therapy, psychology, respiratory care, surgical assisting, or holding themselves out as social workers, or dialysis patient care technicians.

This time-limited provisional license will remain active pending examination results, or until December 31, 2020, whichever is sooner.

Q: My profession requires that I complete in-person or hands-on training, courses, or examinations, but these activities are unavailable or limited in number. Is online an option?

A. Executive Order No. 20-27 temporarily defers provisions of the UCA and its implementing regulations that require credential holders or students seeking credentials to complete courses or training, or take examinations, in person until December 31, 2020, solely in order to permit education, training, and testing to continue using electronic or remote technology when that is possible. This applies to the following professions: advanced practice nursing, alcohol and drug counseling, audiology, speech-language pathology, chiropractic, dentistry, dental hygiene, emergency medical services, hearing instrument dispensing and fitting, massage therapy, medical nutrition therapy, medical radiography, medicine and surgery, mental health practice, nursing, nursing home administration, occupational therapy, osteopathy, perfusion, pharmacy, physical therapy, psychology, respiratory care, surgical assisting, or holding themselves out as social workers, or dialysis patient care technicians.



Q: My profession requires that I have onsite, face-to-face, or direct supervision to complete certain work or training in order to get a credential. Is remote supervision an option?

A: Executive Order No. 20-27 allows onsite, face-to-face, or direct supervision to be temporarily deferred until December 31, 2020, in order to give supervisors the option of using remote supervision when they deem such supervision is appropriate. This applies to the following professions, insofar as they may require onsite, face-to-face, or direct supervision: advanced practice nursing, alcohol and drug counseling, audiology, speech-language pathology, chiropractic, dentistry, dental hygiene, emergency medical services, hearing instrument dispensing and fitting, massage therapy, medical nutrition therapy, medical radiography, medicine and surgery, mental health practice, nursing, nursing home administration, occupational therapy, osteopathy, perfusion, pharmacy, physical therapy, psychology, respiratory care, surgical assisting, or holding themselves out as social workers, or dialysis patient care technicians.

Q: My profession requires that I have a practice agreement. Is this still required?

A: Executive Order No. 20-27 temporarily defers requirements for practice agreements until December 31, 2020, for those in the following professions, insofar as they may require practice agreements: advanced practice nursing, alcohol and drug counseling, audiology, speech-language pathology, chiropractic, dentistry, dental hygiene, emergency medical services, hearing instrument dispensing and fitting, massage therapy, medical nutrition therapy, medical radiography, medicine and surgery, mental health practice, nursing, nursing home administration, occupational therapy, osteopathy, perfusion, pharmacy, physical therapy, psychology, respiratory care, surgical assisting, or holding themselves out as social workers, or dialysis patient care technicians.

Q: I'm a Provisional Mental Health Practitioner, and I need to obtain direct client contact hours. Must client hours be obtained in person?

A: Until December 31, 2020, Provisional Mental Health Practitioners may obtain direct client contact hours by telehealth, including by telephone.

Q: My credential requires a national certification. What happens if I can't get that?

A: The provisions of the UCA and its implementing regulations requiring that persons seeking to obtain or renew credentials as advanced practice registered nurses or pharmacy technicians complete a national certification are temporarily deferred until the next renewal period.

Q: I am a Medication Aide. Do I need to renew?

A: The provisions of the Medication Aide Act and its implementing regulations that require credentials to be renewed periodically are temporarily deferred until December 31, 2020, in order to permit medication aides to maintain their credentials during the emergency.

Q: My profession requires me to have field clinical time to complete initial training. Is this still required?

A: Executive Order No. 20-27 temporarily defers the field training hours for Emergency Medical Technicians and Advanced Emergency Medical Technicians until December 31, 2020, when all other course requirements have been completed and with documentation from the instructor or training agency that field experience is not an option.

Q: During the declared emergency, there were limited or no continuing competency programs available. Therefore, I could not complete the continuing competency required as a condition of renewal. What can be done?

A: The Department **may waive** continuing competency requirements, in whole or in part, when a credential holder submits documentation that “circumstances beyond his or her control have prevented completion of such requirements.” Waivers may be considered for circumstances lasting longer than 30 consecutive days that DHHS determines are beyond the credential holder’s control. Such circumstances can include, but are not limited to, a shortage of available continuing competency courses resulting from an officially declared state of emergency.

Q: My credential expires after the declared emergency has been lifted. I was not able to complete the continuing competency requirements due to circumstances beyond my control. Can I still renew my license on active status?

A: Yes, you may qualify for a **waiver** of the continuing competency hours due to “circumstances beyond [your] control” that prevented the completion of such requirements, as explained in the prior question.

Q: How do I apply for a waiver of continuing competency requirements due to circumstances beyond my control?

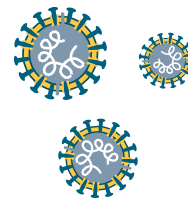
A: At the time of renewal, credential holders **may apply** for a waiver of the continuing competency requirements on the renewal application. Persons applying must provide documentation supporting the reasons why they could not complete the required hours. The Department will review requests, and if approved, the credential will be renewed. If denied, the credential holder will be notified.

Credential holders are encouraged to submit renewal waivers and documentation as early as possible to allow for review.

March 27, 2020

Q: Can I use telehealth to practice in Nebraska?

A: Find the Telehealth guidance document [here](#).



Q: How does Executive Order No. 20-10 affect initial licensure?

A: The executive order affects initial licensure in the following 3 areas:

1. Reciprocity, Endorsement: Executive Order No. 20-10 temporarily allows individuals who are actively licensed in a U.S. state or territory, other than Nebraska, to practice in Nebraska without needing a Nebraska license. The license in the other State must be active, in good standing and free from disciplinary action. This only applies to people licensed to engage in the practice of:
 - **Advanced Practice Nursing**
 - Certified Nurse Midwives (CNM)
 - Nurse Practitioners (NP)
 - Clinical Nurse Specialists (CNS)
 - Certified Registered Nurse Anesthetists (CRNA)

- **Emergency Medical Services**
 - Emergency Medical Responders (EMR)
 - Emergency Medical Technicians (EMT)
 - Advanced Emergency Medical Technicians (AEMT)
 - Paramedics
- **Medicine and Surgery**
 - Physicians (MD)
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 - Pharmacy Technicians
- **Psychology**
 - Psychologists
 - Provisional Licensed Psychologists (PLP)
- **Respiratory Care**
 - Respiratory Care Practitioners
- **Surgical Assisting**
 - Surgical First Assistants

2. Initial License Fee: Executive Order No. 20-10 allows applications for initial licenses to be processed electronically (e-mail or fax) and issued without receipt of the initial license fee. The fee is still due but will not delay the issuance of the license. This applies only to the following professions:

- Physicians (MD and DO)
- Nurses (CNM, NP, CNS, CRNA, RN, and LPN)
- Emergency Medical Services (EMR, EMT, AEMT, and Paramedics)
- Pharmacists, Pharmacist Interns, and Pharmacy Technicians

3. Criminal History Record Information Check by Fingerprint: Executive Order No. 20-10 allows registered nurses, licensed practical nurses, physical therapists, psychologists, emergency medical technicians, emergency care providers licensed under the Emergency Medical Services Practice Act, or any profession that is authorized to prescribe controlled substances, to be issued an initial license before receiving the results of a national criminal history record information check by fingerprint. The applicant must:

- a. Submit an application and meet all other requirements of initial licensure,
- b. Submit fingerprints to the Nebraska State Patrol (NSP); and
- c. Pass Department-conducted checks of the Nebraska Data Exchange Network (NDEN).



Q: Do I need to pay my initial credential fee?

A: If you are applying for a credential listed below, initial credentials can be processed electronically (e-mail or fax) and issued without receipt of the initial credential fee. The initial credential fee is still due and must be submitted to the Department, but will not delay the issuance of the credential. This applies only to the following professions:

- Physicians (MD and DO)
- Nurses (CNM, NP, CNS, CRNA, RN, and LPN)
- Emergency Medical Services (EMR, EMT, AEMT, and Paramedics)
- Pharmacists, Pharmacist Interns, and Pharmacy Technicians

Q: My profession limits the number of hours of online/home study continuing education, but in-person continuing education is not available at this time. My profession is not listed in Executive Order No. 20-10. Can I obtain all of my continuing education hours for renewal or reinstatement online or by home study?

A: The Department will not enforce any limit on the number of continuing education hours obtained online or by home study for renewal or reinstatement of any type of license during the State Declaration of Public Health Emergency. The Department will be as flexible as possible for renewals that take place following the emergency. If licensees obtained online or home study CE hours during the emergency because in-person courses were not available, the Department will accept those CE hours even if the renewal (expiration date) for that profession takes place after the emergency has ended. Communication will be sent to licensees once any subsequent renewal period begins so that licensees know when the limits for online or home study CE are back in place.

Q: My credential expires during the declared emergency, am I required to renew my credential?

A: Renewals are currently on hold for some license types, per Executive Order No. 20-10. The Licensure Unit will send renewal notices after the order is lifted, and licensees will have 90 days to complete their renewal and pay the renewal fee.

Q: What about renewals after the State Declaration of Public Health Emergency is lifted?

A: After that time, licensees will be subject to the regular requirements of renewal at the next regular renewal period.

Q: My profession is not renewing soon. Does Executive Order No. 20-10 apply to me?

A: Maybe. If the State Declaration of Public Health Emergency continues until the time of expiration for your license, then the suspension of renewal requirements included in Executive Order 20-10 will still be in effect.

Q: I previously had an active Nebraska credential and now it's expired or inactive. Are there any shortcuts to reinstate my credential to active?

A: Executive Order No. 20-10 allows Nebraska credential holders under the UCA to reinstate their expired or inactive credentials to active status without having to meet the continuing competency requirements. The order also temporarily defers the fees for reinstatement during the Public Health Emergency. To apply for reinstatement, the credential holder must submit a completed reinstatement application to the Department. Once the Public Health Emergency is lifted, a notice will be sent out to all individuals who were temporarily reinstated during this time, and credential holders will have 90 days to pay the fees for reinstatement. If the credential holder fails to pay this fee, the credential will expire.

Q: Can I submit my application electronically?

A: Yes. Applications for licensure as:

- Physicians (MD and DO)
- Nurses (CNM, NP, CNS, CRNA, RN, and LPN)
- Emergency Medical Services (EMR, EMT, AEMT, and Paramedics)
- Pharmacists, Pharmacist Interns, and Pharmacy Technicians

can be submitted via electronic methods, which include e-mail and fax.

Q: What about supporting documents? Can they be sent electronically?

A: Yes. Supporting documents can be submitted electronically to the Department directly from the source.

Q: Do I still need to provide fingerprints for my credential to be issued?

A: A criminal background check by fingerprint is still a requirement for licensure of registered nurses, credential practical nurses, physical therapists, psychologists, emergency medical technicians, emergency care providers credential under the Emergency Medical Services Practice Act, or any profession that is authorized to prescribe controlled substances. Executive Order No. 20-10 allows persons seeking these credential types to be issued a temporary initial credential before the results of a national criminal history record information check by fingerprint is received by the Department.

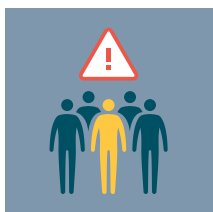
The applicant must submit the application and meet all other requirements of initial licensure, including the Department-conducted criminal background checks through the Nebraska Data Exchange Network (NDEN).

Q: When do I need to submit fingerprints to the Nebraska State Patrol?

A: You will need to submit fingerprints to the Nebraska State Patrol, or [schedule an appointment](#) for fingerprints for purposes of running a criminal background check, within 30 days of the lifting of Executive Order No. 20-10. Credentials are subject to any findings of the criminal background check, once completed. If fingerprints are not submitted or schedule within this timeframe, the license will expire.

Q: I am a current medical school student. How does Executive Order No. 20-10 affect me?

A: The order does not change current law, which provides an exception from requiring a credential to practice medicine and surgery (Neb. Rev. Stat. § 38-2025(4)) for “Students of medicine who are studying in an accredited school or college of medicine and who gratuitously prescribe for and treat disease under the supervision of a credential physician.” Accredited schools or colleges of medicine in Nebraska have authority over medical students and can choose how to involve medical students in prescribing for and treating patients during this emergency.





Q: I'm a physician and I would like to have more than 4 physician assistants working for me at one time. Can I do that now?

A: Executive Order No. 20-10 permits physicians to have any number of physician assistants under their supervision and without a written supervisory agreement.

Q: I'm a physician assistant and want to work under the supervision of a physician who is not credential in Nebraska, but is working in Nebraska under a credential in another state. Can I still work under this physician's supervision?

A: Yes. Executive Order No. 20-10 allows physicians credential in another U.S. state or territory to practice in Nebraska without a Nebraska credential. Those physicians may work with and supervise physician assistants in Nebraska. Physician assistants credentialed in another U.S. state or territory are also allowed to practice in Nebraska without a Nebraska credential under the order.