SURGICAL SUITE OCCUPATIONS
LICENSURE REQUIREMENTS, REGISTRY REQUIREMENTS & SUPERVISION

OCCUPATION	LICENSURE OR REGISTRY REQUIREMENTS	SUPERVISION
Advanced Practice Registered Nurse (APRN) **Defined:** a person licensed as a registered nurse or with the authority to practice as a registered nurse in this state pursuant to the provisions of the Nurse Licensure Compact who meets all the criteria for licensure and holds a current license to practice as an APRN	Requirements for Licensure: The applicant must: 1. Be licensed as a registered nurse in the State of Nebraska or have the authority to practice in this state as a registered nurse pursuant to the provisions of the Nurse Licensure Compact; **2. Have successfully completed an approved advanced practice registered nurse program. Except for women's health and neonatal, all applicants graduating after July 19, 1996 must have a master's degree, post-master's certificate, or doctoral degree;** **3. Have successfully completed 30 contact hours of education in pharmacotherapeutics;** **4. Have passed an approved credentialing examination.** Approved credentialing examinations include: a. AANP examinations in Adult and Family Nurse Practitioner; b. ANCC examinations in Adult, Family, School, Pediatric, Gerontological, Psych/Mental Health and Acute Care Nurse Practitioner, and the Clinical Specialists examinations in Medical-Surgical, Gerontological, Adult Psychiatric and Mental Health, and Child and Adolescent Psychiatric and Mental Health; c. NCC examinations in Women's Health Care and Neonatal Nurse Practitioner; and, d. The PNP National Qualifying Examination for Pediatric Nurse Practitioners; 5. Meet the requirements for continuing competency by submitting documentation of one of the following: a. Current national certification/recertification and: 1) Completion of an approved APRN program in the previous five years; or	Under LB 107, which Governor Ricketts has signed into law and will be operative on Sept. 6, 2015; supervision means the ready availability of the supervising provider for consultation and direction of the activities of the nurse practitioner being supervising within such nurse practitioner's defined scope of practice. A nurse practitioner must enter into a transition-to-practice agreement with a supervising provider and complete 2,000 hours of practice under his or her supervision. Once this requirement has been met, a nurse practitioner is an independent licensed practitioner and the transition-to-practice agreement is complete. Nurse practitioners who have completed 2,000 hours under an integrated practice agreement, collaborative agreement, through independent practice, or a combination of these as allowed in Nebraska or other states may also practice as a nurse practitioner in the state.

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	2) Practice as an APRN in a specific advanced practice role in the previous five years. a. Applicants who have previously been authorized in another state must have 2080 hours of practice within the five years immediately preceding application; and b. Applicants who do not have current national certification/recertification and who have not completed an approved APRN program in the previous five years or practiced as an APRN in a specific advanced practice role in the previous five years must: 1) Have successfully completed a reentry program within the previous two years that has been approved by the Board; or 2) Pass an approved credentialing examination within the two years immediately preceding application and successfully complete supervised practice as specified by the Board. a. Applicants must obtain a temporary permit for the practice portion of the reentry program or for any required supervised practice; and, 6. Pay the appropriate fee. (172 NAC 100)	
Physician Assistant (PA) **Defined:** any person who graduates from an approved program, who has passed a proficiency examination, and whom the Department, with the recommendation of the Board, approves to perform medical	Requirements for Licensure: To receive a credential to practice as a physician assistant, an individual must meet the following qualifications: 1. Age and Good Character: Be at least 19 years old and of good character; 2. Citizenship/Lawful Presence: Be a citizen of the United States, an alien lawfully admitted into the United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully	Under DHHS Regulation 172 NAC 90, which is specific to physician assistants, supervision means the ready availability of the supervising physician for consultation and direction of the activities of the physician assistant. Contact with the supervising physician via telecommunication is sufficient to show ready availability. The supervising physician may provide general supervision of a physician assistant. Supervision must be continuous but shall not require the physical presence

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services under the supervision of a physician (172 NAC 90)	present in the United States who is eligible for a credential under the Uniform Credentialing Act. 3. Education: Successful completion of an approved program for the education of physician assistants. 4. Examination: Successful completion of the proficiency examination. (172 NAC 90)	of the supervising physician at the time and place that the services are rendered. (172 NAC 90-006.01C) For physician assistants with less than two years of experience, there are minimum requirements for the supervision of the supervising physician. For example, a physician assistant with a temporary license shall only practice when the supervising physician is actually present at the practice location. A physician assistant with more than two years of experience may provide services at a location geographically separate from the supervising physician without further minimal requirements.
Registered Nurse - First Assist Designation (RNFA) **Defined:** a registered nurse (RN) is an individual who has graduated from an approved program with an associate degree, diploma, or baccalaureate degree in nursing, has passed the NCLEX-RN® or State Board Test Pool Examination and holds a current license or has the authority based on the Nurse Licensure	Requirements for Licensure: An applicant for a license to practice on the basis of an examination must: 1. Be of good moral character; 2. Have completed four years of high school study or its equivalent as determined by the Board. The completion of an approved RN or PN program is sufficient evidence of having completed the equivalent of four years of high school study; 3. Have completed the basic curriculum in an approved program of practical nursing (for LPN licensure) or registered nursing (for LPN or RN licensure) and hold a diploma therefrom; 4. Pass the NCLEX-PN® (for LPN licensure) or the NCLEX-RN® (for RN licensure) ; and	Under DHHS Regulation 172 NAC 99, "registered nurses (RNs) practice nursing independently and interdependently through the application of the nursing process...The administration and management of nursing by RNs is an independent and interdependent practice and includes delegating, directing and assigning nursing interventions that may be performed by others." Under 172 NAC 99, delegation "means the transference from one individual to another individual the authority, responsibility, and accountability to perform nursing interventions." Registered nurses may delegate nursing interventions to unlicensed persons. "Nursing intervention means the initiation and completion of client/patient focused actions necessary to accomplish the goals defined in the plan of care. Examples include health maintenance activities, health

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Compact to practice as a registered nurse in Nebraska (172 NAC 101); the First Assist designation is given to a perioperative registered nurse who functions in an expanded role (AORN) and is recognized by the Nebraska State Board of Nursing through a January 1989 Advisory Opinion on RN First Assist	5. Pass the following before s/he will be allowed to take the NCLEX® examination if a graduate of a foreign nursing program: a. Graduates from non-English speaking practical nursing education programs must pass either the TOEFL paper version with a minimum score of 560, the TOEFL computer version with a minimum score of 220, the TOEFL internet version with a minimum score of 83, the IELTS academic version with an overall score of 6.5 and a minimum of 6.0 on all modules, or the TOEIC with a minimum score of 780; b. Graduates of foreign registered nursing programs must pass either the English version of the Canadian Nurses Association licensure examination or the CGFNS examination. (172 NAC 101)	promotion activities, client/patient teaching, counseling, referral, and implementation of diagnostic or therapeutic regimens of licensed practitioners." (172 NAC 99) A licensed independent practitioner can delegate functions to a licensed health care provider (*State of Nebraska v. Howard Paul* (1898)). Therefore, a surgeon can delegate tasks within a registered nurse's scope of practice.
Surgical First Assistant **Proposed regulatory definition:** an individual who has graduated from an approved program, who has passed a proficiency examination, and whom the Department, with the recommendation of the Board, approves to perform medical services under the supervision of a physician	Proposed requirements for licensure: The surgical first assistant occupation has its own specific educational standards as well as private certification requirements. Under this proposal, the Department would collaborate with the private certifying bodies issuing certification for surgical assistants to facilitate the State of Nebraska's endorsement of the education, training, and testing upon which the private credential is based. These standards would become part of the new licensure standard for surgical assistants in Nebraska. Under this proposal, only those surgical assistants who have met the new licensure standard of appropriate education, training and examination are eligible for licensure. A sample model may include: 1. Be of good moral character; 2. Be a citizen of the United States, an alien lawfully admitted into the	Under this proposal, a licensed independent practitioner (i.e. physician, surgeon) would have personal supervision of the surgical first assistant as defined by CMS. (CMS Manual, Chapter 15, Section 80) Personal supervision means a physician must be in attendance in the room during the performance of a surgical procedure. (CMS Manual, Chapter 15, Section 80) When the surgeon is not present in the room (before and after surgery), hospital policy would dictate who supervises the surgical first assistant.

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	United States who is eligible for a credential under the Uniform Credentialing Act, or a nonimmigrant lawfully present in the United States who is eligible for a credential under the Uniform Credentialing Act. 3. Education: Successful completion of an approved program for the education of surgical assistants or 200 supervised clinical cases. 4. Examination: Successful completion of the proficiency examination. GRANDFATHERING: As patient safety is the primary goal for regulation of healthcare occupations, grandfathering is not an element of the regulatory intent for these individuals. Grandfathering does not conform to what regulation is trying to accomplish under this proposal, which is to require stringent requirements for practice of individuals that must function at a high level in the operating room. Under this proposal, all surgical first assistants would be required to reach a level of education and examination that qualifies them to practice in Nebraska. Grandfathering in individuals who have "practiced" up to this point contradicts the effort as, if they don't meet the requirements, they are not qualified for licensure. TRAINING EXEMPTION: The applicants want to ensure that training for surgical first assistants can occur in Nebraska. This requires that trainees are allowed, under state law, to perform tasks integral to the accredited program in which he or she is enrolled while unlicensed. Under this proposal, the applicants are requesting that statutory language similar to that which applies to physician assistants under Neb. Rev. Stat. 38-2048 is developed and included in the legislative proposal to facilitate training of surgical first assistants in the state. This will also pave the way for development of accredited programs in Nebraska's educational institutions. The proposed language is as follows: Notwithstanding any other	

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	provision of law, a trainee may perform medical services when he or she renders such services within the scope of an approved program.	
Surgical Technologist (Certified & Non-Certified)	A sample proposed model for the mandatory annual registry may include: To qualify for placement on the Registry, the applicant must: 1. Be at least 19 years of age; 2. Be of good moral character; and 3. Be a citizen of the United States, or an alien lawfully admitted into the United States; 4. Submit to the Department: a. A completed application including: 1. applicant name, address, birth date, Social Security Number; 2. identification of any felony or misdemeanor conviction along with date of occurrence and county in which the conviction occurred; 3. whether or not the applicant has completed an accredited program in surgical technology; 4. whether or not the applicant has obtained private certification in surgical technology; and 5. certification of competency assessment completed by a licensed health care professional. b. All records, documents or information requested by the Department; c. The required non-refundable fee as determined.	Currently, hospital and clinic policies define the supervision that occurs within the surgical suite that are not defined in statutes or rules. The surgeon has supervision over all present as a default. Prior to the surgeon's presence in the room (before and after surgery), hospital and clinic policies would dictate who supervises the surgical technologist.