

NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Jim Pillen, Governor

September 5, 2025

The Honorable John Arch
Speaker of the Nebraska Legislature
P.O. Box 94604
Lincoln, NE 68509

The Honorable Ben Hansen
Executive Board of the Legislature
Nebraska Legislature
P.O. Box 94604
Lincoln, NE 68509

The Honorable Brian Hardin
Health and Human Services Committee
Nebraska Legislature
P.O. Box 94604
Lincoln, NE 68509

Subject: Credentialing Review Final Report for Nurse Practitioners

Dear Speaker Arch, Chairman Hansen, and Chairman Hardin:

In accordance with Neb. Rev. Stat. § 71-6226, the Division of Public Health in the Department of Health and Human Services submits the final report of the credentialing review process to make changes in the nurse practitioners' scope of practice. This report includes the recommendations of the technical review committee, the State Board of Health, and the Interim Director of the Division of Public Health.

Sincerely,

A handwritten signature in cursive script that reads "Ashley Newmyer".

Ashley Newmyer
Interim Director, Division of Public Health

Attachments

Division of Public Health

Credentialing Review Final Report for Nurse Practitioners

August 2025

Neb. Rev. Stat. § 71-6226

The Report of the Director of the Division of Public Health on the proposal to make changes in the Scope of Practice of Nurse Practitioners

Introduction

The Regulation of Health Professions Act (as defined in Neb. Rev. Stat., Section 71-6201, et. Seq.) is commonly referred to as the Credentialing Review Program. The Department of Health and Human Services Division of Public Health, administers this Act. As Interim Director of the Division of Public Health, I am presenting this report under the authority of this Act.

Summary of the Nurse Practitioners Proposal

Nurse Practitioners are seeking to increase their scope of practice to include fluoroscopy. By adding fluoroscopy to their scope of practice their goal is to increase access to care in rural areas. To add fluoroscopy to their scope of practice, the nurse practitioners' revised proposal includes adding statutory language to the Nurse Practitioner Practice Act and updating rules and regulations to the Radiation Control Act.

The full text of their proposal can be found under the Nurse Practitioners review area of the Credentialing Review program link at: [https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-\(407\)-Nurse-Practitioners.aspx](https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-(407)-Nurse-Practitioners.aspx)

Summary of Technical Review Committee and Board of Health Recommendations

The Technical Review Committee members recommended in favor of this proposal. The Board of Health also recommended in favor of this proposal. I agree with this recommendation, and my comments regarding my reasons for supporting the proposal are below.

The Interim Director's Recommendations on the Proposal

Discussion on the six statutory criteria of the Credentialing Review Program as they relate to the Nurse Practitioners' proposal.

Criterion one: The health, safety, and welfare of the public are inadequately addressed by the present scope of practice or limitations on the scope of practice.

Given the evidence provided in the application, items discussed during hearings, and support by both the Technical Review Committee and the Board of Health, I believe this criterion has been sufficiently met. Amending the scope of practice for nurse practitioners to include fluoroscopy would increase access to care, especially in rural areas.

Criterion two: Enactment of the proposed change in scope of practice would benefit the health, safety, or welfare of the public.

Given the evidence provided in the application, items discussed during hearings, and support by both the Technical Review Committee and the Board of Health, I believe this criterion has been sufficiently met. Amending the scope of practice for nurse practitioners to include fluoroscopy would increase access to care, especially in rural areas.

Criterion three: The proposed change in scope of practice does not create a significant new danger to the health, safety, or welfare of the public.

Given the evidence provided in the application, items discussed during hearings, and support by both the Technical Review Committee and the Board of Health, I believe this criterion has been sufficiently met. This change in scope of practice includes the requirement of nurse practitioners to complete additional training and education to perform or utilize fluoroscopy and recognizes that each licensed facility where fluoroscopy is performed must abide by the Radiation Control Act. When fluoroscopy is performed by a nurse practitioner in an uncredentialed facility, a list of procedures performed must be supplied upon request to the Board of Radiological Health.

Criterion four: The current education and training for the health profession adequately prepares practitioners to perform the new skill or service.

Given the evidence provided in the application, items discussed during hearings, and comments made by both the Technical Review Committee members and Board of Health members, the current education and training for nurse practitioners does not adequately prepare them to perform fluoroscopy. Therefore, I do not believe this criterion has been sufficiently met.

Criterion five: There are appropriate post-professional programs and competence assessment measures available to assure that the practitioner is competent to perform the new skill of service in a safe manner.

Given the evidence provided in the application, items discussed during hearings, and support by both the Technical Review Committee and the Board of Health, I believe this criterion has been sufficiently met. This change in scope of practice includes requirements that prior to performing or utilization of fluoroscopy nurse practitioners must successfully complete appropriate training and education as approved jointly by the Department and the Board of Nursing and as promulgated by the Department in rules and regulations.

Criterion six: There are adequate measures to assess whether practitioners are competently performing the new skill or service and to take appropriate action if they are not performing competently.

Given the evidence provided in the application, items discussed during hearings, and support by both the Technical Review Committee and the Board of Health, I believe this criterion has been sufficiently met. This change in scope of practice includes administrative requirements¹, that in addition to completing the approved education a nurse practitioner must complete hands-on training in the use of a fluoroscope by completing at least five fluoroscopic procedures under direct supervision and in the physical presence of a physician or a person meeting the Chapter requirements. Additionally, if a nurse practitioner is utilizing fluoroscopy in an uncredentialed facility a list of procedures must be supplied upon request to the Board of Radiological Health.

Final Thoughts

As Division of Public Health Interim Director, and in consultation with the Department of Health and Human Services Chief Medical Officer, I recommend approval of this scope of practice change for Nurse Practitioners. Five of the six criteria have been met, access to quality care will be improved for Nebraskans and their safety will not be compromised due to these changes. Additionally, it is apparent the collaborative nature of the applicant group in preparation of this submission proved critical to addressing items of concern before entering the formal credentialing review process.

¹ See proposed Rules & Regulations 25-004 Administrative Controls under 180 NAC 25 within the Revised Nebraska Nurse Practitioner's Application (<https://dhhs.ne.gov/licensure/Credentialing%20Review%20Docs/CRNursePracRevisedApplication.pdf>).