2026

STATE OF NEBRASKA

STATUTES RELATING TO

NURSE PRACTICE ACT

NEBRASKA
Good Life. Great Mission.
DEPT. OF HEALTH AND HUMAN SERVICES

Department of Health and Human Services
Division of Public Health
Licensure Unit

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71-1,108 to 71-1,132.	Repealed. Laws 1953, c. 245, §21.
71-1,132.01.	Transferred to section 38-2201.
71-1,132.02 to 71-1,132.03.	Act, expired.
71-1,132.04.	Transferred to section 38-2217.
71-1,132.05.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.06.	Transferred to section 38-2218.
71-1,132.07.	Transferred to section 38-2213.
71-1,132.08.	Transferred to section 38-2214.
71-1,132.09.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.10.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.11.	Transferred to section 38-2216.
71-1,132.12.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.13.	Transferred to section 38-2220.
71-1,132.14.	Transferred to section 38-2222.

71-1,132.15.	Transferred to section 38-2223.
71-1,132.16.	Transferred to section 38-2225.
71-1,132.17.	Transferred to section 38-2228.
71-1,132.18.	Transferred to section 38-2229.
71-1,132.19.	Transferred to section 38-2224.
71-1,132.20.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.21.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.22.	Repealed. Laws 2003, LB 242, s. 154.
71-1,132.23.	Repealed. Laws 1976, LB 692, §6.
71-1,132.24.	Transferred to section 38-2232.
71-1,132.25.	Transferred to section 38-2233.
71-1,132.26.	Transferred to section 38-2234.
71-1,132.27.	Transferred to section 38-2235.
71-1,132.28.	Transferred to section 38-2236.
71-1,132.29.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.30.	Transferred to section 38-2219.
71-1,132.31.	Transferred to section 38-2215.
71-1,132.32 to 71-1,132.34.	Repealed. Laws 1983, LB 472, §8.
71-1,132.35.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.36.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.37.	Transferred to section 38-2221.
71-1,132.38.	Transferred to section 38-2231.
71-1,132.39 to 71-1,132.40.	Repealed. Laws 1975, LB 422, §21.
71-1,132.41.	Transferred to section 38-2230.
71-1,132.42.	Repealed. Laws 1975, LB 422, §21.
71-1,132.43.	Repealed. Laws 1978, LB 756, §59.
71-1,132.44 to 71-1,132.46.	Repealed. Laws 1983, LB 472, §8.
71-1,132.47.	Repealed. Laws 2003, LB 242, s. 154.
71-1,132.48.	Repealed. Laws 2007, LB 463, § 1319.
71-1,132.49 and 71-1,132.5.	Repealed. Laws 2003, LB 242, s. 154.
71-1,132.51.	Repealed. Laws 1981, LB 379, §38.
71-1,132.52.	Repealed. Laws 1995, LB 563, §50.
71-1,132.53.	Repealed. Laws 2007, LB 463, § 1319.

STATUTES PERTAINING TO THE NURSE PRACTICE ACT

38-2201. Act, how cited.
Sections 38-2201 to 38-2238 shall be known and may be cited as the Nurse Practice Act.
Source: Laws 1995, LB 563, § 4; Laws 2000, LB 523, § 2; R.S.1943, (2003), § 71-1,132.01; Laws 2007, LB463, § 757; Laws 2017, LB88, § 67.

38-2202. Definitions, where found.
For purposes of the Nurse Practice Act and elsewhere in the Uniform Credentialing Act, unless the context otherwise requires, the definitions found in sections 38-2203 to 38-2212 apply.
Source: Laws 2007, LB463, § 758.

38-2203. Assigning, defined.
Assigning means appointing or designating another individual the responsibility for the performance of nursing interventions.
Source: Laws 2007, LB463, § 759.

38-2204. Board, defined.
Board means the Board of Nursing.
Source: Laws 2007, LB463, § 760.

38-2205. Delegating, defined.
Delegating means transferring to another individual the authority, responsibility, and accountability to perform nursing interventions.
Source: Laws 2007, LB463, § 761.

38-2206. Directing, defined.
Directing means managing, guiding, and supervising the nursing interventions performed by another individual.
Source: Laws 2007, LB463, § 762.

38-2207. Executive director, defined.
Executive director means the executive director of the board.
Source: Laws 2007, LB463, § 763.

38-2208. License, defined.
License, for purposes of discipline, includes the multistate licensure privilege to practice granted by the Nurse Licensure Compact. If the multistate licensure privilege is restricted due to disciplinary action by the home state, the department may, upon request by the individual, grant the authority to practice in this state.
Source: Laws 2007, LB463, § 764.

Cross References

- **Nurse Licensure Compact,** see sections 71-1795 to 71-1795.02.

38-2209. Licensed practitioner, defined.
Licensed practitioner means a person lawfully authorized to prescribe medications or treatments.
Source: Laws 2007, LB463, § 765.

38-2210. Practice of nursing, defined.
Practice of nursing means the performance for compensation or gratuitously of any act expressing judgment or skill based upon a systematized body of nursing knowledge. Such acts include the identification of and intervention in actual or potential health problems of individuals, families, or groups, which acts are directed toward maintaining health status, preventing illness, injury, or infirmity, improving health status, and providing care supportive to or restorative of life and well-being through nursing assessment and through the execution of nursing care and of diagnostic or therapeutic regimens prescribed by any person lawfully authorized to prescribe. Each nurse is directly accountable and responsible to the consumer for the quality of nursing care rendered. Licensed nurses may use the services of unlicensed individuals to provide assistance with personal care and activities of daily living.
Source: Laws 2007, LB463, § 766.

38-2211. Practice of nursing by a licensed practical nurse, defined.
(1) Practice of nursing by a licensed practical nurse means the assumption of responsibilities and accountability for nursing practice in accordance with knowledge and skills acquired through an approved program of practical nursing. A licensed practical nurse may function at the direction of a licensed practitioner or a registered nurse.
(2) Such responsibilities and performances of acts must utilize procedures leading to predictable outcomes and must include, but not be limited to:
(a) Contributing to the assessment of the health status of individuals and groups;
(b) Participating in the development and modification of a plan of care;
(c) Implementing the appropriate aspects of the plan of care;
(d) Maintaining safe and effective nursing care rendered directly or indirectly;
(e) Participating in the evaluation of response to interventions;
(f) Providing intravenous therapy if the licensed practical nurse meets the requirements of section 38-2237; and
(g) Assigning and directing nursing interventions that may be performed by others and that do not conflict with the Nurse Practice Act.
Source: Laws 2007, LB463, § 767; Laws 2017, LB88, § 68.

38-2212. Practice of nursing by a registered nurse, defined.
(1) The practice of nursing by a registered nurse means assuming responsibility and accountability for nursing actions.
(2) Nursing actions include, but are not limited to:
(a) Assessing human responses to actual or potential health conditions;
(b) Establishing nursing diagnoses;
(c) Establishing goals and outcomes to meet identified health care needs;
(d) Establishing and maintaining a plan of care;
(e) Prescribing nursing interventions to implement the plan of care;
(f) Implementing the plan of care;
(g) Teaching health care practices;
(h) Delegating, directing, or assigning nursing interventions that may be performed by others and that do not conflict with the Nurse Practice Act;
(i) Maintaining safe and effective nursing care rendered directly or indirectly;
(j) Evaluating responses to interventions, including, but not limited to, performing physical and psychological assessments of patients under restraint and seclusion as required by federal law, if the registered nurse has been trained in the use of emergency safety intervention;
(k) Teaching theory and practice of nursing;
(l) Conducting, evaluating, and utilizing nursing research;
(m) Administering, managing, and supervising the practice of nursing; and
(n) Collaborating with other health professionals in the management of health care.
Source: Laws 2007, LB463, § 768.

38-2213. Board; members; qualifications.
(1) The board shall consist of ten registered nurse members, two licensed practical nurse members, and three public members. The registered nurses on the board shall be from the following areas: (a) One practical nurse educator; (b) one associate degree or diploma nurse educator; (c) one baccalaureate nurse educator; (d) one nursing service administrator; (e) two staff nurses; and (f) four advanced practice registered nurses.
(2) The State Board of Health shall attempt to ensure that the membership of the Board of Nursing is representative of acute care, long-term care, and community-based care. A minimum of three and a maximum of five members shall be appointed from each congressional district, and each member shall have been a bona fide resident of the congressional district from which he or she is appointed for a period of at least one year prior to the time of the appointment of such member.
Source: Laws 1953, c. 245, § 4(1), p. 838; Laws 1955, c. 272, § 3, p. 856; Laws 1959, c. 320, § 2, p. 1171; Laws 1961, c. 338, § 1, p. 1059; Laws 1961, c. 282, § 4, p. 825; Laws 1975, LB 422, § 4; Laws 1987, LB 473, § 22; Laws 1988, LB 1100, § 37; Laws 1993, LB 375, § 1; Laws 1994, LB 1223, § 15; Laws 1995, LB 563, § 11; Laws 1996, LB 414, § 4; Laws 2000, LB 1115, § 15; Laws 2002, LB 1062, § 21; Laws 2005, LB 256, § 25; R.S.Supp.,2006, § 71-1,132.07; Laws 2007, LB463, § 769; Laws 2025, LB346, § 16; Laws 2026, LB905, § 12.
Operative Date: July 1, 2026

Cross References
- **For limits and designations of congressional districts,** see section 32-504.

38-2214. Board members; additional qualifications.
(1) Each licensed practical nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a graduate degree in nursing or a related field of study, (c) have had a minimum of five years' experience in administration, teaching, or consultation in practical nurse education, and (d) be currently employed as a practical nurse educator.
(2) Each associate degree or diploma nurse educator on the board and the baccalaureate nurse educator on the board shall (a) be a registered nurse currently licensed in the state, (b) have graduated with a graduate degree in nursing, (c) have had a minimum of five years' experience in administration, teaching, or consultation in nursing education, and (d) be currently employed in the field being represented.
(3) Each staff nurse on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing, and (c) be currently employed as a staff nurse in the provision of patient care services.
(4) Each nursing service administrator on the board shall (a) be a registered nurse currently licensed in the state, (b) have had a minimum of five years' experience in nursing service administration, and (c) be currently employed in such field.
(5) Each licensed practical nurse member shall (a) have completed at least four years of high school study, (b) be licensed as a licensed practical nurse in this state, (c) have obtained a certificate or diploma from a state-approved practical nursing program, (d) have been actively engaged in practical nursing for at least five years, and (e) be currently employed in the provision of patient care services as a licensed practical nurse in the state.
(6) Each public member shall meet the requirements of section 38-165.
(7)(a) Each advanced practice registered nurse on the board shall (i) have a minimum of five years' experience as an advanced practice registered nurse, (ii) be currently employed as an advanced practice registered nurse, and (iii) be licensed as an advanced practice registered nurse.
(b) The preferred representation of the advanced practice registered nurses on the board includes one certified registered nurse anesthetist, one nurse practitioner, one clinical nurse specialist, and one certified nurse midwife. If such representation is not possible, any vacancy under subdivision (1)(f) of section 38-2213 may be filled based on the composition of the applicant pool for the vacant advanced practice registered nurse position on the board.
(c) The appointment of advanced practice registered nurses to fill the vacancies as of July 1, 2026, shall be made so that one of the four advanced practice registered nurse members serves until December 1, 2028, one serves until December 1, 2029, one serves until December 1, 2030, and one serves until December 1, 2031, or as close thereto as possible. Subsequent appointments of advanced practice registered nurses shall be for five-year terms as provided in section 38-163.
Source: Laws 1953, c. 245, § 4(2), p. 838; Laws 1955, c. 272, § 4, p. 857; Laws 1975, LB 422, § 5; Laws 1988, LB 1100, § 38; Laws 1994, LB 1223, § 16; Laws 1995, LB 563, § 12; Laws 1996, LB 414, § 5; Laws 2000, LB 1115, § 16; Laws 2005, LB 256, § 26; R.S.Supp.,2006, § 71-1,132.08; Laws 2007, LB463, § 770; Laws 2025, LB346, § 17; Laws 2026, LB905, § 13.
Operative Date: July 1, 2026

Annotations

- The Board of Nursing has power to deny a license upon proof applicant is guilty of unprofessional conduct, and upon review de novo district court may not substitute its own judgment on that issue. Scott v. State ex rel. Board of Nursing, 196 Neb. 681, 244 N.W.2d 683 (1976).

38-2215. Executive director; qualifications; practice consultant, education consultant, and nurse investigators; department; appoint.
(1) The department shall appoint an executive director who is a registered nurse currently licensed in this state and who has a graduate degree in nursing. The executive director shall have a minimum of five years' experience within the last ten years in the areas of administration, teaching, or consultation in the field of nursing. The salary of the executive director shall be fixed by the department and be competitive with salaries for similar positions of responsibility which require similar education and experience. The executive director shall not be a member of the board. The executive director shall be administrator of the Nurse Licensure Compact. As administrator, the executive director shall give notice of withdrawal to the executive heads of all other party states within thirty days after the effective date of any statute repealing the compact enacted by the Legislature pursuant to Article X of the compact. The executive director serving on December 1, 2008, may continue serving until replaced by the department pursuant to this section.
(2) The department shall appoint a practice consultant and an education consultant, each of whom is a registered nurse currently licensed in this state and has a minimum of five years' experience. On and after January 1, 1995, any person newly appointed to these positions shall also have a graduate degree in nursing. The salaries for these positions shall be fixed by the department and be competitive with salaries for similar positions of

responsibility which require similar education. The nursing education consultant and nursing practice consultant shall not be members of the board.
(3) The department shall appoint one or more nurse investigators to conduct investigations of violations of the Nurse Practice Act. Each nurse investigator shall be a registered nurse currently licensed in this state and have a minimum of five years' experience in nursing practice. The nurse investigators shall not be members of the board.
Source: Laws 1995, LB 563, § 10; Laws 2000, LB 523, § 8; R.S.1943, (2003), § 71-1,132.31; Laws 2007, LB463, § 771.

Cross References

- **Nurse Licensure Compact,** see sections 71-1795 to 71-1795.02.

38-2216. Board; rules and regulations; powers and duties; enumerated.
In addition to the duties listed in sections 38-126 and 38-161, the board shall:
(1) Adopt reasonable and uniform standards for nursing practice and nursing education;
(2) If requested, issue or decline to issue advisory opinions defining acts which in the opinion of the board are or are not permitted in the practice of nursing. Such opinions shall be considered informational only and are nonbinding. Practice-related information provided by the board to registered nurses or licensed practical nurses licensed under the Nurse Practice Act shall be made available by the board on request to nurses practicing in this state under a license issued by a state that is a party to the Nurse Licensure Compact;
(3) Establish rules and regulations for approving and classifying programs preparing nurses, taking into consideration administrative and organizational patterns, the curriculum, students, student services, faculty, and instructional resources and facilities, and provide surveys for each educational program as determined by the board;
(4) Approve educational programs which meet the requirements of the Nurse Practice Act;
(5) Keep a record of all its proceedings and compile an annual report for distribution;
(6) Adopt rules and regulations establishing standards for delegation of nursing activities, including training or experience requirements, competency determination, and nursing supervision;
(7) Collect data regarding nursing;
(8) Provide consultation and conduct conferences, forums, studies, and research on nursing practice and education;
(9) Join organizations that develop and regulate the national nursing licensure examinations and exclusively promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety, and welfare;
(10) Administer the Nurse Licensure Compact. In reporting information to the coordinated licensure information system under Article VII of the compact, the department may disclose personal identifying information about a nurse, including his or her social security number;
(11) Establish standards for integrated practice agreements between collaborating physicians and certified nurse midwives;
(12) Monitor the scope of practice by certified nurse midwives, certified registered nurse anesthetists, clinical nurse specialists, and nurse practitioners;
(13) Recommend disciplinary action relating to licenses of advanced practice registered nurses, certified nurse midwives, certified registered nurse anesthetists, clinical nurse specialists, and nurse practitioners;
(14) Engage in other activities not inconsistent with the Advanced Practice Registered Nurse Practice Act, the Certified Nurse Midwifery Practice Act, the Certified Registered Nurse Anesthetist Practice Act, the Clinical Nurse Specialist Practice Act, and the Nurse Practitioner Practice Act; and
(15) Adopt rules and regulations to implement the Advanced Practice Registered Nurse Practice Act, the Certified Nurse Midwifery Practice Act, the Certified Registered Nurse Anesthetist Practice Act, the Clinical Nurse Specialist Practice Act, and the Nurse Practitioner Practice Act, for promulgation by the department as provided in section 38-126. Such rules and regulations shall also include (a) approved certification organizations and certification programs and (b) professional liability insurance.
Source: Laws 1953, c. 245, § 5, p. 839; Laws 1959, c. 310, § 3, p. 1172; Laws 1965, c. 414, § 1, p. 1322; Laws 1975, LB 422, § 6; Laws 1976, LB 692, § 1; Laws 1978, LB 653, § 24; Laws 1978, LB 658, § 1; Laws 1980, LB 847, § 3; Laws 1981, LB 379, § 36; Laws 1991, LB 703, § 19; Laws 1995, LB 563, § 15; Laws 1996, LB 414, § 6; Laws 1999, LB 594, § 36; Laws 2000, LB 523, § 6; Laws 2000, LB 1115, § 17; Laws 2002, LB 1021, § 19; Laws 2002, LB 1062, § 22; Laws 2005, LB 256, § 27; R.S.Supp.,2006, § 71-1,132.11; Laws 2007, LB463, § 772; Laws 2017, LB88, § 70; Laws 2025, LB346, § 18; Laws 2026, LB905, § 14.
Operative Date: July 1, 2026

Cross References

- **Advanced Practice Registered Nurse Practice Act, see section 38-201.**
- **Certified Nurse Midwifery Practice Act, see section 38-601.**
- **Certified Registered Nurse Anesthetist Practice Act, see section 38-701.**
- **Clinical Nurse Specialist Practice Act, see section 38-901.**
- **Nurse Licensure Compact, see section 71-1795.01.**
- **Nurse Practitioner Practice Act, see section 38-2301.**

38-2217. Nursing; license; required.

In the interest of health and morals and the safeguarding of life, any person practicing or offering to practice nursing in this state for compensation or gratuitously, except as provided in section 38-2218, shall submit satisfactory evidence as provided in the Nurse Practice Act that he or she is qualified to so practice and is licensed as provided by the act. Except as provided in section 38-2218, the practice or attempted practice of nursing, the holding out or attempted holding out of oneself as a registered nurse or a licensed practical nurse, or the use of any title, abbreviation, card, or device to indicate that such a person is practicing nursing is unlawful unless such person has been duly licensed and registered according to the provisions of the act. The practice of nursing by any such unlicensed person or by a nurse whose license has been suspended, revoked, or expired or is on inactive status is declared to be a danger to the public health and welfare.

Source: Laws 1953, c. 245, § 1, p. 835; Laws 1975, LB 422, § 1; Laws 1995, LB 563, § 5; Laws 2002, LB 1062, § 19; R.S.1943, (2003), § 71-1,132.04; Laws 2007, LB463, § 773.

38-2218. Nursing; practices permitted.

The Nurse Practice Act confers no authority to practice medicine or surgery. The Nurse Practice Act does not prohibit:

(1) Home care provided by parents, foster parents, family, or friends if such person does not represent or hold himself or herself out to be a nurse or use any designation in connection with his or her name which tends to imply that he or she is licensed to practice under the act;

(2) Home care provided for compensation or gratuitously by a parent, foster parent, family member, or friend if such person is a licensed nurse and represents or holds himself or herself out to be a nurse and uses any designation in connection with his or her name which tends to imply that he or she is licensed to practice under the act;

(3) Christian Science nursing consistent with the theology of Christian Science provided by a Christian Science nurse who does not hold himself or herself out as a registered nurse or a licensed practical nurse;

(4) Auxiliary patient care services provided by persons carrying out duties under the direction of a licensed practitioner;

(5) Auxiliary patient care services provided by persons carrying out interventions for the support of nursing service as delegated by a registered nurse or as assigned and directed by a licensed practical nurse licensed under the act;

(6) The gratuitous rendering of assistance by anyone in the case of an emergency;

(7) Nursing by any legally licensed nurse of any other state whose engagement requires him or her to (a) accompany and care for a patient temporarily residing in this state during the period of one such engagement not to exceed six months in length, (b) transport patients into, out of, or through this state provided each transport does not exceed twenty-four hours, (c) provide patient care during periods of transition following transport, (d) provide educational programs or consultative services within this state for a period not to exceed fourteen consecutive days if neither the education nor the consultation includes the provision or the direction of patient care, and € provide nursing care in the case of a disaster. These exceptions do not permit a person to represent or hold himself or herself out as a nurse licensed to practice in this state;

(8) Nursing services rendered by a student enrolled in an approved program of nursing when the services are a part of the student's course of study;

(9) The practice of nursing by any legally licensed nurse of another state who serves in the armed forces of the United States or the United States Public Health Service or who is employed by the United States Department of Veterans Affairs or other federal agencies, if the practice is limited to that service or employment; or

(10) The practice of nursing, if permitted by federal law, as a citizen of a foreign country temporarily residing in Nebraska for a period not to exceed one year for the purpose of postgraduate study, certified to be such by an appropriate agency satisfactory to the board.

Source: Laws 1953, c. 245, § 3, p. 836; Laws 1955, c. 272, § 2, p. 854; Laws 1975, LB 422, § 3; Laws 1989, LB 342, § 20; Laws 1991, LB 703, § 18; Laws 1995, LB 563, § 8; Laws 1996, LB 1155, § 24; Laws 2002, LB 1062, § 20; R.S.1943, (2003), § 71-1,132.06; Laws 2007, LB463, § 774; Laws 2012, LB1083, § 1.

38-2219. Health maintenance activities; authorized.
(1) The Nurse Practice Act does not prohibit performance of health maintenance activities by a designated care aide for a competent adult at the direction of such adult or at the direction of a caretaker for a minor child or incompetent adult.
(2) Health maintenance activities are those activities which enable the minor child or adult to live in his or her home and community. Such activities are those specialized procedures, beyond activities of daily living, which the minor child or adult is unable to perform for himself or herself and which the attending physician or registered nurse determines can be safely performed in the home and community by a designated care aide as directed by a competent adult or caretaker.
(3) A competent adult is someone who has the capability and capacity to make an informed decision.
(4) For purposes of this section, caretaker means a person who (a) is directly and personally involved in providing care for a minor child or incompetent adult and (b) is the parent, foster parent, family member, friend, or legal guardian of such minor child or incompetent adult.
Source: Laws 1995, LB 563, § 9; Laws 1997, LB 66, § 1; Laws 1999, LB 594, § 41; R.S.1943, (2003), § 71-1,132.30; Laws 2007, LB463, § 775.

38-2220. Nursing; license; application; requirements.
An applicant for a license to practice as a registered nurse shall submit satisfactory proof that the applicant has completed four years of high school study or its equivalent as determined by the board and has completed the basic professional curriculum in and holds a diploma from an accredited program of registered nursing approved by the board. There is no minimum age requirement for licensure as a registered nurse. Graduates of foreign nursing programs shall pass a board-approved examination and, unless a graduate of a nursing program in Canada, provide a satisfactory evaluation of the education program attended by the applicant from a board-approved foreign credentials evaluation service.
Source: Laws 1953, c. 245, § 7, p. 841; Laws 1965, c. 414, § 2, p. 1323; Laws 1974, LB 811, § 12; Laws 1975, LB 422, § 8; Laws 1980, LB 847, § 4; Laws 1989, LB 344, § 6; Laws 1995, LB 563, § 17; Laws 1997, LB 752, § 157; Laws 1999, LB 594, § 37; Laws 2002, LB 1062, § 23; Laws 2003, LB 242, § 44; R.S.1943, (2003), § 71-1,132.13; Laws 2007, LB463, § 776; Laws 2017, LB88, § 71.

Cross References
- **Credentialing,** general requirements and issuance procedures, see section 38-121 et seq.

Annotations
- The Board of Nursing has power to deny a license upon proof applicant is guilty of unprofessional conduct, and upon review de novo district court may not substitute its own judgment on that issue. Scott v. State ex rel. Board of Nursing, 196 Neb. 681, 244 N.W.2d 683 (1976).

38-2221. Practical nursing; license; requirements.
An applicant for a license to practice as a licensed practical nurse shall submit satisfactory proof that the applicant has completed four years of high school study or its equivalent as determined by the board and has completed the basic curriculum in and holds a diploma from an approved program of nursing. There is no minimum age requirement for licensure as a licensed practical nurse.
Source: Laws 1955, c. 272, § 8, p. 859; Laws 1974, LB 811, § 13; Laws 1975, LB 422, § 17; Laws 1980, LB 847, § 19; Laws 1989, LB 344, § 7; Laws 1995, LB 563, § 32; Laws 1997, LB 752, § 158; Laws 1999, LB 594, § 42; Laws 2003, LB 242, § 47; R.S.1943, (2003), § 71-1,132.37; Laws 2007, LB463, § 777.

Cross References
- **Credentialing,** general requirements and issuance procedures, see section 38-121 et seq.

38-2222. Nursing; license; examination.
An applicant for a license as a registered nurse or as a licensed practical nurse shall pass an examination as prescribed by the board in rules and regulations.
Source: Laws 1953, c. 245, § 8(1), p. 841; Laws 1975, LB 422, § 9; Laws 1980, LB 847, § 5; Laws 1983, LB 472, § 2; Laws 1987, LB 473, § 23; Laws 1994, LB 1210, § 57; Laws 1995, LB 563, § 18; R.S.1943, (2003), § 71-1,132.14; Laws 2007, LB463, § 778.

38-2223. Registered nurse; licensed practical nurse; reciprocity; continuing competency requirements; military spouse; temporary license.
(1) An applicant for a license as a registered nurse or a licensed practical nurse based on licensure in another jurisdiction shall meet the continuing competency requirements as specified in rules and regulations adopted and promulgated by the board in addition to the standards set by the board pursuant to section 38-126.
(2) An applicant who is a military spouse may apply for a temporary license as provided in section 38-129.01.
Source: Laws 1953, c. 245, § 8(2), p. 841; Laws 1975, LB 422, § 10; Laws 1980, LB 847, § 6; Laws 1995, LB 563, § 19; R.S.1943, (2003), § 71-1,132.15; Laws 2007, LB463, § 779; Laws 2017, LB88, § 72.

Annotations
- The Board of Nursing has power to deny a license upon proof applicant is guilty of unprofessional conduct, and upon review de novo district court may not substitute its own judgment on that issue. Scott v. State ex rel. Board of Nursing, 196 Neb. 681, 244 N.W.2d 683 (1976).

38-2224. Nursing license; reciprocity; compact requirements.
Before recognizing a home state license to practice nursing issued by a state which is a party to the Nurse Licensure Compact, the board shall determine that such state's qualifications for a nursing license are substantially equivalent to or more stringent than the minimum qualifications for issuance of a Nebraska license under the Nurse Practice Act.
Source: Laws 2000, LB 523, § 4; R.S.1943, (2003), § 71-1,132.19; Laws 2007, LB463, § 780.

Cross References
- **Nurse Licensure Compact,** see sections 71-1795 to 71-1795.02.

38-2225. Nursing; temporary license; issuance; conditions; how long valid; extension.
(1) A temporary license to practice nursing may be issued to:
(a) An individual seeking to obtain licensure or reinstatement of his or her license as a registered nurse or licensed practical nurse when he or she has not practiced nursing in the last five years. A temporary license issued under this subdivision is valid only for the duration of the review course of study and only for nursing practice required for the review course of study;
(b) Graduates of approved programs of nursing who have passed the licensure examination, pending the completion of application for Nebraska licensure as a registered nurse or licensed practical nurse. A temporary license issued under this subdivision is valid for a period not to exceed sixty days;
(c) Nurses currently licensed in another state as either a registered nurse or a licensed practical nurse who have graduated from an educational program approved by the board, pending completion of application for Nebraska licensure as a registered nurse or licensed practical nurse. A temporary license issued under this subdivision shall be valid for a period not to exceed sixty days; or
(d) Military spouses as provided in section 38-129.01.
(2) A temporary license issued pursuant to subdivision (1)(a), (b), or (c) of this section may be extended by the department, with the recommendation of the board.
Source: Laws 1953, c. 245, § 8(3), p. 841; Laws 1975, LB 422, § 11; Laws 1980, LB 847, § 7; Laws 1994, LB 1210, § 58; Laws 1995, LB 563, § 20; Laws 2002, LB 1062, § 24; R.S.1943, (2003), § 71-1,132.16; Laws 2007, LB463, § 781; Laws 2017, LB88, § 73.

Annotations
- The Board of Nursing has power to deny a license upon proof applicant is guilty of unprofessional conduct, and upon review de novo district court may not substitute its own judgment on that issue. Scott v. State ex rel. Board of Nursing, 196 Neb. 681, 244 N.W.2d 683 (1976).

38-2226. License on inactive status; reinstatement.
Any licensed practical nurse or registered nurse whose license has been placed on inactive status due to a change in primary state of residence under the Nurse Licensure Compact may apply to reinstate his or her license upon (1) change in primary state of residence back to Nebraska or to another noncompact state, (2) meeting the continuing competency requirements, and (3) paying the renewal fee.
Source: Laws 2007, LB463, § 782.

Cross References
- **Nurse Licensure Compact,** see sections 71-1795 to 71-1795.02.

38-2227. Fees.
The department shall establish and collect fees for credentialing under the Nurse Practice Act as provided in sections 38-151 to 38-157.
Source: Laws 2007, LB463, § 783.

38-2228. Nursing; use of title; restriction.
(1) In the interest of public safety and consumer awareness, it is unlawful for any person to use the title nurse in reference to himself or herself in any capacity, except individuals who are or have been licensed as a registered nurse or a licensed practical nurse. A Christian Science nurse may refer to himself or herself only as a Christian Science nurse.
(2) The terms “nurse”, “registered nurse”, and “licensed practical nurse” include persons licensed as registered nurses or licensed practical nurses by a state that is a party to the Nurse Licensure Compact. Unless the context otherwise indicates or unless doing so would be inconsistent with the compact, nurses practicing in this state under a license issued by a state that is a party to the compact have the same rights and obligations as imposed by the laws of this state on licensees licensed under the Nurse Practice Act. The department has the authority to determine whether a right or obligation imposed on licensees applies to nurses practicing in this state under a license issued by a state that is a party to the compact, unless that determination is inconsistent with the compact.
Source: Laws 1995, LB 563, § 6; Laws 1996, LB 1155, § 25; Laws 2000, LB 523, § 7; R.S.1943, (2003), § 71-1,132.17; Laws 2007, LB463, § 784.

Cross References
- **Nurse Licensure Compact,** see sections 71-1795 to 71-1795.02.

38-2229. Nursing; license; title or abbreviation; use.
Any person who holds a license to practice as a registered nurse in this state has the right to use the title Registered Nurse and the abbreviation R.N. No other person shall assume or use such title or abbreviation or any words, letters, signs, or devices to indicate that the person using the same is authorized to practice registered nursing.
Source: Laws 1953, c. 245, § 10, p. 842; Laws 1992, LB 1019, § 43; Laws 1995, LB 563, § 21; Laws 2002, LB 1062, § 25; Laws 2005, LB 256, § 28; R.S.Supp.,2006, § 71-1,132.18; Laws 2007, LB463, § 785.

38-2230. Practical nursing; license; title or abbreviation; use.
Any person who holds a license to practice as a licensed practical nurse in this state shall have the right to use the title Licensed Practical Nurse and the abbreviation L.P.N. No other person shall assume or use such title or abbreviation or any words, letters, signs, or devices to indicate that the person using the same is authorized to practice practical nursing in this state.
Source: Laws 1955, c. 272, § 12, p. 860; Laws 1995, LB 563, § 33; R.S.1943, (2003), § 71-1,132.41; Laws 2007, LB463, § 786.

38-2231. Disciplinary actions; limitations imposed by compact.
(1) In order to effectuate the transition into compact administration, the board shall require all licensees entering into or becoming subject to an order of probation or other disciplinary action that limits practice or requires monitoring to agree, as of the date of the order, not to practice in any other state which is a party to the Nurse Licensure Compact during the term of such probation or disciplinary action without prior authorization from the other party state.
(2) Any licensee subject to disciplinary action, such as revocation, suspension, probation, or any other action which affects a licensee's authorization to practice, on the effective date of entering the compact, is not entitled to a multistate license privilege while such disciplinary action is in effect unless practice in another state is authorized by this state and any other state in which the licensee wishes to practice.
Source: Laws 2000, LB 523, § 3; R.S.1943, (2003), § 71-1,132.38; Laws 2007, LB463, § 787.

Cross References
- **Nurse Licensure Compact,** see sections 71-1795 to 71-1795.02.

38-2232. Nursing program; application.
An institution desiring to conduct a program of nursing shall apply to the board and submit evidence to the board that it is prepared to carry out the prescribed basic nursing curriculum and to meet the other standards established by the Nurse Practice Act and by the board.

Source: Laws 1953, c. 245, § 15(1), p. 843; Laws 1955, c. 272, § 6, p. 858; Laws 1980, LB 847, § 10; Laws 1995, LB 563, § 24; Laws 2002, LB 1062, § 27; R.S.1943, (2003), § 71-1,132.24; Laws 2007, LB463, § 788.

38-2233. Nursing program; application; form.
An application to conduct a program of nursing shall be made in writing upon a form to be approved and furnished by the board.
Source: Laws 1953, c. 245, § 15(2), p. 843; Laws 1955, c. 272, § 7, p. 858; Laws 1995, LB 563, § 25; Laws 2002, LB 1062, § 28; R.S.1943, (2003), § 71-1,132.25; Laws 2007, LB463, § 789.

38-2234. Nursing program; survey; report; approval.
A survey of the program institution shall be made by the executive director or other representative appointed by the board, who shall submit a written report of the survey to the board. If, in the opinion of the board, the program meets the requirements for approval, the board shall approve the program.
Source: Laws 1953, c. 245, § 15(3), p. 843; Laws 1995, LB 563, § 26; R.S.1943, (2003), § 71-1,132.26; Laws 2007, LB463, § 790.

38-2235. Nursing programs; survey; report.
The board shall, through the executive director or other representative appointed by the board, survey all programs of nursing in the state at time intervals to be determined by the board through rules and regulations. Written reports of such surveys shall be submitted to the board. The board shall act on the report to grant or deny continuing approval of the program.
Source: Laws 1953, c. 245, § 15(4), p. 844; Laws 1975, LB 422, § 13; Laws 1995, LB 563, § 27; Laws 1999, LB 594, § 40; R.S.1943, (2003), § 71-1,132.27; Laws 2007, LB463, § 791.

38-2236. Nursing programs; failure to maintain standards; notice; discontinue; hearing.
If the board determines that any approved program of nursing is not maintaining the standards required by the statutes, rules, and regulations, notice in writing, specifying the defect or defects, shall be immediately given to the program. A program which fails to correct these conditions to the satisfaction of the board within a reasonable time shall be discontinued after hearing.
Source: Laws 1953, c. 245, § 15(5), p. 844; Laws 1980, LB 847, § 11; Laws 1995, LB 563, § 28; R.S.1943, (2003), § 71-1,132.28; Laws 2007, LB463, § 792.

38-2237. Intravenous therapy; requirements.
(1) A licensed practical nurse may provide intravenous therapy if he or she (a) holds a valid license issued before May 1, 2016, by the department pursuant to the Licensed Practical Nurse-Certified Practice Act as such act existed on such date, (b) graduates from an approved program of practical nursing on or after May 1, 2016, or (c) holds a valid license as a licensed practical nurse issued on or before May 1, 2016, and completes, within five years after August 24, 2017, (i) an eight-hour didactic course in intravenous therapy which shall include, but not be limited to, peripheral intravenous lines, central lines, and legal aspects of intravenous therapy and (ii) an approved employer-specific intravenous therapy skills course.
(2) This section does not require a licensed practical nurse who does not provide intravenous therapy in the course of employment to complete the course described in subdivision (1)(c)(ii) of this section.
Source: Laws 2017, LB88, § 69.

38-2238. Licenses issued under Licensed Practical Nurse-Certified Practice Act; how treated.
On and after November 1, 2017, all licenses issued pursuant to the Licensed Practical Nurse-Certified Practice Act before such date shall be renewed as licenses to practice as a licensed practical nurse pursuant to section 38-2221.
Source: Laws 2017, LB88, § 74.

71-1,108 to 71-1,132. Repealed. Laws 1953, c. 245, §21.
71-1,132.01. Transferred to section 38-2201.
71-1,132.02 to 71-1,132.03. Act, expired.
71-1,132.04. Transferred to section 38-2217.
71-1,132.05. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.06. Transferred to section 38-2218.
71-1,132.07. Transferred to section 38-2213.
71-1,132.08. Transferred to section 38-2214.

71-1,132.09. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.10. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.11. Transferred to section 38-2216.
71-1,132.12. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.13. Transferred to section 38-2220.
71-1,132.14. Transferred to section 38-2222.
71-1,132.15. Transferred to section 38-2223.
71-1,132.16. Transferred to section 38-2225.
71-1,132.17. Transferred to section 38-2228.
71-1,132.18. Transferred to section 38-2229.
71-1,132.19. Transferred to section 38-2224.
71-1,132.20. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.21. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.22. Repealed. Laws 2003, LB 242, s. 154.
71-1,132.23. Repealed. Laws 1976, LB 692, §6.
71-1,132.24. Transferred to section 38-2232.
71-1,132.25. Transferred to section 38-2233.
71-1,132.26. Transferred to section 38-2234.
71-1,132.27. Transferred to section 38-2235.
71-1,132.28. Transferred to section 38-2236.
71-1,132.29. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.30. Transferred to section 38-2219.
71-1,132.31. Transferred to section 38-2215.
71-1,132.32 to 71-1,132.34. Repealed. Laws 1983, LB 472, §8.
71-1,132.35. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.36. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.37. Transferred to section 38-2221.
71-1,132.38. Transferred to section 38-2231.
71-1,132.39 to 71-1,132.40. Repealed. Laws 1975, LB 422, §21.
71-1,132.41. Transferred to section 38-2230.
71-1,132.42. Repealed. Laws 1975, LB 422, §21.
71-1,132.43. Repealed. Laws 1978, LB 756, §59.
71-1,132.44 to 71-1,132.46. Repealed. Laws 1983, LB 472, §8.
71-1,132.47. Repealed. Laws 2003, LB 242, s. 154.
71-1,132.48. Repealed. Laws 2007, LB 463, § 1319.
71-1,132.49 and 71-1,132.50. Repealed. Laws 2003, LB 242, s. 154.
71-1,132.51. Repealed. Laws 1981, LB 379, §38.
71-1,132.52. Repealed. Laws 1995, LB 563, §50.
71-1,132.53. Repealed. Laws 2007, LB 463, § 1319.