

LEGISLATURE OF NEBRASKA  
ONE HUNDRED NINTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 374**

Introduced by Hansen, 16.

Read first time January 16, 2025

Committee:

- 1 A BILL FOR AN ACT relating to midwives; to amend sections 38-606 and
- 2 38-618, Reissue Revised Statutes of Nebraska, and sections 38-101,
- 3 38-121, 38-131, 38-167, and 38-2025, Revised Statutes Cumulative
- 4 Supplement, 2024; to adopt the Licensed Midwives Practice Act; to
- 5 harmonize provisions; and to repeal the original sections.
- 6 Be it enacted by the people of the State of Nebraska,

1           **Section 1.** Section 38-101, Revised Statutes Cumulative Supplement,  
2 2024, is amended to read:

3           38-101 Sections 38-101 to 38-1,148 and the following practice acts  
4 shall be known and may be cited as the Uniform Credentialing Act:

- 5           (1) The Advanced Practice Registered Nurse Practice Act;
- 6           (2) The Alcohol and Drug Counseling Practice Act;
- 7           (3) The Athletic Training Practice Act;
- 8           (4) The Audiology and Speech-Language Pathology Practice Act;
- 9           (5) The Behavior Analyst Practice Act;
- 10          (6) The Certified Nurse Midwifery Practice Act;
- 11          (7) The Certified Registered Nurse Anesthetist Practice Act;
- 12          (8) The Chiropractic Practice Act;
- 13          (9) The Clinical Nurse Specialist Practice Act;
- 14          (10) The Cosmetology, Electrology, Esthetics, Nail Technology, and  
15 Body Art Practice Act;
- 16          (11) The Dentistry Practice Act;
- 17          (12) The Dialysis Patient Care Technician Registration Act;
- 18          (13) The Emergency Medical Services Practice Act;
- 19          (14) The Environmental Health Specialists Practice Act;
- 20          (15) The Funeral Directing and Embalming Practice Act;
- 21          (16) The Genetic Counseling Practice Act;
- 22          (17) The Hearing Instrument Specialists Practice Act;
- 23          (18) The Licensed Midwives ~~Practical Nurse-Certified~~ Practice Act  
24 ~~until November 1, 2017;~~
- 25          (19) The Massage Therapy Practice Act;
- 26          (20) The Medical Nutrition Therapy Practice Act;
- 27          (21) The Medical Radiography Practice Act;
- 28          (22) The Medicine and Surgery Practice Act;
- 29          (23) The Mental Health Practice Act;
- 30          (24) The Nurse Practice Act;
- 31          (25) The Nurse Practitioner Practice Act;

- 1 (26) The Nursing Home Administrator Practice Act;
- 2 (27) The Occupational Therapy Practice Act;
- 3 (28) The Optometry Practice Act;
- 4 (29) The Perfusion Practice Act;
- 5 (30) The Pharmacy Practice Act;
- 6 (31) The Physical Therapy Practice Act;
- 7 (32) The Podiatry Practice Act;
- 8 (33) The Psychology Practice Act;
- 9 (34) The Respiratory Care Practice Act;
- 10 (35) The Surgical First Assistant Practice Act; and
- 11 (36) The Veterinary Medicine and Surgery Practice Act.

12 If there is any conflict between any provision of sections 38-101 to  
13 38-1,148 and any provision of a practice act, the provision of the  
14 practice act shall prevail except as otherwise specifically provided in  
15 section 38-129.02.

16 **Sec. 2.** Section 38-121, Revised Statutes Cumulative Supplement,  
17 2024, is amended to read:

18 38-121 (1) No individual shall engage in the following practices  
19 unless such individual has obtained a credential under the Uniform  
20 Credentialing Act:

- 21 (a) Acupuncture;
- 22 (b) Advanced practice nursing;
- 23 (c) Alcohol and drug counseling;
- 24 (d) Asbestos abatement, inspection, project design, and training;
- 25 (e) Athletic training;
- 26 (f) Audiology;
- 27 (g) Speech-language pathology;
- 28 (h) ~~Behavior Beginning one year after September 2, 2023, behavior~~  
29 analysis;
- 30 (i) Body art;
- 31 (j) Chiropractic;

- 1 (k) Cosmetology;
- 2 (l) Dentistry;
- 3 (m) Dental hygiene;
- 4 (n) Electrology;
- 5 (o) Emergency medical services;
- 6 (p) Esthetics;
- 7 (q) Funeral directing and embalming;
- 8 (r) Genetic counseling;
- 9 (s) Hearing instrument dispensing and fitting;
- 10 (t) Lead-based paint abatement, inspection, project design, and
- 11 training;
- 12 (u) Licensed practical nurse-certified until November 1, 2017;
- 13 (v) Massage therapy;
- 14 (w) Medical nutrition therapy;
- 15 (x) Medical radiography;
- 16 (y) Medicine and surgery;
- 17 (z) Mental health practice;
- 18 (aa) Nail technology;
- 19 (bb) Nursing;
- 20 (cc) Nursing home administration;
- 21 (dd) Occupational therapy;
- 22 (ee) Optometry;
- 23 (ff) Osteopathy;
- 24 (gg) Perfusion;
- 25 (hh) Pharmacy;
- 26 (ii) Physical therapy;
- 27 (jj) Podiatry;
- 28 (kk) Professional midwifery;
- 29 (ll) ~~(kk)~~ Psychology;
- 30 (mm) ~~(ll)~~ Radon detection, measurement, and mitigation;
- 31 (nn) ~~(mm)~~ Respiratory care;

1           ~~(oo)~~ ~~(nn)~~ Surgical assisting; and  
2           ~~(pp)~~ ~~(ee)~~ Veterinary medicine and surgery.

3           (2) No individual shall hold himself or herself out as any of the  
4 following until such individual has obtained a credential under the  
5 Uniform Credentialing Act for that purpose:

- 6           (a) Registered environmental health specialist;
- 7           (b) Certified marriage and family therapist;
- 8           (c) Certified professional counselor;
- 9           (d) Certified art therapist;
- 10          (e) Social worker; or
- 11          (f) Dialysis patient care technician.

12          (3) No business shall operate for the provision of any of the  
13 following services unless such business has obtained a credential under  
14 the Uniform Credentialing Act:

- 15          (a) Body art;
- 16          (b) Cosmetology;
- 17          (c) Emergency medical services;
- 18          (d) Esthetics;
- 19          (e) Funeral directing and embalming;
- 20          (f) Massage therapy; or
- 21          (g) Nail technology.

22          **Sec. 3.** Section 38-131, Revised Statutes Cumulative Supplement,  
23 2024, is amended to read:

24          38-131 (1) An applicant for an initial license to practice as a  
25 registered nurse, a licensed practical nurse, a physical therapist, a  
26 physical therapy assistant, a psychologist, an advanced emergency medical  
27 technician, an emergency medical technician, an audiologist, a speech-  
28 language pathologist, a licensed independent mental health practitioner,  
29 an occupational therapist, an occupational therapy assistant, a licensed  
30 midwife, a dietitian, a certified social worker, a certified master  
31 social worker, a licensed clinical social worker, a paramedic, a

1 physician, an osteopathic physician, a physician or osteopathic physician  
2 who is an applicant for a temporary educational permit, a physician or  
3 osteopathic physician who is an applicant for a temporary visiting  
4 faculty permit, a physician assistant, a dentist, an optometrist, a  
5 podiatrist, a veterinarian, an advanced practice registered nurse-nurse  
6 practitioner, an advanced practice registered nurse-certified nurse  
7 midwife, or an advanced practice registered nurse-certified registered  
8 nurse anesthetist shall be subject to a criminal background check. Except  
9 as provided in subsection (4) of this section, such an applicant for an  
10 initial license shall submit a full set of fingerprints to the Nebraska  
11 State Patrol for a criminal history record information check. The  
12 applicant shall authorize release of the results of the national criminal  
13 history record information check by the Federal Bureau of Investigation  
14 to the department. The applicant shall pay the actual cost of the  
15 fingerprinting and criminal background check.

16 (2) The Nebraska State Patrol is authorized to submit the  
17 fingerprints of such applicants to the Federal Bureau of Investigation  
18 and to issue a report to the department that includes the criminal  
19 history record information concerning the applicant. The Nebraska State  
20 Patrol shall forward submitted fingerprints to the Federal Bureau of  
21 Investigation for a national criminal history record information check.  
22 The Nebraska State Patrol shall issue a report to the department that  
23 includes the criminal history record information concerning the  
24 applicant.

25 (3) This section shall not apply to a dentist who is an applicant  
26 for a dental locum tenens under section 38-1122, to a physician or  
27 osteopathic physician who is an applicant for a physician locum tenens  
28 under section 38-2036, or to a veterinarian who is an applicant for a  
29 veterinarian locum tenens under section 38-3335.

30 (4) A physician or osteopathic physician who is an applicant for a  
31 temporary educational permit shall have ninety days from the issuance of

1 the permit to comply with subsection (1) of this section and shall have  
2 such permit suspended after such ninety-day period if the criminal  
3 background check is not complete or revoked if the criminal background  
4 check reveals that the applicant was not qualified for the permit.

5 (5) The department and the Nebraska State Patrol may adopt and  
6 promulgate rules and regulations concerning costs associated with the  
7 fingerprinting and the national criminal history record information  
8 check.

9 (6) For purposes of interpretation by the Federal Bureau of  
10 Investigation, the term department in this section means the Division of  
11 Public Health of the Department of Health and Human Services.

12 **Sec. 4.** Section 38-167, Revised Statutes Cumulative Supplement,  
13 2024, is amended to read:

14 38-167 (1) Boards shall be designated as follows:

- 15 (a) Board of Advanced Practice Registered Nurses;
- 16 (b) Board of Alcohol and Drug Counseling;
- 17 (c) Board of Athletic Training;
- 18 (d) Board of Audiology and Speech-Language Pathology;
- 19 (e) Board of Behavior Analysts;
- 20 (f) Board of Chiropractic;
- 21 (g) Board of Cosmetology, Electrology, Esthetics, Nail Technology,  
22 and Body Art;
- 23 (h) Board of Dentistry;
- 24 (i) Board of Emergency Medical Services;
- 25 (j) Board of Registered Environmental Health Specialists;
- 26 (k) Board of Funeral Directing and Embalming;
- 27 (l) Board of Hearing Instrument Specialists;
- 28 (m) Board of Massage Therapy;
- 29 (n) Board of Medical Nutrition Therapy;
- 30 (o) Board of Medical Radiography;
- 31 (p) Board of Medicine and Surgery;

- 1 (q) Board of Mental Health Practice;
- 2 (r) Board of Licensed Midwives;
- 3 (s) ~~(r)~~ Board of Nursing;
- 4 (t) ~~(s)~~ Board of Nursing Home Administration;
- 5 (u) ~~(t)~~ Board of Occupational Therapy Practice;
- 6 (v) ~~(u)~~ Board of Optometry;
- 7 (w) ~~(v)~~ Board of Pharmacy;
- 8 (x) ~~(w)~~ Board of Physical Therapy;
- 9 (y) ~~(x)~~ Board of Podiatry;
- 10 (z) ~~(y)~~ Board of Psychology;
- 11 (aa) ~~(z)~~ Board of Respiratory Care Practice; and
- 12 (bb) ~~(aa)~~ Board of Veterinary Medicine and Surgery.

13 (2) Any change made by the Legislature of the names of boards listed  
14 in this section shall not change the membership of such boards or affect  
15 the validity of any action taken by or the status of any action pending  
16 before any of such boards. Any such board newly named by the Legislature  
17 shall be the direct and only successor to the board as previously named.

18 **Sec. 5.** Section 38-606, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 38-606 Certified nurse midwife means a person certified by a board-  
21 approved certifying body and licensed under the Advanced Practice  
22 Registered Nurse Practice Act to practice certified nurse midwifery in  
23 the State of Nebraska. Nothing in the Certified Nurse Midwifery Practice  
24 Act is intended to restrict the practice of registered nurses. Nothing in  
25 the act is intended to apply to licensed midwives practicing within the  
26 scope of practice authorized under the Licensed Midwives Practice Act.

27 **Sec. 6.** Section 38-618, Reissue Revised Statutes of Nebraska, is  
28 amended to read:

29 38-618 Nothing in the Certified Nurse Midwifery Practice Act shall  
30 be interpreted to permit independent practice. Nothing in the act shall  
31 prohibit the practice of professional midwifery by a licensed midwife



1 under the Licensed Midwives Practice Act.

2 **Sec. 7.** Section 38-2025, Revised Statutes Cumulative Supplement,  
3 2024, is amended to read:

4 38-2025 The following classes of persons shall not be construed to  
5 be engaged in the unauthorized practice of medicine:

6 (1) Persons rendering gratuitous services in cases of emergency;

7 (2) Persons administering ordinary household remedies;

8 (3) The members of any church practicing its religious tenets,  
9 except that they shall not prescribe or administer drugs or medicines,  
10 perform surgical or physical operations, nor assume the title of or hold  
11 themselves out to be physicians, and such members shall not be exempt  
12 from the quarantine laws of this state;

13 (4) Students of medicine who are studying in an accredited school or  
14 college of medicine and who gratuitously prescribe for and treat disease  
15 under the supervision of a licensed physician;

16 (5) Physicians who serve in the armed forces of the United States or  
17 the United States Public Health Service or who are employed by the United  
18 States Department of Veterans Affairs or other federal agencies, if their  
19 practice is limited to that service or employment;

20 (6) Physicians who are licensed in good standing to practice  
21 medicine under the laws of another state when incidentally called into  
22 this state or contacted via electronic or other medium for consultation  
23 with a physician licensed in this state. For purposes of this  
24 subdivision, consultation means evaluating the medical data of the  
25 patient as provided by the treating physician and rendering a  
26 recommendation to such treating physician as to the method of treatment  
27 or analysis of the data. The interpretation of a radiological image by a  
28 physician who specializes in radiology is not a consultation;

29 (7) Physicians who are licensed in good standing to practice  
30 medicine in another state but who, from such other state, order  
31 diagnostic or therapeutic services on an irregular or occasional basis,

1 to be provided to an individual in this state, if such physicians do not  
2 maintain and are not furnished for regular use within this state any  
3 office or other place for the rendering of professional services or the  
4 receipt of calls;

5 (8) Physicians who are licensed in good standing to practice  
6 medicine in another state and who, on an irregular and occasional basis,  
7 are granted temporary hospital privileges to practice medicine and  
8 surgery at a hospital or other medical facility licensed in this state;

9 (9) Persons providing or instructing as to use of braces, prosthetic  
10 appliances, crutches, contact lenses, and other lenses and devices  
11 prescribed by a physician licensed to practice medicine while working  
12 under the direction of such physician;

13 (10) Dentists practicing their profession when licensed and  
14 practicing in accordance with the Dentistry Practice Act;

15 (11) Optometrists practicing their profession when licensed and  
16 practicing under and in accordance with the Optometry Practice Act;

17 (12) Osteopathic physicians practicing their profession if licensed  
18 and practicing under and in accordance with sections 38-2029 to 38-2033;

19 (13) Chiropractors practicing their profession if licensed and  
20 practicing under the Chiropractic Practice Act;

21 (14) Podiatrists practicing their profession when licensed to  
22 practice in this state and practicing under and in accordance with the  
23 Podiatry Practice Act;

24 (15) Psychologists practicing their profession when licensed to  
25 practice in this state and practicing under and in accordance with the  
26 Psychology Interjurisdictional Compact or the Psychology Practice Act;

27 (16) Advanced practice registered nurses practicing in their  
28 clinical specialty areas when licensed under the Advanced Practice  
29 Registered Nurse Practice Act and practicing under and in accordance with  
30 their respective practice acts;

31 (17) Surgical first assistants practicing in accordance with the

1 Surgical First Assistant Practice Act;

2 (18) Licensed midwives practicing in accordance with the Licensed  
3 Midwives Practice Act;

4 (19) ~~(18)~~ Persons licensed or certified under the laws of this state  
5 to practice a limited field of the healing art, not specifically named in  
6 this section, when confining themselves strictly to the field for which  
7 they are licensed or certified, not assuming the title of physician,  
8 surgeon, or physician and surgeon, and not professing or holding  
9 themselves out as qualified to prescribe drugs in any form or to perform  
10 operative surgery;

11 (20) ~~(19)~~ Persons obtaining blood specimens while working under an  
12 order of or protocols and procedures approved by a physician, registered  
13 nurse, or other independent health care practitioner licensed to practice  
14 by the state if the scope of practice of that practitioner permits the  
15 practitioner to obtain blood specimens;

16 (21) ~~(20)~~ Physicians who are licensed in good standing to practice  
17 medicine under the laws of another state or jurisdiction who accompany an  
18 athletic team or organization into this state for an event from the state  
19 or jurisdiction of licensure. This exemption is limited to treatment  
20 provided to such athletic team or organization while present in Nebraska;

21 (22) ~~(21)~~ Persons who are not licensed, certified, or registered  
22 under the Uniform Credentialing Act, to whom are assigned tasks by a  
23 physician or osteopathic physician licensed under the Medicine and  
24 Surgery Practice Act, if such assignment of tasks is in a manner  
25 consistent with accepted medical standards and appropriate to the skill  
26 and training, on the job or otherwise, of the persons to whom the tasks  
27 are assigned. For purposes of this subdivision, assignment of tasks means  
28 the routine care, activities, and procedures that (a) are part of the  
29 routine functions of such persons who are not so licensed, certified, or  
30 registered, (b) reoccur frequently in the care of a patient or group of  
31 patients, (c) do not require such persons who are not so licensed,

1 certified, or registered to exercise independent clinical judgment, (d)  
2 do not require the performance of any complex task, (e) have results  
3 which are predictable and have minimal potential risk, and (f) utilize a  
4 standard and unchanging procedure; and

5 (23) ~~(22)~~ Other trained persons employed by a licensed health care  
6 facility or health care service defined in the Health Care Facility  
7 Licensure Act or clinical laboratory certified pursuant to the federal  
8 Clinical Laboratories Improvement Act of 1967, as amended, or Title XVIII  
9 or XIX of the federal Social Security Act to withdraw human blood for  
10 scientific or medical purposes.

11 Any person who has held or applied for a license to practice  
12 medicine and surgery in this state, and such license or application has  
13 been denied or such license has been refused renewal or disciplined by  
14 order of limitation, suspension, or revocation, shall be ineligible for  
15 the exceptions described in subdivisions (5) through (8) of this section  
16 until such license or application is granted or such license is renewed  
17 or reinstated. Every act or practice falling within the practice of  
18 medicine and surgery as defined in section 38-2024 and not specially  
19 excepted in this section shall constitute the practice of medicine and  
20 surgery and may be performed in this state only by those licensed by law  
21 to practice medicine in Nebraska.

22 **Sec. 8.** Sections 8 to 28 of this act shall be known and may be  
23 cited as the Licensed Midwives Practice Act.

24 **Sec. 9.** For purposes of the Licensed Midwives Practice Act and  
25 elsewhere in the Uniform Credentialing Act, unless the context otherwise  
26 requires, the definitions found in sections 10 to 15 of this act apply.

27 **Sec. 10.** Board means the Board of Licensed Midwives.

28 **Sec. 11.** Certified professional midwife means a person who holds a  
29 current credential as a certified professional midwife from the North  
30 American Registry of Midwives or its successor organization.

31 **Sec. 12.** Client means a person under the care of a licensed midwife

1 and such person's fetus or newborn.

2 **Sec. 13.** Direct-entry midwife means a person who has been trained  
3 in midwifery without first completing a course in nursing.

4 **Sec. 14.** Licensed midwife means a midwife who holds a current  
5 license under the Licensed Midwives Practice Act.

6 **Sec. 15.** Professional midwifery means the practice of providing  
7 primary maternity care that is consistent with national professional  
8 midwifery standards to a client during essentially normal preconception,  
9 pregnancy, labor, delivery, postpartum, and newborn periods.

10 **Sec. 16.** The board shall consist of five members as provided in  
11 section 38-166. Three of the members shall be certified professional  
12 midwives licensed under the Uniform Credentialing Act, one member shall  
13 be a physician licensed under the Uniform Credentialing Act to practice  
14 medicine in Nebraska who has professional experience consulting for and  
15 collaborating with direct-entry midwives, and one member shall be a  
16 public member who has received direct-entry midwifery services.

17 **Sec. 17.** (1) No person shall engage in professional midwifery or in  
18 any way advertise or purport to be engaged in the practice of  
19 professional midwifery unless such person is licensed by the department  
20 or by a state with similar licensure requirements to the Licensed  
21 Midwives Practice Act, as determined by the board.

22 (2) An applicant for licensure as a licensed midwife shall show to  
23 the satisfaction of the department that the applicant:

24 (a) Has complied with the Licensed Midwives Practice Act and the  
25 applicable rules and regulations adopted and promulgated under the act;

26 (b) Has a high school diploma or its equivalent;

27 (c) Is a certified professional midwife; and

28 (d) Has successfully completed an educational program or pathway  
29 accredited by the Midwifery Education Accreditation Council, or a similar  
30 organization as approved by the board, or has obtained a midwifery bridge  
31 certificate from the North American Registry of Midwives, or a similar

1 organization as approved by the board.

2 (3) The department may, with the approval of the board, grant  
3 temporary licensure as a licensed midwife for up to one hundred twenty  
4 days upon application (a) to graduates of an approved professional  
5 midwifery educational program pending results of the first certifying  
6 examination following graduation and (b) to certified professional  
7 midwives currently licensed in another state pending completion of the  
8 application for a Nebraska license. A temporary license issued pursuant  
9 to this subsection may be extended for up to one year with the approval  
10 of the board.

11 (4) An applicant who is a military spouse may apply for a temporary  
12 license as provided in section 38-129.01.

13 (5) Any person practicing professional midwifery based on licensure  
14 in another state under subsection (1) of this section shall agree to be  
15 subject to the jurisdiction of the department and the board under the  
16 Licensed Midwives Practice Act and shall not be required to establish  
17 residency in Nebraska.

18 **Sec. 18.** (1) A licensed midwife may (a) attend cases of  
19 physiological childbirth, (b) provide preconception, prenatal,  
20 intrapartum, and postpartum care, (c) provide normal gynecological  
21 services for women, and (d) provide care for the newborn immediately  
22 following birth and for up to six weeks after birth.

23 (2) A licensed midwife who attends a birth shall prepare and file a  
24 birth certificate as required in section 71-604.

25 (3) The conditions under which a professional midwife is required to  
26 refer cases to a collaborating licensed physician or advanced practice  
27 registered nurse shall be specified in rules and regulations adopted and  
28 promulgated pursuant to section 38-126.

29 **Sec. 19.** (1) The Licensed Midwives Practice Act shall not prohibit  
30 the performance of the functions of a professional midwife by an  
31 unlicensed person if performed:

1       (a) In an emergency situation;

2       (b) By a legally qualified person from another state employed by the  
3 United States Government and performing official duties in this state; or

4       (c) By a person participating in a course of study to prepare for  
5 the practice of professional midwifery.

6       (2) The Licensed Midwives Practice Act does not:

7       (a) Require licensure under the act or otherwise limit or regulate  
8 the practice of a qualified member of another profession, including, but  
9 not limited to, a nurse practitioner or a certified nurse midwife,  
10 providing services that would constitute professional midwifery under the  
11 act;

12       (b) Require licensure under the act for a person assisting a  
13 licensed midwife; or

14       (c) Require licensure under the act for a person to provide care in  
15 accordance with the tenets and practices of any bona fide church or  
16 religious denomination or in accordance with such person's sincerely held  
17 religious belief, practice, or observance.

18       **Sec. 20.**   The practice of professional midwifery shall not  
19 constitute the practice of medicine, nursing, certified nurse midwifery,  
20 or emergency medical care.

21       **Sec. 21.**   The board shall adopt rules and regulations pursuant to  
22 section 38-126 regarding:

23       (1) The standards of practice of professional midwifery based on  
24 rules established by the National Association of Certified Professional  
25 Midwives or its successor organization and the North American Registry of  
26 Midwives or its successor organization;

27       (2) Appropriate testing for clients, including, but not limited to,  
28 laboratory tests and ultrasounds;

29       (3) Authorization for a licensed midwife to obtain and administer  
30 all of the following during the practice of professional midwifery:

31       (a) Antihemorrhagic agents, including, but not limited to, oxytocin,

1 misoprostol, and methylergonovine;

2 (b) Intravenous fluids for stabilization of a laboring or postpartum  
3 woman;

4 (c) Neonatal injectable vitamin K;

5 (d) Newborn antibiotic eye prophylaxis;

6 (e) Oxygen;

7 (f) Intravenous antibiotics for group B streptococcal antibiotic  
8 prophylaxis;

9 (g) Rho (D) immune globulin;

10 (h) Local anesthetic;

11 (i) Epinephrine;

12 (j) Food, food extracts, dietary supplements, homeopathic remedies,  
13 plant substances that are not designated as prescription drugs or  
14 controlled substances, and over-the-counter medications; and

15 (k) Other drugs consistent with the practice of professional  
16 midwifery, not to include controlled substances;

17 (4) Administration of a drug prescribed by a licensed health care  
18 provider for a client;

19 (5) Authorization to obtain and use appropriate equipment and  
20 devices, including, but not limited to, Doppler ultrasound, phlebotomy  
21 supplies, hemoglobinometer, instruments, and sutures;

22 (6) Management of the postpartum period, including suturing of  
23 lacerations, including the administration of a local anesthetic;

24 (7) Management of the newborn period including: (a) Providing care  
25 for the newborn, including performing a normal newborn examination; (b)  
26 resuscitating a newborn; and (c) performing the newborn metabolic  
27 screening required under section 71-519;

28 (8) Prohibition of the use of forceps or a vacuum extractor;

29 (9) Requirements for a written plan for the consultation,  
30 collaboration, and emergency transfer of the client and newborn, when  
31 necessary, and for submission of the plan to the board;



1       (10) Requirements for a client consent form to be signed by the  
2 client and maintained by the licensed midwife. The consent form shall  
3 describe the licensed midwife's qualifications, a copy of the licensed  
4 midwife's emergency plan, and the benefits and risks of birth in the  
5 client's setting of choice; and

6       (11) Authorization to obtain a blood spot specimen in accordance  
7 with section 71-519.

8       **Sec. 22.** A licensed midwife shall not order or administer narcotic  
9 drugs or terminate or assist with the termination of a pregnancy.

10       **Sec. 23.** A licensed midwife may practice professional midwifery at  
11 any location and shall not be required to practice under the supervision  
12 of or under a collaborative practice agreement with another health care  
13 provider.

14       **Sec. 24.** A client shall not be required to be assessed by another  
15 health care professional.

16       **Sec. 25.** A health care provider who accepts a transfer of a client  
17 from a licensed midwife shall not be liable for an outcome arising from  
18 actions of the licensed midwife.

19       **Sec. 26.** Nothing in the Licensed Midwives Practice Act abridges,  
20 limits, or changes in any way the right of parents to deliver their baby  
21 where, when, how, and with whom they choose, regardless of credentialed  
22 status.

23       **Sec. 27.** The department shall establish and collect fees for  
24 initial licensure and renewal under the Licensed Midwives Practice Act as  
25 provided in sections 38-151 to 38-157.

26       **Sec. 28.** A person licensed as a licensed midwife in this state  
27 under the Licensed Midwives Practice Act may use the title licensed  
28 midwife and the abbreviation LM.

29       **Sec. 29.** An individual or group policy of accident or health  
30 insurance that provides newborn care benefits or maternity benefits, not  
31 limited to complications of pregnancy, shall provide coverage for

1 maternity services rendered by a licensed midwife, regardless of the site  
2 of services. Coverage for maternity services provided by a licensed  
3 midwife shall not be subject to any greater copayment, deductible, or  
4 coinsurance than is applicable to any other similar benefit provided by  
5 the policy.

6       **Sec. 30.** Original sections 38-606 and 38-618, Reissue Revised  
7 Statutes of Nebraska, and sections 38-101, 38-121, 38-131, 38-167, and  
8 38-2025, Revised Statutes Cumulative Supplement, 2024, are repealed.