



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 22-08

**CONTINUED WAIVERS TO FACILITATE HOSPITAL PLANNING AND ENSURE
ADDITIONAL HEALTHCARE WORKFORCE CAPACITY**

WHEREAS, health care staffing remains an issue not only in Nebraska but all across the country;

WHEREAS, it is imperative that the State of Nebraska protect hospital capacity, as reduced hospital capacity presents an imminent threat of injury and loss of life to the state's citizens;

WHEREAS, the issuance of initial licenses to doctors, nurses, and other health care professionals is often delayed by a requirement that test scores be submitted to DHHS prior to receiving full credentials;

WHEREAS, the issuance of initial licenses for certain health care professions is often delayed by a requirement for an onsite supervisor, with face-to face or direct supervision, or other face to face contact prior to receiving full credentials; and

WHEREAS, in the interest of protecting the citizens of Nebraska from the public health threat of a hospital capacity and workforce emergency, the Governor is authorized to take such action as is necessary to maintain public health, including suspension of any state statutes where strict compliance with the statute and state regulations will hinder necessary action in coping with this public health threat.

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, do hereby waive the following statutes and regulations to ensure that Nebraskans retain access to needed health care professionals.

Pursuant to this declaration, I hereby order and direct the following:

1. The requirements of Neb. Rev. Stats. § 38-2026, § 38-2222, and § 38-2851, and their implementing regulations, are suspended, in part, to exempt applicants for licensure as physicians, nurses, and pharmacists from the requirement to submit test scores prior to licensure and permit them to be issued time-limited provisional licenses pending successful examination results or the duration of this order, whichever is shorter;
2. The requirements of Neb. Rev. Stats. § 38-515 regarding the practice of audiology and speech-language pathology, §38-316 regarding the practice of alcohol and drug counseling, § 38-1813 regarding the practice of medical nutrition therapy, § 38-1915 and § 38-1916 regarding the practice of medical radiography, § 38-2419 regarding the practice of nursing home administration, § 38-

2518 and § 38-2520 regarding the practice of occupational therapy, and § 38-2921 regarding the practice of physical therapy and their implementing regulations are suspended, in part, to exempt applicants for licensure in physical therapy, occupational therapy, nursing home administration, audiology and speech-language pathology, medical radiography, alcohol and drug counseling, and medical nutrition therapy from the requirement to submit test scores prior to licensure and permit them to be issued time-limited provisional licenses pending successful examination results or the duration of this order, whichever is shorter;

3. Sections 4 to 5 of this Executive Order apply to the following professions regulated by the UCA: advance practice nursing, alcohol and drug counseling, audiology, speech language pathology, chiropractic, dentistry, dental hygiene, emergency medical services, hearing instrument dispensing and fitting, massage therapy, medical nutrition therapy, medical radiography, medicine and surgery, mental health practice, nursing, nursing home administration, occupational therapy, osteopathy, perfusion, pharmacy, physical therapy, psychology, respiratory care, surgical assisting, or holding themselves out as social workers, or dialysis patient care technicians;
4. The provisions of the UCA and its implementing regulations requiring that persons seeking credentialing successfully complete an examination prior to obtaining credentials are temporarily suspended solely in order to permit persons to obtain a provisional credential, which shall remain active pending examination results or until June 30, 2023, whichever is sooner, provided the person has completed all other requirements for licensure, including, but not limited to, completion of the required education or training program, and registers for the examination, but is unable to take the examination in the near future due to the lack of approved online testing or the limited availability of in-person testing slots;
5. The provisions of the Uniform Credentialing Act and its implementing regulations requiring that persons seeking credentials complete work or training with an onsite supervisor, with face-to face or direct supervision, or under any type of practice agreement are temporarily deferred until June 30, 2023, solely in order to permit supervisors to provide remote supervision if the supervisor determines this is appropriate;
6. The provisions of the Mental Health Practice Act and its implementing regulations requiring that persons seeking credentials under the Act obtain direct client-contact hours are temporarily deferred until June 30, 2023, solely in order to permit client-contact hours to be obtained through telehealth, including by telephone.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 21st day of December, 2022.



Attest:

Pete Ricketts, Governor
State of Nebraska

Robert Evnen, Secretary of State
State of Nebraska