

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 905

Introduced by Walz, 15; Blood, 3; Cavanaugh, M., 6; DeBoer, 10; Linehan,
39; Pansing Brooks, 28; Sanders, 45; Wishart, 27.

Read first time January 07, 2022

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to
- 2 amend section 38-2001, Revised Statutes Cumulative Supplement, 2020;
- 3 to define terms; to provide for perinatal mental health screenings;
- 4 to harmonize provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-2001, Revised Statutes Cumulative Supplement,
2 2020, is amended to read:

3 38-2001 Sections 38-2001 to 38-2062 and sections 2 to 6 of this act
4 shall be known and may be cited as the Medicine and Surgery Practice Act.

5 Sec. 2. Licensed health care professional means a physician, an
6 osteopathic physician, an advanced practice registered nurse, or a
7 physician assistant licensed pursuant to the Uniform Credentialing Act.

8 Sec. 3. Perinatal mental health disorder means a mental health
9 condition that occurs during pregnancy or during the postpartum period,
10 including depression, anxiety, or postpartum psychosis.

11 Sec. 4. Post-natal care means an office visit to a licensed health
12 care professional occurring after birth, with reference to the infant or
13 mother.

14 Sec. 5. Prenatal care means an office visit to a licensed health
15 care professional for pregnancy-related care occurring before birth.

16 Sec. 6. Questionnaire means a screening tool administered by a
17 licensed health care professional to detect perinatal mental health
18 disorders, such as the Edinburgh Postnatal Depression Scale, the
19 Postpartum Depression Screening Scale, the Beck Depression Inventory, the
20 Patient Health Questionnaire, or other validated screening methods.

21 Sec. 7. The Board of Medicine and Surgery may work with accredited
22 hospitals and licensed health care professionals and may create a
23 referral network in Nebraska to develop policies, procedures,
24 information, and educational materials to meet each of the following
25 requirements concerning perinatal mental health disorders:

26 (1) Licensed health care professionals providing prenatal care may
27 provide education to pregnant patients and, if possible and with
28 permission, to their families about perinatal mental health disorders in
29 accordance with the formal opinions and recommendations of the American
30 College of Obstetricians and Gynecologists;

31 (2) Licensed health care professionals providing prenatal care at a

1 prenatal visit may invite each pregnant patient to complete a
2 questionnaire in accordance with the formal opinions and recommendations
3 of the American College of Obstetricians and Gynecologists. Screening for
4 perinatal mental health disorders may be repeated when, in the
5 professional judgment of the licensed health care professional, the
6 patient is at increased risk for developing a perinatal mental health
7 disorder;

8 (3) Licensed health care professionals providing postnatal care may
9 invite each postpartum patient to complete a questionnaire and if
10 completed, shall review the questionnaire in accordance with the formal
11 opinions and recommendations of the American College of Obstetricians and
12 Gynecologists; and

13 (4) Licensed health care professionals providing pediatric care to
14 an infant may invite the infant's mother to complete a questionnaire at
15 any well-child checkup occurring during the first year of life at which
16 the mother is present, and if completed, shall review the questionnaire
17 in accordance with the formal opinions and recommendations of the
18 American Academy of Pediatrics, in order to ensure that the health and
19 well-being of the infant are not compromised by an undiagnosed perinatal
20 mental health disorder in the mother.

21 Sec. 8. Original section 38-2001, Revised Statutes Cumulative
22 Supplement, 2020, is repealed.