

Nebraska Revised Statutes, Chapter **38-2219**  
(a.k.a. the "Tim Kolb Amendment")  
*Health maintenance activities; authorized.*

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**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.