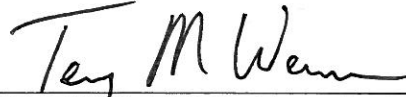


Independent Mental Health Practitioners” (LIMHP) in 2007, passed rules and regulations. Those regulations are now ready for the fourth public hearing, and are waiting for the Director of the Division of Public Health and the Governor to set a public hearing date. Yet to date the Department of Health and Human Services has failed to enact rules governing these professionals.

6. In the absence of adoption of the proposed rules, Licensed Independent Mental Health Practitioners currently have no formal guidance regarding their profession. Since the Legislature’s creation of this category of professionals in 2007, there have been no rules or regulations governing these professionals. This is contrary to public safety which is the primary charge of the Department.
7. In addition to guidance for the newly created category of Licensed Independent Mental Health Practitioners, the proposed rules clarify and codify necessary changes to the existing rules and regulations for other professionals such as Licensed Mental Health Practitioners, Licensed Marriage and Family Therapists, Licensed Professional Counselors, and Licensed Social Workers. This is contrary to public safety which is the primary charge of the Department.
8. The proposed rule amendments of Title 172 Chapter 94 have already been subjected to public hearings, July 3, 2008; June 11, 2009; and May 6, 2010, and extensive comments by concerned professional organizations. Indeed, the proposed rules have been pending for over three (3) years. The proposed rules are complete and ready for implementation. The Board of Mental Health Practice has unanimously passed the proposed rules on July 1, 2010. However, no public hearing have been approved by the Office of the Director of Public Health and The Governor’s Office to move the rules forward for final approval.
9. The petitioner, Nebraska Psychological Association, maintains that the Board of Psychology subjected its proposed regulations Title 172 Chapter 155 to public hearing on June 11, 2009, and such proposed regulations were approved by the Board of Health on June 21, 2010. The proposed regulations are at the desk of the Director of the Division of Public Health and there has been no approval or denial. The proposed rules have been pending for over two (2) years. This is contrary to public safety which is the primary charge of the Department.
10. We support the proposed rules as necessary to govern the practices of the aforementioned professions and as appropriately reflecting our professions’ code of ethics.

11. For these reasons, Petitioners request that the Department approve the proposed rules Title 172 Chapter 94 and Title 172 Chapter 155. Pursuant to Nebraska law, we ask this petition be asked upon within sixty (60) days.

Dated October 21, 2011.



TERRY WERNER, Executive Director
National Association of Social Workers,
Nebraska Chapter
650 J Street
Suite 208
Lincoln Nebraska 68508
(402) 477-7344

ANNE BUETTNER, M.A.
Legislative Chair
Nebraska Association for Marriage &
Family Therapy
3008 West Stolley Park Road, Suite 4
Grand Island, Nebraska 68801
(308) 383-7000

MATTHEW MIMS, PH.D.
President
Nebraska Counseling Association
2703 West 44th Street
Kearney, Nebraska 68845
(308) 293-6260

WILLIAM SPAULDING, PH.D.
President
Nebraska Psychological Association
P.O. Box 6785
Lincoln, Nebraska 68506
(402) 457-0709