

Minutes of the January 25, 2022 Board of Athletic Training Video Conference Meeting

1. ROLL CALL

Jessica Roberts, Chairperson, called the meeting of the Board of Athletic Training to order at 9:00 a.m. on Tuesday, January 25, 2022 via WEBEX and in person in Conference Room 5D at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 07/08/2021. Jessica Roberts, Rebecca Docter, Michael Nicola, and Vanetta Early joined the meeting via Video Conference.

Roberts announced that this is an open meeting and the Open Meetings Act is posted.

Members Present: The following members answered roll call:

Jessica Roberts, Chairperson
Michael Nicola, Vice-Chairperson
Rebecca Docter, Secretary
Vanetta Early, Public Member

Others Present:

Suzanna Glover-Ettrich, DHHS Attorney
Milisa Johnson-Wiles, Assistant Attorney General
Claire Covert-ByBee, Program Manager

2. ADOPTION OF AGENDA

MOTION: Early, moved, seconded by Nicola to adopt the agenda. Voting aye: Early, Docter, Nicola and Roberts. Voting nay: None. Motion carried.

3. INTRODUCTIONS

Roberts began the introduction process, welcoming new public member to the Board, Vanetta Early. All members of the Board and staff took turns introducing themselves, including the interim Assistant Attorney General, Milisa Johnson-Wiles who took over the Board responsibilities from former AAG Natalee Hart.

4. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot approving the December 14, 2021 meeting minutes. Docter, Nicola, and Roberts voted to approve the minutes as written. Early did not vote. The minutes were approved on February 5, 2021.

5. INVESTIGATIONAL AND CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

There were no items to discuss and the Board did not enter into closed session.

6. BOARD RECOMMENDATIONS ON APPLICATIONS

There were no Board recommendations on Applications.

7. LEGISLATIVE UPDATE

Covert-ByBee provided a report on the 2022 Legislative Session. This included reviewing the following Legislative Bills and the current statuses: LB436, LB709, LB742, LB743, LB908, LB752, LB753, LB824, LB885, and LB901

8. UPDATE ON LANCE

Covert-ByBee provided an update on LANCE, the new licensure database.

9. LICENSURE AND EXECUTIVE ORDERS

Covert-ByBee provided an update on Licensure and current Executive Orders. It was reported that Governor Ricketts issued Executive Order 21-18 that extended the provisions of EOs 21-12 and 21-15 through March 31, 2022.

10 CONVICTION REVIEW GUIDELINES

Covert-ByBee reported that the Department is working on creating a standard matrix template that each Board could modify for the specifics regarding that profession. The tool is not yet ready.

11. ELECTION OF OFFICERS

After discussion regarding the three officer positions and their duties, as well as the duties of the Investigative Consultant, the Board agreed to elect officers via slate ballot.

MOTION: Docter moved, seconded by Nicola, to elect Jessica Roberts as Chair, Mike Nicola as Vice Chair and Investigative Consultant, and Rebecca Docter as Secretary. Voting aye: Early, Docter, Nicola, Roberts. Voting nay: None. Motion carried.

12. NOTICE OF MEETING PUBLICATION

The Board is required to inform the public each year of the method by which it will provide notice of meetings. In the past, the Board has elected to post meeting agendas at the Nebraska State Office Building, email the agenda to the interested parties list, and post agendas on the Department's website. Covert-ByBee added that the Department will also be posting the public documents on the Department's website as a result of changes to the Open Meetings Act.

MOTION: Nicola moved, seconded by Docter to continue with the current notification process. Voting aye: Early, Docter, Nicola, Roberts. Voting nay: None. Motion carried.

13. PER DIEM DISCUSSION

As part of the annual review of Board business, the Board discussed the amount of per diem the Board would like to receive for performing Board duties.

MOTION: Nicola moved, seconded by Docter to receive the maximum rate of per diem allowed by Neb. Rev. Stat. 38-171, which is currently \$50.00. Voting aye: Early, Docter, Nicola, Roberts. Voting nay: None. Motion carried.

14. LICENSURE APPLICATION PROCESSING REPORT

Covert-ByBee presented the application processing report with data regarding licensure. Roberts wished to discuss the application. Discussion began regarding licensure eligibility within the current statutes and regulations. Roberts voiced concern regarding the statutory/regulatory requirement for those individuals who graduated long ago through the 4-year degree/2 years of student athletic training route being unable to seek licensure in Nebraska due to an institution closing or to the supervising athletic trainer being no longer available. Covert-ByBee pointed out that the statutes could not be changed by changing the regulations. And that the statutes were where the education requirement was outlined. Covert-ByBee also pointed out that LB 436, the bill that would update the Athletic Trainer Practice Act, was carried-over to this current legislative session. If an amendment could be introduced to add/modify language to the education requirement, then that may provide a solution. The discussion was tabled as it was not germane to the agenda topic.

15. TOPICS FOR NEXT MEETING

The topics for the next meeting are alternative documentation proving completion of student athletic training, Legislative Update, LANCE Update, Licensure and Executive Orders, Conviction Review Guidelines, Application Processing Report.

16. ADJOURNMENT

There being no further business, the meeting adjourned at 10:05 a.m.

Respectfully submitted,

Rebecca Docter, Secretary