

These minutes were approved by the Board of Athletic Training by Mail Ballot on 12/05/2023.

Minutes of the November 28, 2023 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 1:01 pm . on November 28, 2023, in the Goldenrod conference room, 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 Nov. 15, 2023.

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
Rebecca Docter, Secretary
Mike Nicola, Vice-Chairperson
Vanetta Early, Member

Others Present:

Claire Covert-ByBee, Program Manager
Kim Hitzel, Health Licensing Specialist
Danielle Sund, DHHS Attorney
T.J. O'Neill, Assistant Attorney General
Abby Hoy Nissen, Assistant Attorney General
Dr. Douglas Vander Broek, DC, Board of Health Liaison

2. ADOPTION OF AGENDA

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

3. REAFFIRMATION OF MAIL BALLOT

Roberts stated that the minutes from the June 20, 2023, Board Meeting were adopted by mail ballot. Covert-ByBee confirmed that this is the opportunity for the Department to read into the minutes any votes taken by mail ballot between regularly scheduled Board meetings. Voting to approve the minutes from the June 20, 2023 Board meeting: Nicola, Docter, and Early. Not voting: Roberts. The minutes were approved on July 10, 2023.

4. INVESTIGATIONAL AND CONFIDENTIAL REPORTS -CLOSED SESSION

MOTION: Docter moved, seconded by Nicola, to move into closed session at 1:09 p.m. to discuss confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Nicola, Early, Docter, and Roberts. Voting nay: none. Motion carried.

5. BOARD RECOMMENDATIONS

The Board returned to open session at 1:28 p.m. The Board recommended that the Department offer Melissa Ewing an Athletic Trainer license under probation for one year, which would include abstaining from alcohol, random body fluid screens, quarterly employer reports, and all

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other standard terms and conditions of probation based on a history of misdemeanor convictions and a substance use diagnosis.

MOTION: Nicola moved, seconded by Docter, to approve the Board recommendation to the Department. Voting aye: Docter, Early, Roberts, Nicola. Voting nay: none. Motion carried.

6. PUBLIC HEARING COMMENT REVIEW

The Board reviewed the Public Hearing Summary provided by the Department. There were no oral comments at the hearing. There was one comment submitted via e-mail by Mr. Drew Hamblin from the UNL Athletics Department asking the Board and the Department to approve the revised chapter of regulations. One typographical error was noted; 002.08 should be “recovery” instead of “recover”.

7. REGULATION ADOPTION

Covert-ByBee reviewed the next steps in regulations promulgation. Once the Board adopts this chapter, it will be sent before the Board of Health for review to either adopt or advise. If the Board of Health adopts, the Director of the Division of Public Health will need to review and adopt as well. Then the chapter is sent to the Attorney General’s Office for review. After the Attorney General’s office reviews and approves, it will be sent to the Governor’s office for review and approval. When the Governor approves and signs off on the chapter of regulations, they are filed with the Secretary of State and become effective 5 calendar days after filing.

MOTION: Nicola moved, seconded by Docter, to adopt the 172 NAC 17 as revised and to note the typographical error in 002.08. Voting aye: Docter, Early, Nicola, Roberts. Voting nay: none. Motion carried.

8. SCHEDULE MEETINGS FOR 2024

The Board discussed meeting dates for 2024 and determined the following dates and times:
February 27, 2024, at 9:00 am virtually
August 6, 2024, at 9:00 am in person

9. PUBLIC COMMENT

There was no public comment.

10. ADJOURNMENT

There being no further business, the meeting adjourned at 1:41 pm.

Respectfully submitted,
Rebecca Docter, Secretary