

# NEBRASKA BOARD OF ADVANCED PRACTICE REGISTERED NURSES

## MINUTES OF THE VIRTUAL CONFERENCE MEETING HELD

August 23, 2022

### **CALL TO ORDER**

The meeting of the Nebraska Board of Advanced Practice Registered Nurses was called to order by Alice Kindschuh, Board Vice-President, at 1:38 p.m. on August 23, 2022. The central meeting location was at the Nebraska State Office Building, Room 3W, 301 Centennial Mall South, Lincoln NE 68508. Copies of the agenda were emailed to the Board members on August 12, 2022, emailed to interested parties on August 12, 2022, posted outside the Licensure Unit within the Nebraska State Office Building on August 12, 2022, and posted on the Department of Health & Human Services website on August 12, 2022. Joyner announced that a current copy of the Open Meetings Act was in the room.

Board members, staff, and the public were able to attend the meeting virtually via video conference or phone as authorized by Neb. Rev. Statute 84-1411(7) and Executive Orders Nos. 21-12 and 22-02.

### **ROLL CALL**

The following Board members answered roll call via teleconference:

- Kent Dunovan, *Public Member*
- Sheila Ellis, MD, *Board Secretary*
- Barbara Foss, APRN-NP
- Timothy Glidden, APRN-CRNA
- Alice Kindschuh, APRN-CNS, *Board Vice-President*

The following Board members were absent: Andrew Russell, MD, Jackie Sandersfeld, *Public Member*, and Jenda Stauffer, APRN-CNM

One Board position was vacant.

The following staff members from the Department and Attorney General's Office were present:

- Ann Oertwich, RN, *Executive Director*
- Sherri Joyner, *Health Licensing Coordinator*
- Ginger Rogers, *Nursing Practice Consultant*
- Lisa Anderson, *Assistant Attorney General*
- Jessica Bowman, *Investigator*

The following staff members from the Department attended the meeting via teleconference:

- Kathy Hoebelheinrich, *Nursing Practice Consultant*
- Jacci Reznicek, *Nursing Education Consultant*
- Anna Harrison, *DHHS Compliance Monitor*
- Brittany Bigham, *Investigator*
- Mendy Mahar-Clark, *Investigator*

These minutes were approved by the  
APRN Board on December 1, 2022.

## **ADOPTION OF THE AGENDA**

**MOTION:** Glidden made the motion, seconded by Ellis, to adopt the agenda for the August 23, 2022, APRN Board meeting.

Voting Yes: Dunovan, Ellis, Foss, Glidden, and Kindschuh. Voting No: None. Abstain: None. Absent: Russell, Sandersfeld, and Stauffer. Motion carried.

## **APPROVAL OF THE MINUTES**

**MOTION:** Foss made the motion, seconded by Dunovan, to approve the minutes of the June 13, 2022, APRN Board meeting.

Voting Yes: Dunovan, Ellis, Foss, Glidden, and Kindschuh. Voting No: None. Abstain: None. Absent: Russell, Sandersfeld, and Stauffer. Motion carried.

## **PHARMACEUTICAL CARE AGREEMENT**

Kindschuh acknowledged that the Board received and reviewed a copy of the collaborative pharmaceutical care agreement between Joan George, APRN-NP, and Jessica Rounds, RP.

## **PRACTICE CONSULTANT REPORT**

Rogers reported that she is developing a Board of Nursing Advisory Opinion on hydration spas. She noted that by mixing different vitamins and other compounds into the IV solution, staff at these spas might be engaging in compounding, which requires a pharmacist license. Ginger also reported that the Board of Medicine, Board of Pharmacy, and Board of Nursing are interested in creating a collaborative document to address the issues posed by the elective IV hydration services.

Rogers reported that she also attended the public hearing for proposed changes to Nebraska's Medicaid regulations. Under the CARES Act, nurse practitioners were temporarily allowed to prescribe for home health services. Hoebelheinrich said that CMS has changed its policies to make this change permanent. Nebraska's proposed Medicaid regulations, however, still only identify physicians as being able to prescribe for home health services.

## **CREDENTIALING REVIEWS**

The DHHS Credentialing Review Program is currently reviewing a proposal to allow pharmacy technicians to administer vaccines. Oertwich noted that 21 states have made permanent changes to their statutes and regulations to allow pharm tech to administer vaccines under pharmacist supervision. Oertwich reported that those who attended the Credentialing Review Program's hearing on this issue have generally been supportive of increasing access to vaccinations. The Nebraska Medical Association has expressed opposition to allowing pharm techs to administer childhood vaccinations that are normally administered during well child visits.

The Credentialing Review Program is also reviewing a proposal to license anesthesiologist assistants (AAs) in Nebraska. Tiffany Mayland and Holly Chandler from the Nebraska Association of Nurse Anesthetists spoke to the Board about their concerns about the proposal. One concern is that using AAs in operating rooms will decrease the number of spaces available for CRNA students to complete their clinical experiences. Because AAs can only work under physician supervision, they would also have limited ability to serve in rural communities. Chandler said that 16% of Nebraska's CRNA workforce

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provides services in rural areas, while there is only one physician anesthesiologist working in rural Nebraska. Ellis said that she is in favor of AA licensing, but that she recognizes that the Board represents APRNs, and she would respect whatever action the Board takes on the issue. Ellis also noted that Medicaid will only reimburse CRNAs for anesthesiology services in critical access hospitals, which limits the ability of physician anesthesiologists to practice in rural areas.

**MOTION:** Glidden made the motion, seconded by Foss, to send a letter to the Credentialing Review Program opposing the licensing of anesthesiologist assistants.

Voting Yes: Dunovan, Foss, Glidden, and Kindschuh. Voting No: Ellis. Abstain: None. Absent: Russell, Sandersfeld, and Stauffer. Motion carried.

## **APRN RENEWALS**

Oertwich reported that APRN and RN licenses expire on October 31, 2022. Under Executive Orders that are currently in place, RNs and APRNs can waive the continuing education and continuing competency requirements normally required to renew a license. Oertwich said that no continuing competency audits will be conducted for this renewal cycle.

## **NCSBN ANNUAL MEETING**

Oertwich reported that she and Linda Stones, RN, (a member of the Board of Nursing) represented the Nebraska APRN Board at the National Council of State Boards of Nursing's Annual Meeting on August 17<sup>th</sup> through the 19<sup>th</sup>. Delegates at the meeting approved test plans for NCLEX and adopted a strategic plan. Oertwich did not see any major changes or policies emerging from the meeting.

## **COMMUNICATION**

Nursing News – Oertwich reported that staff are doing final edits on the next edition of *Nursing News*, which she expects will be published within two or three weeks.

Staff Updates – Oertwich reported that the Licensure Unit is short one staff member. The Licensure Unit is receiving very few applications from qualified applicants for its vacant positions. Oertwich also reported that Rogers will take the helm of the Nursing Practice Consultant position on September 1, 2022, when Hoebelheinrich retires.

## **CLOSED SESSION**

**MOTION:** Kindschuh made the motion, seconded by Glidden, for the Board to go into closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

Voting Yes: Dunovan, Ellis, Foss, Glidden, and Kindschuh. Voting No: None. Abstain: None. Absent: Russell, Sandersfeld, and Stauffer. Motion carried.

Kindschuh announced that the Board was in closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

2:18 p.m. Meeting went into closed session.

3:25 p.m. Hoebelheinrich left the meeting.

3:40 p.m. Hoebelheinrich returned to the meeting.

4:24 p.m. Meeting returned to open session.

### **LICENSE APPLICATION**

**MOTION:** Glidden made the motion, seconded by Kindschuh, to recommend approval of John Fortner's application for early release from the probation terms and conditions on his Nebraska APRN-CRNA license based on his completion of five years of sobriety, positive letters of reference from colleagues, and compliance with all probation requirements in Missouri.

Voting Yes: Dunovan, Ellis, Foss, Glidden, and Kindschuh. Voting No: None. Abstain: None. Absent: Russell, Sandersfeld, and Stauffer. Motion carried.

### **CONCLUSION AND ADJOURNMENT**

There being no further business, the meeting adjourned at 4:30 p.m.

Respectfully submitted,



Sherri Joyner  
Health Licensing Coordinator