

**PHYSICIAN ASSISTANT COMMITTEE
MEETING MINUTES
January 7, 2022**

ROLL CALL

The meeting of the Physician Assistant Committee was called to order at 2:05 p.m. by Tamara Dolphens, PA-C, Chairperson in the Husker Conference Room, of the Hampton Inn & Suites, located at 7343 Husker Circle, Lincoln, Nebraska 68504. The meeting was held In-Person and by WebEx. The following members answered the initial roll call:

Tamara Dolphens, PA-C, Chairperson
Merle Henkenius, Secretary
John Massey, MD – via WebEx
Corrigan McBride, MD – via WebEx
Nicole Schwensow, PA-C

Absent: None

A quorum was present, and the meeting convened. Present from the Department was Jesse Cushman, Program Manager and Jan Gadeken-Harris, Health Licensing Coordinator; Mindy Lester, Assistant Attorney General (via WebEx); Anna Harrison, Compliance Monitor (via WebEx) and Kathleen Kruger, Investigator with the Investigation Unit (via WebEx).

Dolphens announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Committee 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 December 23, 2021.

ADOPTION OF AGENDA

McBride moved, seconded by Henkenius, to adopt the agenda as presented. Voting aye: Dolphens, Henkenius, McBride and Schwensow. Voting nay: None. Abstain: None. Absent: None. Non-Voting Member: Massey. Motion carried.

INTRODUCTION OF NEW COMMITTEE MEMBER, NICOLE SCHWENSOW, PA-C

The Department and the PA Committee “Welcome” our newest member to the PA Committee, Nicole Schwensow, PA-C. Nicole’s term started on December 1, 2021 and runs through November 30, 2026. Nicole will serve in the position previously held by Kathleen Tonkin, PA-C.

Nicole has been a licensed PA for over seventeen years and is also actively involved with Research and Teaching. She is a Fellow with the American Academy of Physician Assistants and the Nebraska Academy of Physician Assistants. Nicole will be a tremendous asset to the PA Committee and the Nebraska community.

BOARD/COMMITTEE ROLES AND RESPONSIBILITY

Periodically the Roles and Responsibilities of the Committee are reiterated and discussed as a group. Some of the key points that were mentioned by Jesse Cushman are as follows:

The Role of Committee Members: As a Committee Member you are charged with seeing that your Committee fulfills its duties which are to:

- protect the health, safety, and welfare of the public;
 - set the minimum standards of proficiency and competency;

- provide recommendations related to the issuance or denial of credentials, disciplinary action and legislation changes;
- provide recommendations on reinstatement applications; and
- provide recommendations on regulations to carry out the Uniform Credentialing Act. (§38-161)

You will need to be familiar with Nebraska's Uniform Credentialing Act:

<http://dhhs.ne.gov/licensure/Documents/UniformCredentialingAct.pdf>, the statutes governing your profession or occupation, statutes related to open meetings and public records, and rules and regulations affecting your profession or occupation. These laws and regulations form the basis for all your actions and responsibilities as a Committee Member.

There are 26 separate professional Boards/Committees. The Boards/Committees play a vital role in assuring initial and continuing competency of individuals who are licensed, certified or registered for a profession or occupation in Nebraska.

The Committee Member's Bill of Rights: Committee Members have rights, beyond those of being volunteers that must be upheld by the Board as well as observed by staff.

- The right to be heard – Committee Members must welcome each other's opinions and feel that their opinions are welcome by the staff.
- The right to be protected from liability – Nebraska laws provide protection for Committee Members acting without malice, and with the reasonable belief that an action is warranted by the facts available.

The Committee Member's Code of Conduct: The Code of Conduct is a set of behavioral expectations intended to assure the public that the Committee and its individual members uphold the highest level of integrity and ethical standards. The following principles provide the foundation for assuring public trust in professional regulation:

- Comprehend and implement applicable Nebraska statutes, rules and regulations regarding the practice of the profession or occupation for the protection of the public.
- Prepare for, attend, and participate in the meetings of the Board and Committees to which appointment has been accepted.
- Ensure each matter is dealt with in a fair, equitable, impartial and just manner based on what is best for the consumer.
- When appropriate, reveal actual or perceived conflicts of interest and recuse oneself from Committee decision making.
- Ensure the rights to due process and protect the integrity of individuals and agencies who appear before the Committee.
- Accept responsibility and accountability for the decisions made by the Committee, regardless of personal opinion.
- Maintain confidentiality as prescribed by applicable statutes and regulations.
- Demonstrate mutual respect and support for each other and the staff of the Committee in all Committee related activities.
- When speaking or acting on behalf of the Committee, accurately present Committee discussion.

APPROVAL OF MINUTES

Henkenius moved, seconded by McBride, to approve the meeting minutes of October 15, 2021 as written. Voting aye: Dolphens, Henkenius and McBride. Voting nay: None. Abstain: Schwensow. Absent: None. Non-Voting Member: Massey. Motion carried.

DESIGNATION OF THE METHOD BY WHICH THIS BODY WILL GIVE PUBLIC NOTICE OF ITS MEETINGS

Jan Gaden-Harris explained that the Committee needs to inform the public each year of the method by which the Committee will provide notice of their meetings. In the past, the Committee had chosen to post meeting agendas on the Bulletin Board at the Nebraska State Office Building, to e-mail agendas to the interested parties list, and to post agendas on the Department's website. Schwensow moved, seconded by Henkenius, to continue the same method that the Department has been using to provide public notice of this Committee's meetings by posting meeting agendas at the Nebraska State Office Building, by e-mailing agendas to the interested parties list, and by posting agendas on the Department's website. Voting aye: Dolphens, Henkenius, McBride and Schwensow. Voting nay: None. Abstain: None. Absent: None. Non-Voting Member: Massey. Motion carried.

2022 LEGISLATION UPDATES

Day 1 of the 107th Legislature, 2nd Session started January 5, 2022 with the introduction of new bills.

The PA Committee has no comments at this time.

REGULATIONS UPDATE

Jesse Cushman noted that Title 172 Chapter 90 Licensure and Supervision of Physician Assistants, Revised Regulations were effective 12/14/2021. The Regulations will again be pulled for review to include the passing of LB390 and will be submitted for Public Hearing.

The current Regulations can be viewed here: https://www.nebraska.gov/rules-and-regs/regsearch/Rules/Health_and_Human_Services_System/Title-172/Chapter-090.pdf

INVESTIGATIONAL REPORTS – CLOSED SESSION

Schwensow moved, seconded by Henkenius to go into closed session at 2:34 p.m. for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Dolphens, Henkenius, McBride and Schwensow. Voting nay: None. Abstain: None. Absent: None. Non-Voting Member: Massey. Motion carried.

Schwensow moved, seconded by Henkenius, to open the session at 3:15 p.m. Voting aye: Dolphens, Henkenius, McBride and Schwensow. Voting nay: None. Abstain: None. Absent: None. Non-Voting Member: Massey. Motion carried.

APPLICATION(S) REVIEW – OPEN SESSION

No applications were slated for review.

COVID-19 DISCUSSION(S):

Governor Pete Ricketts has issued Executive Order (EO) 21-18 with continued waivers to facilitate hospital planning and ensure additional healthcare workforce capacity in Nebraska. EO 21-18 extends EO 21-15 issued October 13, 2021 and EO 21-12, issued on August 26, 2021 when declaring a hospital staffing emergency. EO 21-18 will remain in effect through March 31, 2022.

You can view the EO's here: <https://dhhs.ne.gov/Pages/COVID-19-Nebraska-Guidance-Documents.aspx>

ELECTION OF OFFICERS

Schwensow moved, seconded by McBride to elect new officers for 2022 as follows:

Chairperson: Tamara A. Dolphens, PA-C

Vice Chairperson: Nicole Schwensow, PA-C

Secretary: Merle J. Henkenius

Voting aye: Dolphens, Henkenius, McBride and Schwensow. Voting nay: None. Abstain: None. Absent: None. Non-Voting Member: Massey. Motion carried.

COMMITTEE MEETING SCHEDULE

The next Physician Assistant Committee meeting is scheduled March 4, 2022.

The schedule for 2022 is listed on the DHHS website:

<https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

There being no further business Dolphens, Chairperson, adjourned the meeting at 3:23 p.m.

Respectfully submitted,

signature available upon request

Merle Henkenius, Secretary
Physician Assistant Committee