

# *Report of the Nebraska State Board of Health For 2012*

***Mission Statement:*** The Board of Health promotes and protects the health and safety of all people in Nebraska by providing expertise and advice on health issues, with input from health care providers and the public, to the Nebraska Department of Health and Human Services and others regarding:

- Regulatory and legislative issues
- Professional boards
- Educational health programs
- Public health assessment, policy development, and assurance
- Communication/coordination

***Vision:*** Healthy people in a healthy Nebraska.

**Staffed by the  
Department of Health and Human Services  
Division of Public Health**

## ***2012 BOARD OF HEALTH FACT SHEET***

### ***STATUTORY AUTHORITY:***

- N.R.S. 71-2601 through 71-2611 (Revised July 1, 2007).

### ***MEMBERSHIP and MEETINGS:***

- 17 members appointed by the Governor for five year terms. One new member, Dr. Jeromy Warner, was appointed in September 2012 due to the resignation of Dr. Bizell.
- Officers are appointed annually in November: Chair Dale Michels, MD; Vice Chair Daryl Wills, DC; and Secretary Paul Salansky, OD.
- Meetings are held the third Monday of odd months, except fourth Monday in January.
- September 2012 the Board met in Holdrege as guests of Phelps Memorial Health Center. As a cost saving measure, the May and July meetings were consolidated into one meeting held in June.
- 2013 meeting dates: January 28, March 18, June 17, September 16, and November 18.

### ***PROFESSIONAL BOARD APPOINTMENTS:***

- In 2012 there were 85 applicants; 35 interviews conducted; and 20 members appointed to 12 different professional boards and the Nebraska Center for Nursing.

### ***RULES AND REGULATIONS:***

- 12 sets were approved; and 24 sets were reviewed in 2012.

### ***CREDENTIALING REVIEWS:***

- Conducted 4 meetings for review of Music Therapists, until they withdrew their application. Started a review on Nurse Practitioners. Several reviews for 2013.

### ***PUBLIC HEALTH, EDUCATION & LEGISLATION:***

- Researched initiatives to develop position statements and prepare news articles.
- Received regular presentations by Bryson Bartels, DHHS Legislative Liaison.
- Received presentation by Carmen DeMare, DNP, APRN-NP on nurse-led interdisciplinary collaboration and her Quality Improvement Project at Creighton.
- Received presentation from Two Rivers Department of Health and Wellness.
- Issued press release during Public Health Month. Recognized Ted E. Bear Hollow.

### ***REVIEW PANEL:***

- There is an ad hoc committee to address the potential removal of professional board members for cause, in accordance with 184 NAC Ch. 6. The last member was removed for cause in 2010. The Review Panel opened a new investigation in November 2012.

### ***CONTACT INFORMATION:***

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*Chair's Report*  
*Nebraska State Board of Health – 2012*  
*Gary Westerman, D.D.S.*

In 2012, members of the Board of Health (BOH), representing a variety of health care providers and the public, continued to serve the citizens of Nebraska by providing expertise and advice on health issues to the Nebraska Department of Health and Human Services (DHHS). The Board's vision, "healthy people in a healthy Nebraska", has guided our mission as we promote and protect the health and safety of Nebraska citizens in the following areas:

- *Regulatory and legislative issues*
  - The Rules and Regulations Committee reviews regulations that are slated for either approval or review by the BOH. The committee has been working to streamline the review process to improve the efficiency of the BOH regulation discussions. There is a lot of work underway to meet the requirements for new and revised regulations due to the Uniform Credentialing Act.
  - The Credentialing Review Committee, which reviews credentialing or scope of practice proposals, has been challenged this year by several impressive assignments.
  - The Public Health, Education and Legislation (PHEL) Committee provides a forum for the discussion of legislative issues.
    - At most Board of Health meetings, a DHHS representative updates the members about legislative issues.
    - Members share their profession's views of legislative issues and work collectively to craft positions that the entire board can support.
  - These Board of Health members testify in person or send letters of testimony on behalf of the Board of Health to convey our concerns on proposed legislation. This year Board of Health members testified or wrote letters about two introduced bills, while tracking an additional two introduced bills.
- *Professional Boards*
  - The Professional Boards Committee has been working diligently to meet the goals established in January 2012.
  - Each Board member serves as a liaison to specific professional boards and provides information to the rest of the committee and Board.
  - We have refined a screening process for the professional board applications out of respect for the time of both the applicant and the Board of Health members.
  - We processed 95% of the applications electronically, saving resources.
- *Educational health programs*
  - Besides providing a legislative discussion forum, the Public Health, Education and Legislation (PHEL) Committee offers a mechanism for ongoing board member development by scheduling presentations over topics related to public health assessment, policy development, and public health assurance.
  - The PHEL committee recognizes public health programs and providers who offer exemplary service via the Community Public Health Recognition program. This year the Board recognized Ted E. Bear Hollow in Omaha. Their main purpose is to provide grief therapy to children.

- The Board of Health is very interested in helping educate the public about pertinent health issues that exist in this multi-faceted state.
- *Public health assessment, policy development, and assurance*
  - Besides participating in the work of the standing committees, several members serve as members of an ad hoc Review Panel that investigates when an issue concerning a board arises. When presented to the Board of Health, the Review Panel becomes “prosecutors” and the rest of the BOH becomes “jurors”.
  - The Board of Health is grateful to the DHHS staff members who continue to educate the members about the intricacies of public health.
- *Communication/coordination*
  - In January, the BOH invited key senators and legislative staff to a luncheon at the State Office Building. The exchange of information and collegiality at these luncheons continue to surpass expectations. We appreciate the opportunity to communicate with the senators about BOH concerns and to provide them with advice on health care issues.
  - The BOH plans to continue to build communication bridges with professional boards and chairs. Several incumbent professional board members shared concerns about investigative timelines and decisions.

The people of Nebraska continue to be well served by the Board of Health. The Board continues to be committed to the citizens of Nebraska and, through its very dedicated members, continues to provide dedicated service to the citizens of this state. In addition, the DHHS staff continues to provide excellent seasoned support to make this possible, and we all applaud and thank them for their service.

Looking ahead to 2013, we are poised to help with any challenges surrounding the changing landscape of national health care reform and the economy. Both are poised to change the lives and livelihoods of all Nebraskans. We are committed to our role as advocates for the public, while also being good stewards of state resources. There are several Credentialing Reviews on the slate for 2013. Efforts are always under way to create better communications throughout the DHHS. It is inspiring to see the passion that exudes from the various individuals on the Board of Health as they serve their fellow Nebraskans. These professionals ultimately sacrifice time pleasure and comforts in an attempt to provide timely high quality advice and guidance to the DHHS and ultimately the citizens of Nebraska. Newer members add vibrancy and inject new vigor and insight into persistent and new issues. We welcome any suggestions and inquiries from the public that might allow us to serve the state better. I am honored to have served as Chair of the Board of Health for two years, and I am turning this position over to the more than capable hands of Dr. Michels.

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[http://dhhs.ne.gov/Pages/reg\\_bdhealth.aspx](http://dhhs.ne.gov/Pages/reg_bdhealth.aspx)  
Dates indicate expiration of terms  
Updated: 1-3-13

## STATE BOARD OF HEALTH – COMMITTEE ASSIGNMENTS FOR 2013

Professional Boards	PHEL	Rules and Regs	Credentialing Review
John Tennity (Chair)	Russell Hopp (Chair)	Ken Kester (Chair)	Janet Coleman (Chair)
Diane Jackson (Vice Chair)	Roger Reamer (Vice)	Rich Robinson (Vice)	Wayne Stuberger (Vice Chair)
Janet Coleman	Ed Discoe	Russell Hopp	Ed Discoe
Ted Evans	Ted Evans	Debra Parsow	Debra Parsow
Rich Robinson	Diane Jackson	Roger Reamer	Luisa Rounds
Luisa Rounds	Ken Kester	Jeromy Warner	Roger Reamer
Gary Westerman	Wayne Stuberger	Gary Westerman	John Tennity
	Jeromy Warner		
Ex Officio:	Ex Officio: Chair	Ex Officio: Vice Chair	Ex Officio: Secretary
Staff:	Dale Michels	Daryl Wills	Paul Salansky
Staff: Monica Gissler	Monica Gissler	Kay Pinkley	Ron Briel
Review Panel:	John Tennity	Jeromy Warner	Luisa Rounds

### 2013 Committee Objectives

#### **Professional Boards Committee**

- ✓ Continue the process of inviting professional board chairs to meet with the Committee.
- ✓ Utilize the prescreening process again to make the best use of our interview times.
- ✓ Continue to build and utilize the database of applicants who were excellent candidates.
- ✓ Continue to work with the professional organizations to increase the pool of applicants.
- ✓ Utilize the recently implemented peer evaluation process for incumbents for the 2010 interviews and develop a method of obtaining feedback from board members and staff about the process.
- ✓ Further define the role of the committee in mediating difficulties among professional board members.
- ✓ Improve upon and continue to use more efficient electronic means of processing application forms.

#### **Public Health, Education, and Legislation Committee**

- ✓ Provide information and education about selected health programs in Nebraska that promote public health and the prevention of health and behavioral health problems.
- ✓ Develop BOH position statements directed toward public health issues that affect Nebraskans.
- ✓ Review, select, prioritize and advocate for proposed legislation that enhances health of Nebraskan's citizens.
- ✓ Advocate and support legislative efforts to enhance opportunities for the education and development of health care professionals in Nebraska, especially in underserved areas.
- ✓ Help plan retreats and provide program content for special meetings of the Board of Health.
- ✓ Promote cooperative efforts with district health departments and other public health entities
- ✓ Honor those public health programs that have worked to improve the lives of Nebraskans

#### **Rules and Regulations Committee**

- ✓ Review new regulations and amendments prior to the public hearing in order for the BOH to make comments during the public hearing stage of the regulation process.
- ✓ Review UCA implementation regulations using current processes.

#### **Credentialing Review Committee**

- ✓ Advise the Board regarding proposals for either change in scope of practice or new credentialing.
- ✓ Continue to work towards improving the efficiency and effectiveness of the Credentialing Review Program, and,
- ✓ Screen and advise the BOH regarding members of upcoming technical review committees, and advise on which Board of Health members would be appropriate as chairpersons.

The BOH Chair (Gary Westerman, DDS), Vice-Chair (Daryl Wills, DC) and Secretary (Dale Michels, MD) are voting members on all standing committees. All members of the BOH are encouraged to attend interviews whenever possible. All members of the BOH may attend any committee meeting at any time, but only those assigned to the particular committee may vote unless the committee chair states otherwise.

**Rules and Regulations Committee  
of the State Board of Health  
Annual Report for 2012**

The State Board of Health is required by law to consider all rules and regulations of the DHHS Division of Public Health. Professional and occupational credentialing regulations are required to be adopted (or “approved”) by the Board. Other regulations of the Division of Public Health are required to be advised upon (or “reviewed”) by the Board.

To enhance discussion and improve efficiency of Board meetings, all Public Health regulations come before the Board’s Rules and Regulations Committee prior to the meeting of the full Board.

In 2012, Rules and Regulations Committee members were:

Ken Kester, PharmD, JD (Chair)  
Rich Robinson, PE (Vice Chair)  
Russell Hopp, DO  
Debra Parsow (Public member)  
Roger Reamer, MBA  
Paul Salansky, OD  
Wayne Stuberger, PhD, PT

Staff support for the Rules and Regulations Committee is provided by Kay Pinkley, Regulation Coordinator, and Sarah Sujith, Regulation Review Attorney, both from DHHS Legal Services.

# **Rules and Regulations Committee**

## **Activities in 2012**

### **January 24, 2012 Meeting**

Committee members approved the following UCA licensure regulations:

172 NAC 56	Dentists and Dental Hygienists
172 NAC 11	Out-of-Hospital Emergency Care Providers
172 NAC 12	Emergency Medical Services
172 NAC 13	Emergency Medical Training Agencies
172 NAC 168	Environmental Health Specialists

Committee members reviewed the following regulations:

174 NAC 1 & 8	Abortion Consent Reporting
174 NAC 6	Cultural History in Adoptions
174 NAC 8	Abortion Reporting Form
186 NAC 2	Brain Injury Registry
175 NAC 6	Licensure of Children's Day Health Services

### **March 26, 2012 Meeting**

Committee members approved the following UCA licensure regulations:

172 NAC 137	Physical Therapy
172 NAC 17	Athletic Training
172 NAC 114	Occupational Therapy
172 NAC 11	Out-of-Hospital Emergency Care Providers
172 NAC 12	Emergency Medical Services
172 NAC 13	Emergency Medical Training Agencies

172 NAC 11, 12, and 13 were approved in January and again in March after changes were made based on legislation enacted March 7, 2012.

Committee members reviewed the following regulations:

179 NAC 2-002, 3-5, 8, 12-14, & 16	Public Water Systems
180 NAC 1-4, 7, 10, 13, 15, & 21	Control of Radiation



**June 18, 2012 Meeting**

Committee members approved the following regulations:

- 178 NAC 11 Fees Under the Water Well Standards and Contractors' Practice Act

**September 17, 2012 Meeting**

Committee members received an update on the status of all Uniform Credentialing Act (UCA) regulations. No individual chapters of regulations were approved or reviewed.

**November 19, 2012 Meeting**

Committee members reviewed the following regulations:

- 173 NAC 7 School Health Screening, Physical Examination, and Visual Evaluation (new regulations)
- 173 NAC 3 School Health, Communicable Disease Control, and Immunization Standards

## **Rules and Regulations Committee**

### **Goals for 2013**

The Rules and Regulations Committee will continue to consider all regulations of the DHHS Division of Public Health prior to their presentation to the Board of Health.

This will include consideration for approval of additional professional and occupational credentialing regulations under the Uniform Credentialing Act (UCA). Of the total 64 chapters of UCA regulations, 22 are complete and 42 remain. Of those 42, drafting is complete for about half and is underway for the other half. The committee will be provided with an updated status report on the UCA regulations at each meeting.

Other Licensure Unit regulations to be considered in 2013 will include new regulations for the Credentialing Review Program. LB 834 (2012) amended the Regulation of Health Professions Act and new regulations are being developed to set out standards for use by review bodies in recommending whether proposals for credentialing or a change in scope of practice meet the statutory guidelines.

The Committee will also continue to review all other regulations of the Division of Public Health. This will include regulations of the Environmental Health, Lifespan Health Services, and Public Health Support Units.

From the Environmental Health Unit, three chapters of Public Water System regulations are being developed in response to new federal Environmental Protection Agency requirements. From the Public Health Support Unit, new regulations are being developed under LB 591 (2011), which established requirements for public health syndromic surveillance and for the sharing of immunization information.

To: Members of the Nebraska State Board of Health  
From: Janet Coleman, Chairperson of the Credentialing Review Committee  
Subject: 2012 Annual Report of the Credentialing Review Committee of the Nebraska State Board of Health  
Date: November 21, 2012

***Committee Duties and Responsibilities:***

*The 2012 assignment was to continue to work toward improving the efficiency of the Credentialing Review Program, and to assist the full Board with any new credentialing reviews that arise.*

***Current Committee Members:***

Janet Coleman, (Chair); Jeromy Warner, PsyD.; Wayne Stuberg, Ph.D., P.T.; John Tenny, D.P.M.; Deb Parsow; Ed Discoe, M.D.; and Luisa Rounds, R.N., B.S.N.

***Former Committee Members:***

Dan Bizzell, Ed.D.

***Staff:*** Ron Briel

***Goals for 2012 were as follows:***

- 1) *Advise the full Board regarding proposals for either change in scope of practice or new credentialing,*
- 2) *Continue to work towards improving the efficiency and effectiveness of the Credentialing Review Program, and,*
- 3) *Screen and advise the Board regarding members of upcoming technical review committees, and advise on which Board members would be appropriate as chairpersons.*

***Activities for 2012 were as follows:***

*During the January 23, 2012 bimonthly meeting of the Board the Committee members advised the full Board regarding the composition of the Music Therapy Technical Review Committee.*

*During their March 26, 2012 meeting and their June 18, 2012 meeting the Committee members interviewed candidates for the new Credentialing Review Professional Member Pool. A six-member professional pool was created for the Program from this process.*

***Goals for 2013 are as follows:***

- 1) *Advise the full Board regarding proposals for either change in scope of practice or new credentialing,*
- 2) *Continue to work towards improving the efficiency and effectiveness of the Credentialing Review Program, and,*
- 3) *Screen and advise the Board regarding members of upcoming technical review committees, and advise on which Board members would be appropriate as chairpersons.*

**Activities for 2013 are as follows:**

*The Committee members will continue to advise the full Board regarding the appointment process for any new technical review committees and the formulation of recommendations on credentialing review proposals when they come to the Board for review.*

RB 12/12/2012

To: Members of the Nebraska State Board of Health  
From: John Tenny, DPM, Chair, Professional Boards Committee  
Subject: 2012 Annual Report of the Professional Boards Committee of the  
Nebraska State Board of Health  
Date: December 6, 2012

**Committee Members:**

John Tenny, DPM (Chair); Paul Salansky, OD (Vice Chair); Janet Coleman, Public Member; Ted Evans, DVM; Diane Jackson, APRN; Rich Robinson, PE; and Luisa Rounds, RN.

*Officers Ex-Officio Members:* Chair Gary Westerman, DDS; Vice Chair Daryl Wills, DC; and Secretary Dale Michels, MD.

*Staff:* Monica Gissler

**Committee Duties and Responsibilities:**

In November 2011, the current Committee Chair and members established the following goals for this committee in 2012:

- ✓ Continue the process of inviting professional board chairs to meet with the Committee.
- ✓ Utilize the prescreening process again to make the best use of our interview times.
- ✓ Continue to build and utilize the database of applicants who were excellent candidates.
- ✓ Continue to work with the professional organizations to increase the pool of applicants.
- ✓ Utilize the recently implemented peer evaluation process for incumbents for the 2010 interviews and develop a method of obtaining feedback from board members and staff about the process.
- ✓ Further define the role of the committee in mediating difficulties among professional board members.
- ✓ Improve upon and continue to use more efficient electronic means of processing application forms.

**Activities for 2012:**

**January:** Committee members conducted 3 interviews this morning; one had been cancelled yesterday.

Dr. Westerman asked if the members would like to vote collectively on all proposed appointments. All were in favor to vote on all appointments together.

Board of Funeral Directing and Embalming: Appoint Steve Brunken of Lincoln for the term of January 23, 2012 through November 30, 2016.

Board of Registered Environmental Health Specialists: Appoint Jere Ferrazzo, M.P.A., REHS of Omaha for the term of January 23, 2012 through November 30, 2016.

**March:**

They interviewed six applicants to serve on the Board of Alcohol and Drug Counseling, and are making the following recommendations for appointment:

Reappoint Alfredo Ramirez, LCSW, LADC of Norfolk for the term April 2, 2012 through November 30, 2017.

Appoint Christine Chasek, LADC, LIMHP, ABD of Hildreth for the term April 2, 2012 through November 30, 2017.

***June:***

They interviewed four applicants to serve on the Nebraska Center for Nursing, and are making the following recommendations to be forwarded to Governor Heineman for appointment:

1. \* Alice Kindschuh, MSN
2. Cindy Hadenfeldt, EdD, MSN
3. Carman DeMare, DNP, MSN

The Committee also interviewed two incumbents for other boards to be reappointed in November.

***August:***

Committee members prescreened applicants. A total of \_\_ individuals applied and \_\_ were scheduled for interviews to fill \_\_ vacancies. In an effort to save printing and postage costs, applications were scanned into PDF files and sent electronically to committee members. There are also two vacancies for which there were no applicants: the Board of Environmental Health Specialists and the Board of Funeral Directing and Embalming. This year had the lowest amount of applicants per position in at least 15 years.

***September:***

1. Nine interviews were conducted on the day prior to the regular Board of Health meeting held in Holdrege. Several committee members used personal laptop computers to view the applications which were available on CDs.
2. On the public meeting day, the following appointments were made:

Board of Advanced Practice Registered Nurses:

Certified Nurse Midwife - Reappoint Marilyn Lowe, CNM from Omaha to the term 12/2/2012 to 11/30/2017.

Physician member with a Nurse Anesthetist relationship – Reappoint Christopher Price, MD from Norfolk to the term 12/2/2012 to 11/30/2017.

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art:

Public Member - Reappoint Lisa Pfeil from St. Paul to the term 12/1/2012 to 11/30/2017.

Board of Medicine and Surgery:

Physician Member - Reappoint Karen Higgins, MD from Grand Island to the term 12/1/2012 to 11/30/2017.

Board of Psychology:

Psychologist - Reappoint Mark Weilage, PhD from Lincoln to the term 12/1/2012 to 11/30/2017.

Perfusionist Committee:

Perfusionist - Reappoint Ben Greenfield, MPS, CCP from Omaha to the term 12/1/2012 to 11/30/2017.

***November:***

1. The following individuals were appointed, most with terms through November 30, 2017, unless indicated otherwise:

They interviewed nine applicants to serve on four professional boards, and are making the following recommendations for seven appointments:

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art:

Cosmetologist Member – Appoint David Newson from Elkhorn for the term November 19, 2012 through November 30, 2017.

Esthetician Member – Appoint Vicki Criswell from Plattsmouth for the term of December 1, 2012 through November 30, 2017.

Public Member – Appoint Bridget Anderson from Lincoln for the partial term of November 19, 2012 through November 30, 2015.

Board of Medical Radiography:

Re-Appoint Denise Logan, BS, RT (R)(M) from Lincoln for the term of December 1, 2012 through November 30, 2017.

Board of Mental Health Practice:

Appoint Dale Battleson, PhD, from Omaha for the partial term of November 19, 2012 through November 30, 2014.

Board of Nursing Home Administration:

Appoint Alexander Willford of Grand Island for the partial term of November 19, 2012 through November 30, 2015.

Board of Occupational Therapy Practice:

Appoint Lisa Andersen, OTR/L, CDRS of Lincoln for the term of December 1, 2012 through November 30, 2017.

***Goals for 2012:***

In November 2012, current Committee Chair Dr. Tenny and members established the following goals for this committee in 2013:

1. Formalize and continue the process of inviting professional board chairpersons to meet with the Committee and discuss how their board functions and any concerns or issues they have that the Board of Health might address. Increase the number of board members maintaining contact with the assigned professional boards to enhance communication and clarify BOH members function at professional board meetings. Discuss possibilities for consolidation or mergers of boards.

1. Utilize the prescreening process again to make the best use of our interview times. If the Board of Health conducts a regular meeting in 2012 outside of Lincoln, interviews may also be offered at this location on the previous day for the convenience of applicants. The prescreening process will

be continue to be evaluated and revised as necessary. There are 12 scheduled professional board vacancies in 2012, and three vacancies on the Nebraska Center for Nursing for which terms are recommended to the Governor by the Board of Health.

2. Continue to work with professional organizations to increase the pool of qualified applicants for positions.
3. Utilize the peer evaluation process for incumbents for the 2012 interviews and develop a method of obtaining feedback from board members and staff about the process.
4. Continue to build and utilize the data base of professional board applicants who were excellent candidates, but for various reasons were not appointed to the positions they were seeking. Continue to develop and use protocol for notification, content of the letter or to be handled on an individual basis based upon the Professional Board recommendations. These applicants should receive consideration for the Credentialing Review Pool or PREP.
5. Further define the role of the committee in mediating issues with professional board members.
6. Develop guidelines for the appointment of individuals who wish to serve concurrently on more than one Professional Board.

12/6/12



## Public Health, Education and Legislation Committee

To: Members of the Nebraska State Board of Health  
From: Russell Hopp, DO, Committee Chair  
Subject: 2012 Report of the Public Health, Education and Legislation Committee of the Nebraska State Board of Health  
Date: November 24, 2012

### ***Committee Members:***

Russell Hopp, DO (Chair); Roger Reamer (Vice Chair); Ed Discoe, MD; Ted Evans, DVM; Ken Kester, PharmD, JD; and Debra Parsow.

***Officers:*** Gary Westerman, DDS (Chair); Daryl Wills, DC (Vice Chair); and Dale Michels, MD (Secretary).

***Staff:*** Monica Gissler

### ***Committee Duties and Responsibilities:***

The Public Health, Education, and Legislation (PHEL) Committee met in person five times and via conference call once during 2012 and worked toward the following committee objective: To identify and promote public education and legislation to enhance the health, mental health, and living environment of all residents of Nebraska.

### ***Committee Objectives for 2012:***

- ✓ Provide information and education about selected health programs in Nebraska that promote public health and the prevention of health and behavioral health problems.
- ✓ Develop BOH position statements directed toward public health issues that affect Nebraskans.
- ✓ Review, select, prioritize and advocate for proposed legislation that enhances health of Nebraskan's citizens.
- ✓ Advocate and support legislative efforts to enhance opportunities for the education and development of health care professionals in Nebraska, especially in underserved areas.
- ✓ Help plan retreats and provide program content for special meetings of the Board of Health.
- ✓ Promote cooperative efforts with district health departments and other public health entities
- ✓ Honor those public health programs that have worked to improve the lives of Nebraskans

### ***Activities in 2012:***

#### **January:**

Dr. Hopp, Chair of the Public Health, Education and Legislation Committee, listed bills of interest to his committee, as determined during a committee conference call held on January 20, 2012, and committee discussion held the morning of January 24<sup>th</sup>. Conference call participants included Dr. Hopp, Dr. Kester, Dr. Evans, Ms. Jackson and staff Monica Gissler.

Dr. Hopp explained the three categories that the Board of Health places legislative bill in: Category 1: Take action on; 2: Monitor and take possible action on, and 3: monitor.

BILL	INTRODUCER	BOARD OF HEALTH PRIORITIES 2012
712	Haar	Change permitted practice provisions under the Certified Nurse Midwifery Practice Act.
831	Howard	Adopt the Genetic Counseling Practice Act
834	Gloor	Change the Nebraska Regulation of Health Professions Act.

Board of Health support means providing testimony or sending a letter stating any concerns. For each of the support and opposition bills listed above, the Board will send a letter and/or testify.

**March:**

The Committee reviewed their priority bills for this session. LB 831 on Genetic Counseling was signed by the Governor and we had supported it. LB 721 Certified Nurse Midwifery is still in Committee, and we sent a letter recommending they refer to the 407 report.

Public Health Recognition for Ted E Bear Hollow, submitted by Monica Gissler on behalf of the PHEL Committee.

Ted E. Bear Hollow is a nonprofit organization that provides day camps, support groups and other services for grieving children, teens and their families. Founded in 2001, the center has helped more than 5,000 metro-area families by giving them support, understanding and the skills to communicate and cope after the death of a loved one.

Their work is paid for by members and contributors, and families are never charged. The staff and volunteers at Ted E. Bear Hollow are a community resource. They offer information and training to groups and organizations that are dealing with child grief, or would like to know more about the subject. Their website is <http://www.tedebearhollow.org/index.php>.

**June:**

Carman DeMare, DNP, MSN, APRN-NP presented to the full Board of Health earlier in the day regarding nurse-led interdisciplinary collaboration and her Quality Improvement Project at Creighton University School of Nursing: “Active surveillance and referral program to ensure respiratory syncytial virus (RSV) prophylaxis for the pediatric congenital heart disease (CHD) population.” She provided handouts of her presentation, but highlights included:

- Monthly injection (Synagis) that can prevent RSV.
- There is no formal policy or process for the identification and referral of CHD patients eligible for the RSV prophylaxis.
- Children’s electronic medical record (EMR).
- PDSA – Plan, Do, Study, Act

**September:**

Legislative Luncheon – To be held on January 28, 2013 at the Nebraska Bar Foundation. New senators elected in November will be invited, regardless of committee assignment. Same format.

The PHEL Committee tentatively set the date to screen legislative bills via conference call on January 25. The Legislative calendar has not been set yet, so this could change.

There could be an APRN bill to remove collaborative agreements with physicians, and maybe a bill from the dental hygienists.

The Committee discussed a request from the Office of Congressman Fortenberry, asking for the opinion of the State Board of Health regarding H.R. 6107 on the Veterans E-Health & Telemedicine Support Act of 2012. Per a website (<http://www.healthcareitnews.com/news/vets-act-seeks-increase-access-telemedicine-veterans>) description: The Veterans E-Health & Telemedicine Support (VETS) Act of 2012 would enable providers affiliated with the Department of Veterans Affairs to deliver telemedicine services across state lines, eliminating a requirement that the providers be licensed in the same state as their patients. H.R. 6107 follows several recent moves by the federal government to adopt telemedicine as a means of treating service members, veterans and their families. So far this year, the VA has dropped co-payments charged to veterans for telehealth consultations and is setting a goal of providing 200,000 remote consultations by the end of this year (up from 140,000 last year).

Some Medical Boards are concerned that the bill's broad language may yield unintended consequences for the quality and safety of care provided to veterans. According to the Medical Board Association: "By expanding the state licensure exemption to the extent that the provider would not necessarily be licensed in either the jurisdiction where the telemedicine services originate or where the patient is located removes sufficient regulatory oversight and adequate recourse for the patient in the event of harm."

It was agreed to send the following response to Congressman Fortenberry: Based on the information we have available to us today, the Nebraska State Board of Health has no objection to H.R. 6107.

**November:**

Members reviewed the special legislative session in progress. There will be a PHEL conference call on January 24 or 25, 2013 to discuss introduced bills. The legislative luncheon for January 28<sup>th</sup> was also discussed.

***Committee Objectives for 2013:***

Continue the work from 2012. There are many deserving public health programs taking place across the state. We would like to recognize more of these programs and share the news of their good work.

November 28, 2012