

# *Report of the Nebraska State Board of Health For 2016*

***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**

[http://dhhs.ne.gov/pages/reg\\_bdhealth.aspx](http://dhhs.ne.gov/pages/reg_bdhealth.aspx)

## **2016 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 was appointed in 2016 due to term expiration: Michael Hansen from Columbus. And five members were reappointed: Jackson, Parsow, Trebbien, Vander Broek, and Stuberg.
- Officers are elected annually in November: Chair Wayne Stuberg, PT; Vice Chair Paul Salansky, OD; and Secretary Diane Jackson, APRN were re-elected in Nov 2015.
- Meetings are held the third Monday of odd months, except fourth Monday in January.
- September 2015 the Board met in Beatrice as guests of Beatrice Community Hospital and Health Center. As a cost saving measure, the May and July meetings were consolidated into one meeting held in June.
- 2016 meeting dates: January 25, March 14, September 19 (at UNMC in Omaha), and November 14. The scheduled June meeting was cancelled the meeting due to state budget shortfalls.

### **PROFESSIONAL BOARD APPOINTMENTS:**

- In 2016 there were 74 applicants; 57 interviews conducted; and 42 members appointed or reappointed to 22 different professional boards. Currently there are 11 vacant positions.
- There were 44 planned professional board vacancies in 2016, and 28 planned for 2017. There will also likely be resignations. We always need public members!

### **RULES AND REGULATIONS:**

- 2 sets were approved and 7 sets were reviewed in 2016. Work continues on UCA updates.

### **CREDENTIALING REVIEWS:**

- Finished Surgical Technologists review. Dialysis Technologists, and Licensed Practical Nurse reviews were conducted.

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

- Researched initiatives to develop position statements and prepare news articles.
- Received regular presentations by Bryson Bartels, DHHS Legislative Liaison.
- Received presentations on Compliance Assurance, Public Health Solutions.
- Recognized Health programs:

### **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. There were no activities in 2016.

### **CONTACT INFORMATION:**

- Matt Gelvin, Executive Administrator or Monica Gissler, Program Staff
- Telephone 402/471-6515; Fax 402/471-0383
- Email [monica.gissler@nebraska.gov](mailto:monica.gissler@nebraska.gov)
- Web site: [http://dhhs.ne.gov/Pages/reg\\_bdhealth.aspx](http://dhhs.ne.gov/Pages/reg_bdhealth.aspx)
- Address: State Board of Health, Division of Public Health, Licensure Unit, RPQI, P.O. Box 95026, Lincoln, NE 68509-5026 (301 Centennial Mall South, 3<sup>rd</sup> floor)

## NEBRASKA STATE BOARD OF HEALTH – MEMBERSHIP LIST FOR 2017

Kevin Borchert, PharmD, RP (Secretary)  
15204 Summerwood Dr.  
Omaha, NE 68137  
402/354-4304  
[kborcher@cox.net](mailto:kborcher@cox.net) (Aug 2019)

Shane Fleming, BSN, MSN, RN (PHEL Comm)  
3200 Pine Lake Road, Suite A  
Lincoln, NE 68516-6035  
402/421-1811 (Aug 2019)  
[Sfleming@teledigmhealth.com](mailto:Sfleming@teledigmhealth.com)

Michael Hansen (Hospital Admin) (R & R Chair)  
Columbus Community Hospital, PO Box 1800  
Columbus, NE 68601  
402-562-3351 (Aug 2020)  
[mthansen@columbushosp.org](mailto:mthansen@columbushosp.org)

Russell Hopp, D.O.  
5610 Farnam St  
Omaha NE 68132  
402/280-4580, Fax 402/280-1843  
[rhopp@creighton.edu](mailto:rhopp@creighton.edu) (Aug 2019)

Diane Jackson, APRN (Chair)  
Good Samaritan Hospital ER, 10 E 31<sup>st</sup> Street  
Kearney, NE 68847  
402/746-0172  
[dkjacksonapr@gmail.com](mailto:dkjacksonapr@gmail.com) (Aug 2020)

Teresa Konda, PE  
8404 Indian Hills Drive  
Omaha, NE 68114  
402/926-7063, F 402/399-4918  
[teresa.konda@hdrinc.com](mailto:teresa.konda@hdrinc.com) (Aug 2018)

Kevin Low, DDS  
246 Vincent Ave  
Chappell, NE 69129  
308/874-2910, F 308/874-2359  
[klowboh@yahoo.com](mailto:klowboh@yahoo.com) (Aug 2019)

Dale Michels, MD  
7441 O St, Ste 400  
Lincoln, NE 68510-2466  
402/488-7400, F: 402/488-0739  
[Dale.Michels@gmail.com](mailto:Dale.Michels@gmail.com) (Aug 2015)

Anthony Moravec, DVM  
PO Box 421  
Wahoo, NE 68066  
541/513-5559, F: 402/678/495-9173  
[morevets@me.com](mailto:morevets@me.com) (Aug 2018)

Debra Parsow (Public mbr) (Cred Review Chair)  
812 S. 67<sup>th</sup> St.  
Omaha, NE 68106  
402/709-4894  
[diparsow@cox.net](mailto:diparsow@cox.net) (Aug 2015)

Paul Salansky, OD  
Mid-Plains Eyecare Center, 121 N 8<sup>th</sup> St  
Nebraska City, NE 68410  
402/873-6696, F 873-5149  
[psalanskyjr@yahoo.com](mailto:psalanskyjr@yahoo.com) (Aug 2018)

Wayne Stuberger, PhD, PT  
Munroe-Meyer Institute  
985450 Nebraska Medical Center  
Omaha, NE 68198-5450  
402/559-5720 F 402/559-9263  
[wstuberger@unmc.edu](mailto:wstuberger@unmc.edu) (Aug 2020)

Travis Teetor, MD (Vice Chair)  
19309 Briggs St.  
Omaha, NE 68130  
402/575-0597  
[Travis.teetor@boystown.org](mailto:Travis.teetor@boystown.org) (Aug 2019)

Jim Trebbien  
12623 Harney Circle  
Omaha, NE 68154  
402/917-0128  
[Trebbien1@msn.com](mailto:Trebbien1@msn.com) (Aug 2020)

Douglas Vander Broek, DC  
6511 Shenandoah Dr.  
Lincoln, NE 68510  
402/413-5552  
[doug.vanderbroek@gmail.com](mailto:doug.vanderbroek@gmail.com) (Aug 2020)

Joshua Vest, DPM  
1150 N. 83<sup>rd</sup> St.  
Lincoln, NE 68512  
402/483-4485, Fax 402/483-5372 (Aug 2018)  
[jmvest@dmu.edu](mailto:jmvest@dmu.edu)

Jeromy Warner, PsyD, LP (Prof Bd Comm Chair)  
835 S. Burlington Ave, #108  
Hastings, NE 68901  
402/463-7711 (Aug 2018)  
[jwarner@marylanning.org](mailto:jwarner@marylanning.org)

Current Vacancy: Hospital Administrator Member  
Staff:

Matt Gelvin, Executive Administrator  
DHHS Public Health/ Licensure Unit/RPQI  
Lincoln, NE 68509-5026  
402/471-6515, F: 402/471-0383  
(Assistant: Marla)

Monica Gissler, Board of Health Primary Staff  
DHHS Public Health/ Licensure Unit, PO Box 95026  
Lincoln, NE 68509-5026  
402/471-2948, F: 402/471-0383  
[monica.gissler@nebraska.gov](mailto:monica.gissler@nebraska.gov)  
[http://dhhs.ne.gov/Pages/reg\\_bdhealth.aspx](http://dhhs.ne.gov/Pages/reg_bdhealth.aspx)  
Dates indicate expiration of terms  
Updated: 1-8-16

**STATE BOARD OF HEALTH – COMMITTEE ASSIGNMENTS FOR 2017**

<b>Professional Boards</b>	<b>PHEL</b>	<b>Rules and Regs</b>	<b>Credentialing Review</b>
Jeromy Warner (Chair)	Shane Fleming (Chair)	Mike Hansen (Chair)	Debra Parsow (Chair)
Russ Hopp (Vice Chair)	Teresa Konda (VC)	Joshua Vest (VC)	Tony Moravec (Vice)
Teresa Konda	Mike Hansen	Kevin Low	Shane Fleming
Kevin Low	Dale Michels	Dale Michels	Russ Hopp
Tony Moravec	Wayne Stuberg	Debra Parsow	Jim Trebbien
Paul Salansky/New OPT	Jim Trebbien	Paul Salansky/New OPT	Josh Vest
Doug Vander Broek	Doug Vander Broek	Wayne Stuberg	Jeromy Warner
Ex Officio:	Chair Diane Jackson	Vice Chair Travis Teetor	Secretary Kevin Borchert
Staff: Monica Gissler	Monica Gissler	Monica Gissler/M Gelvin	Matt Gelvin/Ron Briel
Review Panel:		Debra Parsow	Jeromy Warner

**2017 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**

- ✓ Consider all regulations of the Division of Public Health prior to their presentation to the full Board.
- ✓ Review and recommend to the Board on approval of professional licensing regulations.
- ✓ Review and forward to the Board all other regulations of the Division.

**Credentialing Review Committee**

- ✓ Advise the Board regarding proposals for either change in scope of practice or new credentialing.
- ✓ Continue to improve the efficiency and effectiveness of the Credentialing Review Program.
- ✓ 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 (Diane Jackson, APRN-FNP), Vice-Chair (Travis Teetor, MD) and Secretary (Kevin Borchert, PharmD, RP) 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.

To: Members of the Nebraska State Board of Health  
From: Kevin Borchert, PharmD, RP, Chairperson of the Rules and Regulations Committee  
Subject: 2016 Annual Report of the Rules and Regulations Committee of the Nebraska State Board of Health  
Date: November 14, 2016

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 must be adopted (or “approved”) by the Board. Other regulations of the Division of Public Health must 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.

For most of 2016, Rules and Regulations Committee members were:

Kevin Borchert, RP, PharmD (Chair)  
Joshua Vest, DPM (Vice Chair)  
Russell Hopp, DO  
Kevin Low, DDS  
Debra Parsow (Public member)  
Jeromy Warner, PsyD, LP

Staff support for the Rules and Regulations Committee is provided by Monica Gissler.

**January 25, 2016 Meeting.** The Committee reviewed the following:

- Review Title 177 NAC 1- Rules and Regulations Relating to Analyses for the Determination of the Alcohol Content in Blood or Breath – Staff: Kris Chiles  
<http://www.sos.ne.gov/rules-and-regs/regtrack/proposals/0000000000001575.PDF>  
The proposed changes will add Intoximeters, all models, to the list of approved methods for law enforcement to use to perform evidentiary breath testing. A public hearing was held on January 22<sup>nd</sup>, and no members of the public attended.  
These regulations only require a review by the Board of Health, so no vote is required.

**March 21, 2016 Meeting.** The Committee approved the following:

There was discussion about the updated UCA Regulations Status Report. There was a question about NAC 471 Chapter 19 regarding Podiatry changing the definition and redefining the scope. Staff are checking on this Medicaid regulation.

There is concern about the length of time for regulations to move through the process, and what the cause may be for this. Dr. Borchert made a Committee motion to draft a letter to Becky Wisell, with a copy sent to Jennifer Roberts-Johnson.

**September 19, 2016 Meeting.**

- Communicable Disease Reporting, Title 173, Chapter 1. Dr. Maureen Tierney addressed questions at the morning Committee meeting. Revisions to these regulations started in 2014.

More reportable organisms and diseases have been added, including healthcare associated infections (HAIs, changing some reporting periods from 7-days to within 24 hours. There are minor administrative changes in HIV reporting. The Online Reporting of Nebraska reportable Antimicrobial resistant Organisms (ORNAO) system has been eliminated, as an obsolete method of reporting, along with special reporting procedures for lead analysis. SARS (Severe Acute Respiratory Syndrome) and MERS (Middle East Respiratory Syndrome) have been added to the list of diseases identified as a possible risk of significant exposure for emergency medical services personnel and healthcare workers.

- Control of Radiation, Title 180, Chapters 1-4, 6-8, 10, 13-15, 19-21, and 24. Julia Schmitt addressed questions at the Committee meeting. Most of the proposed changes impact licenses and are required for Nebraska to remain an Agreement State with the United States Nuclear Regulatory Commission. They harmonize x-ray equipment standards with current FDA requirements, add definitions, and make technical edits.
- School Health Screenings, Physical Exams and Visual Exams, Chapter 173, Chapter 7. There was a question about chiropractors being allowed to sign forms, and this is not allowed. Proposed changes include notification to parents/guardians that screenings will take place, and what must be included in a statement of exception. There are also changes to equipment and scope of screening for vision.

### **November 14, 2016 Meeting.**

# Approve the following proposed regulations:

Title 172 NAC 56 – Licensure of Dentists & Dental Hygienists. Revisions were necessary as a result of the passage of LB80 in 2015, replacing the existing permit process for dentists to administer anesthesia with definitions and separate permits for minimal, moderate and deep sedation. The bill updated the requirements for education and training for dentists. The changes brought the Nebraska statute into alignment with the recommendations of the American Dental Association. In addition, revisions were necessary to better align these regulations with recent updates in the Uniform Credentialing Act and compliance with LB947. The public hearing was held on October 14, 2016. No comments were offered during the scheduled public hearing, however, several comments had been submitted in writing to the Department during the pre-hearing comment period.

Review the following proposed regulations:

- Title 172 NAC 58 – Dental Faculty Licenses. Revisions were necessary as a result of revisions to 172 Chapter 56 as a result of the passage of LB80 in 2015, replacing the existing permit process for dentists to administer anesthesia with definitions and separate permits for minimal, moderate and deep sedation. The bill updated the requirements for education and training for dentists, and brought the Nebraska statute into alignment with the recommendations of the American Dental Association. In addition, revisions were necessary to better align these regulations with recent updates in the Uniform Credentialing Act and compliance with LB947. The public hearing was held on October 14, 2016. The Professional Boards Committee questioned why this special licensure category even has to exist, and Kathie Lueke provided some background information. There was a committee motion made to table this item.

- Title 173 NAC 7 – School Health Screening, Physical Examination, and Visual Evaluation. A public hearing on these regulations was held in Lincoln, Nebraska, on June 24, 2016. The Board of Health had previously reviewed and approved these regulations at their last scheduled meeting on September 19, 2016.

Since the Board of Health’s September 19<sup>th</sup> meeting, the draft regulations were forwarded to the Office of the Attorney General to conduct a review, as required by statute, on the statutory authority and constitutionality of the amendments being made to Title 173 NAC 7. After conducting the review, the Attorney General notified DHHS that the proposed changes to the regulations could not be approved due to an issue with statutory authority found in Section 7-003.02A and Attachment 1 of the regulations. The Department was proposing to amend the language within this section and the related attachment to provide that students do not need to undergo the health screenings at school if they have had a non-school screening no more than six months before the first day of the school year and have a statement signed by a qualified health care provider within six months of entry into school. The Attorney General pointed out that this new language conflicts with the statutory language of Neb. Rev. Stat. § 79-248 which states that the exception is for students who have undergone non-school screening “within the past six months.” The Attorney General interprets the wording of “within the past six months” to mean up to six months before the date of the school screening. The Attorney General has asked the Department to make changes to the language within Section 7-003.02A and Attachment 1 of these regulations to be consistent with the statute.

- Title 181 NAC 1 – Nebraska Chronic Renal Disease Program. These regs implement Neb. Rev. Stat. §§ 71-4903 by developing the standards for determining client eligibility and the standards and qualifications of those unable to pay for the treatment of chronic renal disease. The regulations impact clients of the Program. By updating the regulations for this Program, the practices that have been in place for several years are being put into regulation. The regulations have not been updated since the Program was created by Statute in the early 1970s and are extremely out-of-date. During the re-write process, input was sought and incorporated as appropriate from renal social workers located in dialysis centers throughout Nebraska, the Nebraska Pharmacists Association and practicing nephrologists. A public hearing on these regulations was held on October 31, 2016. No one from the public appeared at the hearing. A letter of support of the proposed changes was received from the Nebraska Kidney Coalition.

## **Goals for 2017**

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 59 total chapters of UCA regulations, 28 are complete and 31 remain to be revised and converted to the new format for licensing regulations. The new format was introduced to the Board in late 2013. It removes statutory language and process-related material (application details, documentation requirements, internal procedures, etc.) from the licensing regulations. That information will be communicated to applicants and

licensees in a separate guide. At this writing, the first three chapters in the new format are in review by the Attorney General.

The Committee will also continue to review all other regulations of the Division of Public Health. This will include program regulations of the following units of the Division:

- Community and Rural Health Planning
- Epidemiology and Informatics
- Environmental Health
- Health Promotion
- Lifespan Health Services



To: Members of the Nebraska State Board of Health  
From: Debra Parsow, Chairperson of the Credentialing Review Committee  
Subject: 2016 Annual Report of the Credentialing Review Committee of the Nebraska State Board of Health  
Date: November 14, 2016

***Committee Duties and Responsibilities:***

The 2016 assignment was to continue to work toward improving the efficiency of the Credentialing Review Program, to assist the full Board with any new credentialing reviews that arise, to assist the full Board generate its advice in the appointment of new technical review committees, and to assist the full Board appoint new members to the two credentialing review pools.

***Current Committee Members:***

Debra Parsow (Chair); Travis Teetor, MD (Vice Chair); Shane Fleming, RN; Anthony Moravec, DVM; Jim Trebbien; Douglas Vander Broek, DC; Joshua Vest, DPM

***Staff:*** Ron Briel, Matt Gelvin

***Goals for 2016 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) Advise the Board regarding members of upcoming technical review committees, and advise on which Board members would be appropriate as chairpersons. Advise the Board regarding members of the two credentialing review pools.

***Activities for 2016 were as follows:***

The Board's Credentialing Review Committee held a special meeting on January 14, 2016 to review and formulate advice to the full Board on the surgical technologist's proposal. The full Board of Health met on January 25, 2016 to formulate its recommendations on this proposal.

During the March 14, 2016 meeting of the full Board the Board members approved their report of recommendations on the surgical technologists' proposal. The Board members also confirmed the appointees to the upcoming Dialysis Technologists' Technical Review Committee.

The Board's Credentialing Review Committee held a special meeting on August 29, 2016 to formulate its advice to the full Board on the dialysis technologists' proposal. The full Board of Health met on September 19, 2016 to formulate its recommendations on this proposal. During the deliberations on this proposal the Board members decided to postpone action on this proposal until the November 14, 2016 Board meeting in order to allow for additional time to receive input on the issues surrounding this review from the members of the Nebraska Board of Nursing. The Board members decided to invite representatives of the Board of Nursing to present testimony to them during the November 14, 2016 Board of Health meeting. The Board members also confirmed the appointees to the Licensed Practical Nurses Technical Review Committee during their September 19, 2016 meeting.

During the November 14, 2016 meeting of the Board the Board's Credentialing Review Committee reconsidered the advice it formulated on the dialysis technologists' proposal during its August 29, 2016 special meeting. During that meeting the Committee members received testimony from representatives of the Board of Nursing on this proposal. The Board Committee members then took action on the proposal to advise the members of the full Board. During their afternoon meeting the members of the full Board approved the recommendations of its Credentialing Review Committee on the dialysis technologists' proposal, which was to not approve the Technical Review Committee Report, and submit ancillary recommendations for a Registry, in lieu of Licensure.

***Goals for 2017 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) Advise the Board regarding members of upcoming technical review committees, and advise on which Board members would be appropriate as chairpersons. Advise the Board regarding members of the two credentialing review pools.

***Activities for 2017 are as follows:***

The 2017 assignment is to continue to work toward improving the efficiency of the Credentialing Review Program, to assist the full Board with any new credentialing reviews that arise, to assist the full Board generate its advice in the appointment of new technical review committees, and to assist the full Board appoint new members to the two credentialing review pools.

To: Members of the Nebraska State Board of Health  
From: Jeromy Warner, PsyD, LP, Chair, Professional Boards Committee  
Subject: 2016 Annual Report of the Professional Boards Committee of the  
Nebraska State Board of Health  
Date: November 14, 2016

**Committee Members:**

Jeromy Warner, PsyD, LP (Chair); Russ Hopp, DO (Vice Chair); Teresa Konda, PE; Kevin Low, DVM; Dale Michels, MD; Tony Moravec, DVM; and Travis Teetor, MD.

*Officers Ex-Officio Members:* Chair Wayne Stuberg, PhD, PT; Vice Chair Paul Salansky, OD; and Secretary Diane Jackson, APRN.

*Staff:* Monica Gissler

**Committee Duties and Responsibilities:**

In September 2016, the current Committee Chair and members established the following goals for this committee in 2017:

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.
2. Utilize the prescreening process again to make the best use of our interview times. If the Board of Health conducts a regular meeting in 2014 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 43 scheduled professional board vacancies in 2015.
3. Continue to work with professional organizations to increase the pool of qualified applicants for positions. Urge organizations to nominate at least three members for consideration.
4. Utilize the peer evaluation process for incumbents for the 2015 interviews and develop a method of obtaining feedback from board members and staff about the process.
5. 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.
6. Further define the role of the committee in mediating issues with professional board members.
7. Develop guidelines for the appointment of individuals who wish to serve concurrently on more a Professional Board as well as the Credentialing Review Pool.

**Activities for 2016:**

***January:***

- Dr. Teetor attended the Board of Medicine and Surgery meeting on January 22<sup>nd</sup>.
- The Committee interviewed two applicants this morning, and make the following recommendations for appointment:

- Board of Advanced Practice Registered Nurses:  
Alice Kindschuh, DNP, APRN-CNS, GCNS-BC, CNE – Clinical Nurse Specialist
- Board of Psychology: Jennifer Dreibelbis, Public Member
- Center for Nursing: Wendy Kallhoff, RN – Recommendation to Governor Ricketts.

***March:***

- Dr. Vander Broek attended the Board of Chiropractic meeting on February 11<sup>th</sup>.

The Committee interviewed one applicant this morning, and made the following recommendation for appointment:

Board of Nursing: Appoint Anne Dey, RN, DNP, NE-BC to the vacant Nursing Service Administrator partial term through November 30, 2016.

During the January luncheon, Senator Crawford asked if the agency or board collects data on how many veterans are assigned to professional boards, and if there is any preferential treatment given to veterans. This question has been added to the applications. Sitting board members will also be queried.

***May:***

A news release was issued advertising all professional board vacancies to occur in the fall. Application process information was posted on the DHHS website. Emails were sent to all professional associations representing the vacancies scheduled to occur.

***August:***

Committee members prescreened applicants. A total of 66 individuals applied (14 were incumbents), and 25 were scheduled for interviews in Omaha at UNMC. October 16<sup>th</sup> was added to conduct interviews in Lincoln. In an effort to save printing and postage costs, applications were scanned into PDF files and sent electronically to committee members. There are several vacancies for which there were no applicants. Eight incumbents who were eligible to seek reappointment chose not to, for a variety of reasons, but most often mentioned was impending retirement. Another news release was issued for all positions for which there were no applications received.

***September:***

- Ms. Jackson attended the Board of Nursing meeting on August 11<sup>th</sup>.

The Board of Health met at University of Nebraska Medical Center in Omaha. On Sunday, members conducted 24 interviews and reviewed applications for appointments to 7 professional boards. On Monday, the following 20 positions on 15 different professional boards were appointed by the full Board of Health. Incumbent members where they were the only applicant, and they received favorable staff and peer review evaluations, were not required to interview in person.

The Committee interviewed 28 applicants on Sunday, September 18<sup>th</sup>, and made the following recommendations for appointment: All terms are for December 1, 2016 through November 30, 2021, unless indicated otherwise.

Board of Advanced Practice Registered Nurses:

\* Tim Glidden, CRNA, MS of Omaha was reappointed.

Board of Chiropractic:

\* David Lauer, DC of Lincoln was reappointed.

Board of Dentistry:

\* Dennis Anderson, DDS, MS of Omaha was reappointed.

Board of Funeral Directing and Embalming:

\* Steve Brunken, FDE of Omaha was reappointed.

Board of Medicine and Surgery:

\* Mark Goodman, MD of Omaha was reappointed.

Board of Mental Health Practice:

\* Susan Feyen, LCSW of Omaha was reappointed.

Chante Chambers of Bellevue was appointed as a Public Member.

Board of Nursing:

\* Anne Dey, DNP, Nursing Service Administrator of Omaha was reappointed.

Patricia E. Motl, BSN, RN, CPN, CHEP of Omaha was appointed as a Staff Nurse.

Board of Occupational Therapy:

Marcus Doughty, OTD, OTRL of North Platte was appointed.

Perfusion Committee:

\* John Batter, MD of Omaha was reappointed.

Physician Assistant Committee:

\* John Davies, PA-C of Pilger was reappointed.

\* Michael Bittles, MD of Hooper was reappointed.

Board of Pharmacy:

Sabrina Beck, PharmD, BCPS of Omaha was appointed as Hospital Pharmacist.

Charlene Dunbar, MBA, RHIA of Lincoln was appointed as a Public Member.

Board of Physical Therapy:

Betsy Becker, PT, DPT, CLT-LANA

Jessica Turner, PT, DPT, OCS

Board of Podiatry:

\* Scott Nelson, DPM of Omaha was reappointed.

Board of Psychology:

Stacy Waldron, PhD of Lincoln was appointed.

Board of Veterinary Medicine and Surgery:

\* Paul Foy, DVM of Ogallala was reappointed.

***October:***

Committee members conducted 25 interviews on Sunday, October 16, 2016 in Lincoln, and formed recommendations for those positions still under consideration. Twelve positions were reposted on the DHHS Vacancy Page website for continued recruitment, and another news release was issued. On October 14<sup>th</sup>, Kevin Borchert and Debra Parsow will attend to represent the Board of Health at an Opioid Summit at UNMC.

***November:***

Ms. Jackson attended the Board of Advanced Practice Registered Nurses meeting on October 28<sup>th</sup>.

Committee members conducted one interview this morning.

The following individuals were appointed, most with terms through November 30, 2021, unless indicated otherwise:

The following individuals were appointed to professional boards:

Board of Advanced Practice Registered Nurses:

Public: Michael Losee of Lincoln

Board of Advance Practice Registered Nurses:

Physician: Michael Skoch, MD of Hastings

Board of Alcohol and Drug Counseling:

Alcohol & Drug Counselor Only: Reappointed \* Lori Cleveland, LADC of Grand Island  
Jill Colegrove, LIMHP, LMHP, LADC, LPC of Columbus (partial term)

Board of Athletic Training:

Athletic Trainer: Jessica Roberts, MS Ed, ATC of Omaha

Board of Hearing Instrument Specialists:

Sandra Miller, AuD

Board of Massage Therapy:

Massage Therapist: Steve Carper, BS, LMT of La Vista

Board of Medical Radiography:

Medical Radiographer: Denise Tomek, RT(R)(M)(QM) of Columbus

Board of Mental Health Practice:

Licensed Mental Health Practitioner: L Janeen Miller, MS, LIMHP, LMHP, LPC, PCDGC of  
North Platte

Certified Professional Counselor: Reappointed \* Sarah Ruma, MS, LMHP, CPC of Omaha

Board of Nursing:

APRN: Katherine "Katie" Werth, APRN, MSN, FNP-C, CLNC of Omaha

Practical Nurse Educator: Kristin Ruiz, MN, RN of Beatrice

Board of Optometry:

Optometrist: Theodore Vorhies, OD of Lincoln

Perfusion Committee:

Perfusionist: Rachael Saniuk, MPS, LP, CCP of Lincoln

Board of Pharmacy:

Pharmacist: Margaret Kucera, PharmD of Hastings

Board of Physical Therapy:

Physical Therapist: Betsy Becker, PT, DPT, CLT-LANA of Omaha

Board of Registered Environmental Health Specialists:

Environmental Health Specialist: Sarah Pistillo, REHS of La Vista

Board of Respiratory Care Practice:

Respiratory Care Practitioner: Joseph Rush, BS, RRT, RRT-NPS of Lincoln

Board of Veterinary Medicine and Surgery:

Veterinarian Technician: Joshua Schlote, LVT of Norfolk

The Board of Health recommend to Governor Ricketts that D.J. Scrivner be appointed to serve on the Nebraska Center for Nursing.

There are eight positions for which there were no applicants. These will roll over to 2017. There are 28 planned professional board vacancies in 2017.

**Goals for 2017:**

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.
2. Utilize the prescreening process again to make the best use of our interview times. If the Board of Health conducts a regular meeting in 2017 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.
3. Continue to work with professional organizations to increase the pool of qualified applicants for positions. Urge organizations to nominate at least three members for consideration.
4. Utilize the peer evaluation process for incumbents for the 2017 interviews and develop a method of obtaining feedback from board members and staff about the process. Consider an online tool such as Survey Monkey to make it easier for board members.
5. 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.
6. Further define the role of the committee in mediating issues with professional board members.
7. Develop guidelines for the appointment of individuals who wish to serve concurrently on more a Professional Board as well as the Credentialing Review Pool.

To: Members of the Nebraska State Board of Health  
 From: Shane Fleming, MSN, RN, Committee Chair  
 Subject: 2016 Report of the Public Health, Education and Legislation Committee of the Nebraska State Board of Health  
 Date: November 14, 2016

***Committee Members:***

Shane Fleming, RN (Chair); Teresa Konda, PE (Vice Chair); Kevin Borchert, PharmD, JD; Dale Michels, MD; Doug Vander Broek, DC; and Jim Trebbien.

***Officers:*** Wayne Stuberg, PhD, PT (Chair); Paul Salansky, OD (Vice Chair); and Diane Jackson, APRN (Secretary).

***Staff:*** Monica Gissler

***Committee Duties and Responsibilities:***

The Public Health, Education, and Legislation (PHEL) Committee met in person four times and via conference call once during 2016 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 2016:***

- ✓ 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 2016:***

**January:**

Mr. Fleming, 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 21, 2016, and committee discussion held the morning of January 25<sup>th</sup>. Conference call participants included Mr. Fleming, Ms. Jackson, Dr. Michels, Dr. Warner, and staff Monica Gissler.

Mr. Fleming 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 2016
668	Krist	Change certain federal references and provisions relating to provisional operator’s permit restrictions, use of interactive wireless communication devices, and occupant protection system enforcement.



716	Kolowski	Provide and eliminate provisions regarding pedestrians and bicyclists.
721	Baker	Adopt the Surgical First Assistant Practice Act.
727	Schilz	Impose a tax on sales of tobacco at cigar shops.
859	Campbell	Change cease and desist orders under the Uniform Credentialing Act.
900	Bloomfield	Change motorcycle and moped helmet provisions, motorcycle registration fees, rename the Health Advisory Board, and create the brain injury services program and a fund.
962	Fox	Change requirements for the practice of acupuncture.
1009	Williams	Prohibit the sale and use of certain synthetic drugs under the Uniform Controlled Substances Act and the Uniform Deceptive Trade Practices Act.
1013	Gloor	Change tax on cigarettes and other tobacco products and provide for distribution of proceeds.
1061	Kolterman	Adopt the Surgical Technologist Registry Act.

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

Whenever the Board of Health takes a position on a piece of legislation, a supermajority vote of twelve members is required, rather than the normal majority on nine.

**Investigations and Legal Issues.** DHHS Legal staff were invited to attend this meeting to answer questions regarding the DHHS Investigations, Complaints, and the Disciplinary processes. The issue was raised in June about the department’s legal representation on the licensing Boards and the Boards coming forward with opinions that then result in the action that the Board of Health recently took asking the Director of HHS to request an AG opinion.

- Peggy Persell from DHHS Investigations reviewed the process used. In 2015, there were 2,015 complaints.
- Lisa Anderson from the Attorney General’s office attended. There was a question about the legality of professional boards issuing legal opinions. She explained that professional boards may not issue “opinions” with the exception from the Board of Nursing, where it is in their statute.

**March:**

The final status of legislative bill action this session was discussed. The Board sent out several letters. We are working on better identifying amendments so we understand the full magnitude of changes. LB 471 was approved by the Governor, and it impacts veterinarians.

Zika virus was mentioned as a possible topic of education for June. This could tie in with a potential September Board of Health meeting.

Dr. Warner will present a Public Health Recognition Award to the Brain Injury Association of Nebraska at their annual meeting in late March in Kearney. Continue to identify worthy programs.

**September in Omaha:**

Reviewed 2016 Interim Studies of interest to the Board of Health.

**November:**

Reviewed interim study progress, and prepared for the January 23, 2017 Legislative Luncheon with the senators. Revised the Board of Health Legislative Tracking form and process.

***Committee Objectives for 2017:***

- ✓ Inform and educate 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.
- ✓ Advocate for and actively support proposed legislation that enhances health of Nebraskan's citizens, including opportunities for the education and development of health care professionals, especially in underserved areas in Nebraska.
- ✓ Collaborate with DHHS to get public health initiatives out. Work with Chief Medical Officer.
- ✓ Plan retreats and provide program content for special meetings of the Board of Health.
- ✓ Cooperate with district health departments and other public health entities to promote issues.
- ✓ Nominate public health programs that have worked to improve the lives of Nebraskans.