

# *Report of the Nebraska State Board of Health For 2017*

***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)

## **2017 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. Two new members were appointed in 2017 due to term expiration: Joel Bessmer, MD from Omaha and Brian Brightman, OD from Lincoln. There is currently one public member vacancy due to a resignation from Jim Trebbien.
- Officers are elected annually in November: Chair Diane Jackson, APRN-FNP; Vice Chair Travis Teetor, MD; and Secretary Kevin Borchert, PharmD were re-elected in Nov 2017.
- Meetings are held the third Monday of odd months, except fourth Monday in January.
- September 2017 the Board met in Wahoo as guests of Tyler Toline and the Saunders Medical Center. To save costs, the May and July meetings were consolidated into one June meeting.
- 2018 meeting dates: January 22, March 19, June 18, September 17 (typically held at a hospital outside on Lincoln), and November 19.

### **PROFESSIONAL BOARD APPOINTMENTS:**

- In 2017 there were 48 applicants; 44 interviews conducted; and 26 members appointed or reappointed to 19 different professional boards. Currently there are 11 vacant positions.
- There were 9 positions that we were unable to fill. With those, we have 33 planned for 2017.

### **RULES AND REGULATIONS:**

- 2 sets were approved and 2 sets were reviewed in 2017. Work continues on UCA updates.

### **CREDENTIALING REVIEWS:**

- Finished Dialysis Technologists, Licensed Practical Nurse, Psychology Prescribing reviews. A review on Reflexology is in progress.

### **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 Prescription Drug Monitoring, Opioid and other Prescription Drug Overdose Prevention Efforts, Conflict of Interest, and Open Public Meetings
- Recognized Health programs: City Sprouts in Omaha; AIRE Nebraska – Asthma/Anaphylaxis Intervention, Resources, and Education, based in Malcolm but benefits the entire state.

### **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 2017.

### **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 2018

Joel Bessmer, MD  
105 S. 90<sup>th</sup> St, Ste 201  
Omaha, NE 68114  
402/779-8400, F: 402/779-8401  
[jbessmer@members.md](mailto:jbessmer@members.md) (Aug 2020)

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

Brian Brightman, OD  
Eyecare Specialties, 7930 O Street  
Lincoln, NE 68510  
402/323-2095, F402/323-2002  
[bbrightman@ecseyes.com](mailto:bbrightman@ecseyes.com) (Aug 2018)

Shane Fleming, BSN, MSN, RN  
2222 S. 16th St, Suite 330  
Lincoln, NE 68502  
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-FNP (Chair)  
Good Samaritan Hospital ER, 10 E 31<sup>st</sup> Street  
Kearney, NE 68847  
402/746-0172  
[dkjacksonaprn@gmail.com](mailto:dkjacksonaprn@gmail.com) (Aug 2020)

Teresa Konda, PE (PHEL Comm)  
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)

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  
[dlparsow@cox.net](mailto:dlparsow@cox.net) (Aug 2015)

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

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)  
[jinvest@dmu.edu](mailto:jinvest@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: Public 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: 1-15-18

## STATE BOARD OF HEALTH – COMMITTEE ASSIGNMENTS FOR 2018

Professional Boards	PHEL	Rules and Regs	Credentialing Review
Jeromy Warner (Chair)	Teresa Konda (Chair)	Mike Hansen (Chair)	Debra Parsow (Chair)
Russ Hopp (Vice Chair)	Shane Fleming (Vice)	Joshua Vest (Vice Chair)	Tony Moravec (Vice)
Brian Brightman	Joel Bessmer	Joel Bessmer	Shane Fleming
Teresa Konda	Mike Hansen	Brian Brightman	Russ Hopp
Kevin Low	Tony Moravec	Kevin Low	Josh Vest
Doug Vander Broek	Wayne Stuberg	Debra Parsow	Jeromy Warner
Vacant Public Mbr	Doug Vander Broek	Wayne Stuberg	Vacant Public Mbr
Ex Officio:	Chair	Vice Chair	Secretary
Staff:	Diane Jackson	Travis Teetor	Kevin Borchert
Monica Gissler	Monica Gissler	Monica Gissler/M Gelvin	Matt Gelvin/Ron Briel
Review Panel:		Debra Parsow	Jeromy Warner

### 2018 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.

*Chair's Report*  
*Nebraska State Board of Health - 2017*  
*Diane Jackson, APRN -FNP*

The Board of Health has worked actively in 2017 to support the state of Nebraska and to fulfill its mission of "Healthy People in a Healthy Nebraska.". The work of the Board of Health, the Professional Boards and the Public Health infrastructure created by the Legislature have all been important parts of dealing with the health challenges of Nebraskans.

The Board of Health breaks down into four subcommittees that have specific tasks to streamline the duties.

- The Rules and Regulations committee reviews regulations that are slated for either approval or review by the BOH. In the fall of 2017, regulations were put on hold as DHHS staff worked on the Governor's review of their 113 sets of regulations.
- The Credentialing Review Committee has been challenged this year with several technical reviews. Proposals that effect scope of practice are brought before this group.
- Board of Health Professional Board interviews candidates to sit on the various boards that govern the professions. Each BOH member serves as a liaison to specific professional boards.
- The Public Health, Education, and Legislation (PHEL) Committee provides a forum for the discussion of legislative issues and recognizing Community programs. In 2017, we recognized City Sprouts in Omaha; AIRE Nebraska – Asthma/Anaphylaxis Intervention, Resources, and Education, based in Malcolm but benefits the entire state.

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.

To: Members of the Nebraska State Board of Health  
From: Mike Hansen, Chairperson of the Rules and Regulations Committee  
Subject: Rules and Regulations Committee Annual Report for 2017  
Date: November 14, 2017

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 2017, Rules and Regulations Committee members were:

Joel Bessmer, MD  
Brian Brightman, OD  
Michael Hansen, Hospital Administrator, Chair  
Kevin Low, DDS  
Debra Parsow (Public member)  
Joshua Vest, DPM, Vice Chair  
Wayne Stuberg, PhD, PT

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

**January 23, 2017 Meeting**

- Motion made to Untable Title 172 NAC 58 - Rules and Regulations Relating to Dental Faculty. The proposed regulations were reviewed.

**March 20, 2017 Meeting**

1. Approval of Title 172 NAC 58 – Dental Faculty Licenses – Kathie Lueke.

Limited final revisions to Title 172 NAC 58 incorporate updated language regarding lawful status as a result of statutory changes from the passage of LB947 (2016). These regulations relate to lawful status to ensure that a person who is work-authorized is able to obtain a professional license and practice his or her profession. The legislation outlines appropriate requirements for documentation as part of the application process. The credential shall be valid only for the period of time during which the person’s employment authorization is valid.

The Board of Health reviewed these draft regulations in January and provided a Certificate of Adoption for 172 Chapter 58 Dental Faculty. The AG’s office sent them back to DHHS Legal because there were three areas of the regulations which required an update related to lawful status. The requested edits are not considered substantial and therefore will not require the regulations to go through another public hearing. In order to proceed with the review and approval by the Attorney General’s office, DHHS Legal has requested a Certificate of Adoption by both the Board of Dentistry and the Board of Health.

2. Review of Title 179 NAC 20 Laboratory Certification And Agreement Requirements For Testing Drinking Water – Sue Semerena.

Revisions to Title 179 NAC 20 incorporates changes from statutory changes to the Nebraska Safe Drinking Water Act (LB19 (2015)). These regulations will allow laboratories to perform compliance water testing for public water systems in Nebraska. Prior to the passage of this bill, all compliance testing for public drinking water systems has been conducted at the DHHS Division of Public Health Environmental Laboratory with the exception of coliform testing. The analytical laboratories both in and outside of Nebraska will be able to perform drinking water laboratory testing for public water systems. This offers a level of competition that has not been available prior to the passage of the bill. That is a positive aspect of the new regulations. Our Environmental Laboratory stands to lose business as a result of this bill. How much remains to be determined. The public water systems enjoy a level of service that may change with new partners. This will be a learning experience for us all.

From a policy standpoint, the changes required by LB 19 are actually an expansion of current policy. We currently have agreements with laboratories to conduct compliance testing for coliform in drinking water. This was done because of the short holding time of the samples. LB 19 expands the number and types of tests that laboratories can perform for compliance samples. A compliance sample is one which a public water system submits to show they are in compliance with regulations.

These regulations are scheduled for public hearing on May 15<sup>th</sup>. . They have, however, been reviewed by a group of laboratory stakeholders. The public hearing is not yet scheduled. These regulations are being reviewed by Legal Services at this time.

**June 19, 2017 Meeting.** No activity.

**September 18, 2017 Meeting.**

1. Reviewed UCA Regulation Status.
2. Legislative impact on regulations. Regulations for LB 18 were started. In addition, physicians wanting to apply for licensure through the Medical Compact and declare Nebraska as their primary state of residence may now submit an application.
3. **Exception Process for Regulations - Becky Wisell and Matt Gelvin**
  - Under the Governor's Executive Order for a review of state regulations issued on July 6, 2017, any regulations pending approval are suspended. Exceptions are made for critical regulations and those mandated by statute. The Executive Order was initiated in an effort to eliminate unnecessary regulations and make state government more efficient.
  - An Exception to the Suspension request must be submitted to Legal Services for regulations needing to move forward during the suspension period.
  - Exception requests must contain a description of the regulation and how the regulation affects public health. The following six questions are to be addressed:
    - *Is the regulation essential to the health, safety, or welfare of Nebraskans?*
    - *Is it cost effective - do the costs of the regulations outweigh the benefits?*
    - *Does a process exist to measure the effectiveness of the regulation?*
    - *Has a less restrictive alternative been considered?*
    - *Was the regulation formed due to a state statutory requirement?*
    - *Was the regulation devised as a result of a federal mandate?*

- Any regulation considered to be more restrictive than required under state or federal law should be revised or repealed.
- The suspension of regulations remains in effect until December 31, 2017.
- Exception requests are to be submitted to the Licensure Unit (LU) Administrator prior to being reviewed by Legal Services.
- Program Managers are to decide which chapters of regulations are urgent and need to move forward before the end of the calendar year.

### **Begin Review of all Chapters of Regulations**

- The Executive Order regarding regulations requires every state agency to review existing and pending state regulations and submit a report to the Governor's Office by November 15, 2017.
- The six questions stated above in the first agenda item are to be answered for each state regulation.
- Any regulations under the Uniform Credentialing Act (UCA) are to have one template for all professions that addresses common guidelines. Kris Chiles, Program Manager of Behavioral Health & Consumer Services, will create the uniform template for those professions under the UCA.

### **November 13, 2017 Meeting.**

Review the following proposed regulations:

- Title 180 NAC 1, 3, 13, and 24- Control of Radiation. Most of the proposed regulations impact licensees and are required for Nebraska to remain an Agreement State with the United States Nuclear Regulatory Commission.
- Review of annual report and set committee goals for 2018.

### **Goals for 2018**

The Rules and Regulations Committee will consider all regulations of the DHHS Division of Public Health prior to their presentation to the Board of Health, with adequate time to make recommendations.

This will include consideration for approval of additional professional and occupational credentialing regulations under the Uniform Credentialing Act (UCA).

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: 2017 Annual Report of the Credentialing Review Committee of the Nebraska State Board of Health  
Date: November 14, 2018

***Committee Duties and Responsibilities:***

The 2017 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); Anthony Moravec, DVM (Vice Chair); Shane Fleming, RN; Joshua Vest, DPM; Russ Hopp, DO; Jeromy Warner, PhD

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

***Goals for 2017 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 2017 were as follows:***

The Board's Credentialing Review Committee held a special meeting on January 17, 2017 to review and formulate advice to the full Board on the LPN proposal. The full Board of Health met on January 23, 2017 to formulate its recommendations on this proposal.

During the March 20, 2017 meeting of the full Board the Board members approved their report of recommendations on the LPN proposal. The Board members also confirmed the appointees to the upcoming Psychology Prescribing Technical Review Committee.

The Board's Credentialing Review Committee held a special meeting on September 12, 2017 to formulate its advice to the full Board on the Psychology Prescribing proposal. The full Board of Health met on September 18, 2017 to formulate its recommendations on this proposal. The Board members submitted nine names for consideration by the Director of the Division of Public Health for appointment to the Reflexology Technical Review Committee during this bi-monthly meeting.

During the November 13, 2016 meeting of the Board the Board's Credentialing Review Committee reviewed and approved its annual report on credentialing review activities.

***Goals for 2018 are as follows:***

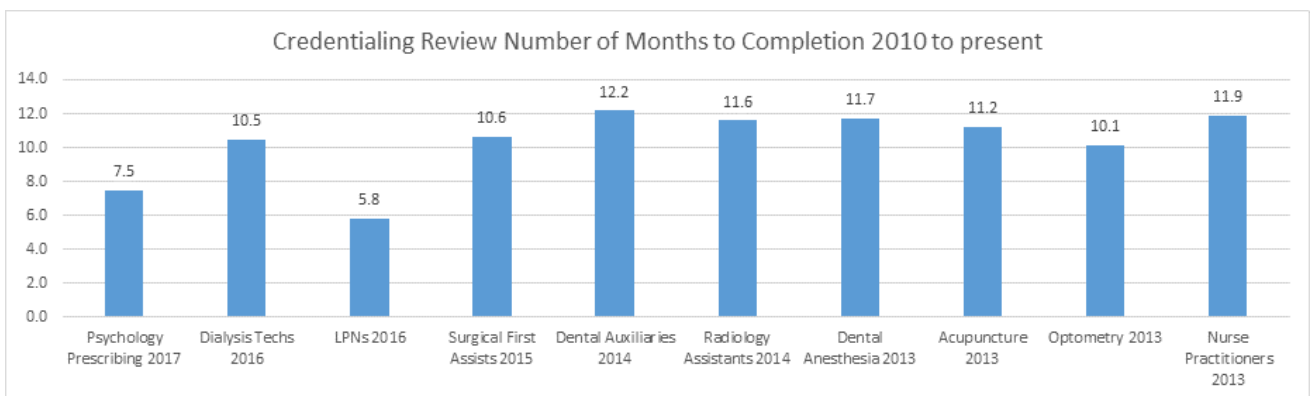
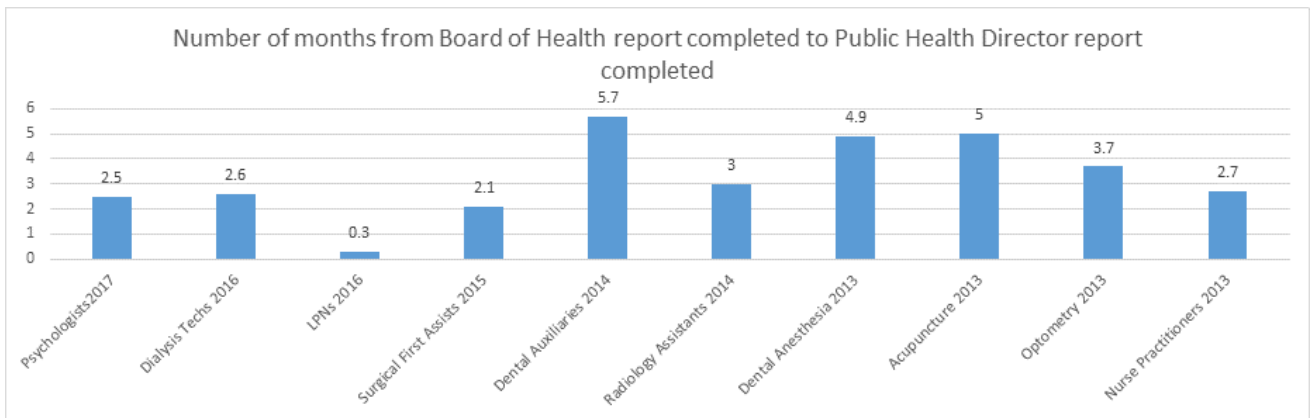
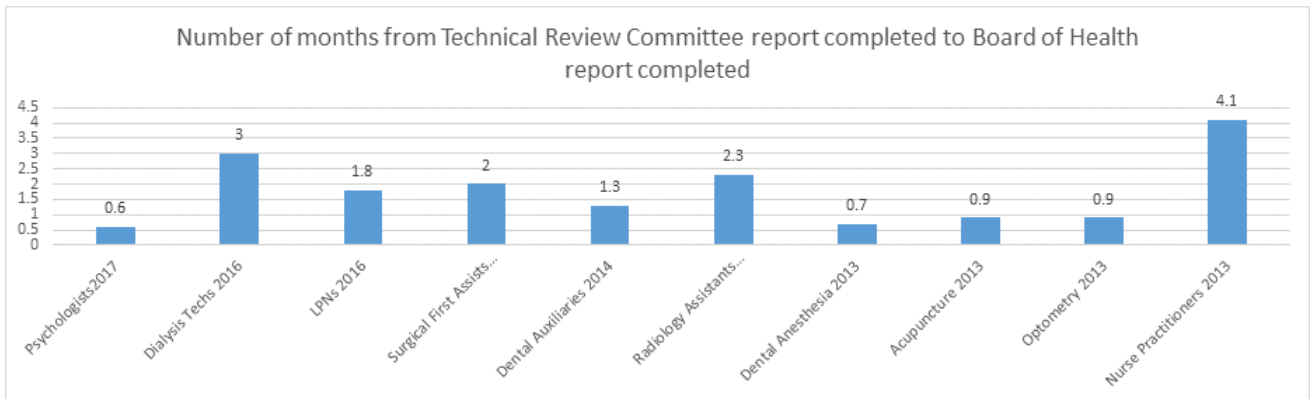
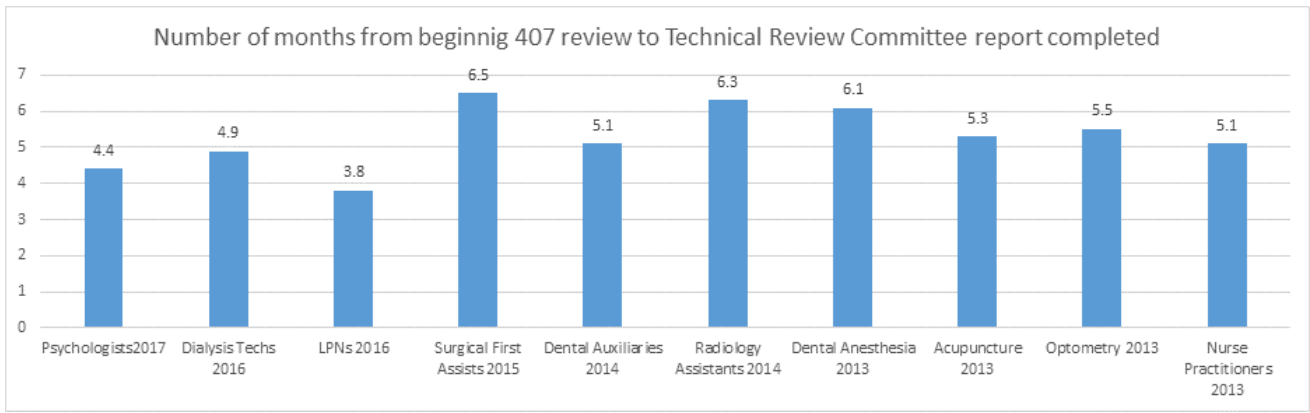
- 1) Advise the full Board regarding proposals for either change in scope of practice or new credentialing,
- 2) Continue to work towards improving the efficiency and effectiveness of the Credentialing Review Program, and,
- 3) Advise the Board regarding members of upcoming technical review committees,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

***Activities for 2018 are as follows:***

The 2018 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.

***See charts on next two pages for more information on credentialing reviews.***

09/20/17



Charts prepared by Matt Gelvin, 12/11/17.

### STATISTICAL OVERVIEW OF ALL REVIEWS CONDUCTED SINCE 1985

<b>Number of Reviews 73 TRCs &amp; Dir; 62 BOH</b>	<b>Technical Review Committees 73 reviews</b>	<b>State Board of Health 62 reviews</b>	<b>Director of Public Health (Dir) 73 reviews</b>
Total 'Yes' Recommendations	<b>48 (.66)</b>	<b>37 (.61)</b>	<b>34 (.47)</b>
Total 'No' Recommendations	<b>25 (.35)</b>	<b>25 (.40)</b>	<b>39 (.53)</b>
Total Reviews / Recommendations	<b>73 (100%)</b>	<b>62(.85)</b>	<b>73(100%)</b>
Total Reviewed by Unicameral	<b>47 (.65)</b>	<b>36 (.59)</b>	<b>47 (.65)</b>
Total Reviewed that Passed the Unicameral	<b>38 (.54)</b>	<b>27 (.44)</b>	<b>38 (.54)</b>
Total Not Submitted for Legislative Review	<b>24 (.33)</b>	<b>24 (.39)</b>	<b>24 (.33)</b>

### STATISTICAL OVERVIEW OF INITIAL CREDENTIALING REVIEWS SINCE 1985

<b>Number of Initial Credentialing Reviews 35 TRC &amp; Dir; 28 BOH</b>	<b>Technical Review Committees 35 reviews</b>	<b>State Board of Health 28 reviews</b>	<b>Director of Public Health (Dir) 35 reviews</b>
'Yes' Recommendations	<b>22 (.63)</b>	<b>13 (.46)</b>	<b>10 (.29)</b>
'No' Recommendations	<b>13 (.37)</b>	<b>15 (.53)</b>	<b>25 (.71)</b>
Total Initial Credentialing Reviews	<b>35 (100%)</b>	<b>28 (.80)</b>	<b>35 (100%)</b>
Reviewed by Unicameral	<b>17 (.49)</b>	<b>15 (.54)</b>	<b>15 (.43)</b>
Passed the Unicameral	<b>13 (.37)</b>	<b>12 (.43)</b>	<b>13 (.37)</b>
Not Submitted for Legislative Review	<b>17 (.49)</b>	<b>12 (.43)</b>	<b>17 (.49)</b>

### STATISTICAL OVERVIEW OF SCOPE OF PRACTICE REVIEWS SINCE 1985

<b>Number of Scope of Practice Reviews 38 TRC &amp; Dir; 34 BOH</b>	<b>Technical Review Committees 38 reviews</b>	<b>State Board of Health 34 reviews</b>	<b>Director of Public Health (Dir) 38 reviews</b>
'Yes' Recommendations	<b>26 (.68)</b>	<b>24 (.73)</b>	<b>24 (.65)</b>
'No' Recommendations	<b>12 (.32)</b>	<b>10 (.27)</b>	<b>14 (.35)</b>
Total Scope of Practice Reviews	<b>38 (100%)</b>	<b>34 (.89)</b>	<b>38 (100%)</b>
Reviewed by Unicameral	<b>30 (.81)</b>	<b>26 (.79)</b>	<b>30 (.81)</b>
Passed the Unicameral	<b>25 (.68)</b>	<b>22 (.66)</b>	<b>25 (.68)</b>
Not Submitted for Legislative Review	<b>7 (.19)</b>	<b>7 (.21)</b>	<b>7 (.19)</b>

To: Members of the Nebraska State Board of Health  
From: Jeromy Warner, PsyD, LP, Chair, Professional Boards Committee  
Subject: 2017 Annual Report of the Professional Boards Committee of the  
Nebraska State Board of Health  
Date: November 17, 2017

**Committee Members:**

Jeromy Warner, PsyD, LP (Chair); Russ Hopp, DO (Vice Chair); Brian Brightman, OD; Teresa Konda, PE; Kevin Low, DVM; Tony Moravec, DVM; and Doug Vander Broek, DC.  
*Officers Ex-Officio Members:* Chair Diane Jackson, APRN; Vice Chair Travis Teetor, MD; and Secretary Kevin Borchert, PharmD, RP.  
*Staff:* Monica Gissler

**Committee Duties and Responsibilities:**

In September 2017, the current Committee Chair and members established the following committee goals for 2018: *(2017 goals printed here)*

1. 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.
2. Utilize the prescreening process again to make the best use of our interview times.
3. 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.
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.
5. Improve upon and continue to use more efficient electronic means of processing application forms.
6. 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.
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.
8. Further define the role of the committee in mediating issues with professional board members.

**Activities for 2017:**

***January:***

- The Committee interviewed 7 applicants this morning, and made the following recommendations for appointment:

Board of Cosmetology:

Gloria Harper, RN, LE, CE from Omaha for the partial term through November 30, 2019.

Board of Dentistry: Dental Faculty Members

Yoshiharu Ameku, DDS, Dental faculty member UNMC, from Lincoln for

the partial term through November 30, 2020.

David Blaha, DDS, Dental faculty member Creighton, from Lincoln for the term through November 30, 2021.

***March:***

- Dr. Vander Broek attended the February 9<sup>th</sup> meeting of the Board of Chiropractic.
- The Committee interviewed one applicant this morning, and made the following recommendation for appointment:  
Board of Mental Health Practice – Certified Professional Counselor:  
    Appoint Tamara Kenning, MA, LIMHP, CPC, LADC, of Seward for the partial term of March 20, 2017 through November 30, 2018.
- There are 30 planned professional board vacancies in 2017.

***June:***

- Diane Jackson attended the April 21<sup>st</sup> APRN Board meeting.
- 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.
- The Committee interviewed 6 applicants this morning, and made the following recommendations for appointment:  
Kathleen Tonkin, PA-C to the Physician Assistant Committee  
Larry Hardesty – Public member to the Registered Environmental Health Specialists  
Jackie Hornig – School Owner for the Board of Cosmetology, Electrologists, Estheticians, Nail Technology and Body Art
- The Board of Health will recommend to Governor Ricketts that Joan Nelson, RN be appointed to serve on the Nebraska Center for Nursing.

***August:***

- LB 644 eliminated the Perfusionist Committee. Letters were sent notifying members of the action and thanking them for their service.
- Committee Chair and staff prescreened applications. A total of 30 individuals applied (7 were incumbents). 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. Another news release was issued for all positions for which there were no applications received.

***September:***

- Dr. Vander Broek attended the June 22<sup>nd</sup> Board of Chiropractic meeting.
- Dr. Low attended the July 17<sup>th</sup> Board of Dentistry meeting.

The Board of Health met at Saunders Medical Center in Wahoo. On Sunday, members conducted 21 interviews and reviewed applications for appointments to 10 professional boards. On Monday, the following 14 positions on 11 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. Terms are for December 1, 2017-November 30, 2022, unless indicated otherwise.

The Committee interviewed 24 applicants yesterday and one this morning, and made the following recommendation for appointments:

Board of Advanced Practice Registered Nurses

\* Sheila Ellis, MD

Board of Alcohol and Drug Counseling

\* Christine L. Chasek, LIMHP, LADC, LPC

\* Jill Colegrove, LIMHP, LADC

Board of Athletic Trainers

Amie Carnahan, MBA – Public member

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

Marie Nordboe – Cosmetologist

\* Vicki Criswell – Esthetician

Board of Funeral Directors and Embalmers:

Lawrence Battaglia – Public member

Board of Hearing Instrument Specialists

Aaron Robinson, MD - Otolaryngologist

Board of Medical Radiography

\* Denise Logan, RT Board of Mental Health Practice

Cassandra Dittmer, LIMHP, LMFT

Board of Occupational Therapy

Alfred Bracciano, EdD, OTR/L, FAOTA

Board of Physical Therapy

Kirk Peck, PT, PhD, CSCS, CCRT, CERP

Board of Registered Environmental Health Specialists

Mike Wentiek, REHS

Board of Respiratory Care Practice

Adam Case, PhD - Public Member

### ***November:***

The Committee interviewed 5 applicants in the morning. The following individuals were appointed, most with terms through November 30, 2022, unless indicated otherwise:

Board of Advanced Practice Registered Nurses

Jenda Stauffer, MSN, APRN-CNM of Omaha

Board of Medicine and Surgery

John Massey, MD of Lincoln

Board of Psychology

Mark Lukin, PhD of Lincoln

Board of Veterinary Medicine and Surgery

Elizabeth Farrington, DVM of Omaha

Board of Nursing

Lafonda Tanner, MBA of Bellevue to the Public Member position.

There are 9 positions for which there were no applicants. These will roll over to 2018. There are 33 planned professional board vacancies in 2018.

To: Members of the Nebraska State Board of Health  
From: Shane Fleming, MSN, RN, Committee Chair  
Subject: 2017 Report of the Public Health, Education and Legislation Committee of the Nebraska State Board of Health  
Date: November 27, 2017

***Committee Members:***

Shane Fleming, RN (Chair); Teresa Konda, PE (Vice Chair); Joel Bessmer, MD; Michael Hansen; Doug Vander Broek, DC; and Wayne Stuberg, PhD, PT.

***Officers:*** Diane Jackson, APRN-FNP (Chair); Travis Teetor, MD (Vice Chair); and Kevin Borchert, PharmD, PT (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 2017 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 2018:***

- ✓ Inform and educate about selected health programs in Nebraska that promote public health and the prevention of health and behavioral health problems. Areas of interest include Environmental issues, and Communication/Representation by Board members.
- ✓ 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.

***Activities in 2017:***

**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 19, 2017, and committee discussion held the morning of January 23<sup>rd</sup>. Conference call participants included Dr. Borchert, Mr. Fleming, Mr. Hansen, Ms. Konda, Dr. Michels, Dr. Teetor, Dr. Vander Broek, 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. 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.



BILL	INTRODUCER	BOARD OF HEALTH PRIORITIES 2017
18	Kolterman	Change licensure and scope of practice for dental assistants and dental hygienists
19	Kolterman	Change requirements for the practice of acupuncture
40	Hilkemann	Prohibit use of an interactive wireless communication device by a school bus operator as prescribed
92	Kolterman	Require health carriers to provide coverage for telehealth services.
255	Crawford	Adopt the Dialysis Patient Care Technician Registration Act
279	Hilkemann	Require lap-shoulder belts on school buses as prescribed.
283	Riepe	Change and eliminate provisions relating to licensed practical nurses.
296	McCollister	Change immunity provisions with respect to asthma and allergic reactions.
299	Ebke	Adopt the Occupational Board Reform Act and change procedures for rules and regulations.
360	Kolterman	Adopt the Surgical Technologists Registry Act.
368	Lowe	Change helmet provisions, change passenger age limits, and require eye protection for operators of motorcycles and mopeds.
402	Hilkemann	Change provisions of the Nebraska Regulation of Health Professions Act. (407)

DHHS Attorney Teresa Hampton gave a presentation on the Open Public Meeting Law.

**March:**

Discussed status of legislative bill proposals or interim studies, particularly Category 1 bills which we've sent letters of support, opposition, or neutral to inform of a credentialing review. Dr. Teetor testified in person on LB 402.

**EDUCATION PRESENTATION.** Dr. Kevin Borchert from the Nebraska Health Information Initiative and Amy Reynoldson from DHHS gave a presentation on Opioid and other Prescription Drug Overdose Prevention Efforts. LB471 was passed in 2016 with an effective date of January 1, 2017. Nebraska is the 49<sup>th</sup> state to implement a system. There are two main grants to support this work. An online version of the DHHS training is available at [www.dhhs.ne.gov/PDMP](http://www.dhhs.ne.gov/PDMP). A PDMP is a statewide electronic database that collects designated data on controlled substances on a daily basis. Patients cannot opt out. In Nebraska in 2014 there were 124 drug overdose deaths, and 40% of those were related to opioids. The PDMP data is used for public health surveillance. The ultimate goal is to increase patient safety, monitor the care and treatment of patients, improve prescribing practices, and prevent prescription drug abuse and misuse.

**June:**

Session Review, Including Interim Studies. A partial list was sent to Board members. The full list can be viewed at <http://nebraskalegislature.gov/session/interim.php>

Public Health Recognition – Ms. Konda submitted the City Sprouts community garden program for consideration of a Public Health Recognition Award. City Sprouts became a group in 1995 when concerned community members came together to reclaim an overgrown city lot and make it a garden. City Sprouts in Omaha facilitates community gardens and educational opportunities for people in

Omaha. Often the people they serve live in more urban parts of the city and have little exposure to growing their own food. City Sprouts has focused efforts on providing opportunities for youth and immigrant populations, as well. They are promoting public health by educating people about opportunities for healthy food options, increasing the availability of fruits and vegetables, and empowering people to be a little more self-reliant and in control of where a portion of their food comes from.

Ms. Konda will present the recognition certificate to City Sprouts.

**September in Wahoo:**

2017 Interim Studies were reviewed.

Becky Wisell, Licensure Unit Administrator, attended the meeting and shared information about the internal legislative process.

**Nebraska Pain Management Guidance Document:** Amy Reynoldson, DHHS Prescription Drug Overdose Prevention Coordinator, and Dr. John Massey, Pain Management Task Force Chair, presented the document for Board of Health input. This will be offered to all providers at no cost for one hour CEU. Board of Health members have until September 22<sup>nd</sup> to provide input.

**November:**

Reviewed interim study progress, and prepared for the January 22, 2018 Legislative Luncheon with the senators.

Public Health Recognition – Dr. Hopp presented on AIRE Nebraska – Asthma/Anaphylaxis Intervention, Resources and Education. AIRE Nebraska is dedicated to enhancing asthma and allergy awareness, promoting comprehensive asthma and allergy education, serving as a resource and advocate for Nebraskans affected by asthma and life-threatening allergies. They continually develop new educational materials and review existing ones to ensure that schools have what they need to educate staff in recognizing life-threatening signs and symptoms and to be able to respond with the Rule 59 protocol. AIRE Nebraska supports collaborative partnerships among medical and allied health professionals, school administration and staff, parents, state/local agencies, and community health organizations. AIRE Nebraska is a 501(c)3 organization and receives no state or federal funding, relying solely on charitable contributions. Tax-deductible donations may be sent to: PO Box 194, Malcolm, NE 68402.