



Nebraska Medical Association

Advocating for Physicians and the  
Health of all Nebraskans

July 30, 2020

Dear Members of the Technical Review Committee,

The Nebraska Medical Association (NMA) would like to thank the Technical Review Committee for affording us the opportunity as this process progresses to provide feedback and insight on the proposed changes sought by the Board of Nursing regarding advanced practice registered nurses.

At this point in time, we do have to take the application and the proposed scope of practice changes within the application as a whole, and as such the NMA opposes the proposal set forth by the Board of Nursing. When approaching this application, the NMA focused on three aspects: whether there is a public need for the changes, whether the scope of practice changes are safe for the public, and whether the education and training is sufficient enough to warrant a change in scope. We do not believe this proposal supports any of these aspects, and as such believe it does not put forth the evidence necessary to meet the statutory criteria required of a credentialing review process.

What makes this specific credentialing review application difficult is that it contains changes to four different scopes of practice found in four different practice acts in Nebraska statute. The NMA believes that consolidating these four different health professions into one application potentially circumvents the thorough review of each individual scope of practice the Nebraska Regulation of Health Professions Act and its implementing regulations demand.

What is apparent throughout the application is a desired want for the regulation of these health professions to match that of standards set forth by a national body that has no binding effect on Nebraska and the state's approach to health professional regulation. We raise this point because it is possible for these four different practice acts to be rewritten in a way that achieves the desired goal of the applicant to have these practice acts consolidated without expanding scope of practice for three of the four health professionals covered by this proposal.

In fact, DHHS has proposed regulations that accomplish this goal which have been approved by the Board of Health and are on their way towards final adoption by the Executive Branch, as mentioned on page 25 of the application. This shows it is possible to rewrite the statutes

governing these four health professional groups and achieve a solution to the regulatory inefficiency issues presented on page 25 of the application, without altering the scope of practice of these professionals.

As this application moves through the Technical Review Committee process, the NMA looks forward to a more in depth discussion of the patient safety issues, the gap in education and training for several of these health professionals, and the perception that moving four different health professionals to one scope of practice will directly impact the health care access issues that have perpetually plagued rural Nebraska. We again thank the Committee for this opportunity to state our initial position on this application, if the NMA and our member physicians can be of any assistance please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd E. Hlavaty, MD". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Todd E. Hlavaty, MD  
NMA President