

NEBRASKA STATE BOARD OF HEALTH MEETING
DRAFT MINUTES – April 29, 2019

ATTENDANCE NOTIFICATION. A regular meeting of the State Board of Health was called to order by the Chair, Dr. Travis Teetor, at 1:00 PM on April 29, 2019 in Conference Room 518 of the Lincoln Community Foundation Building in Lincoln. Copies of the agenda were mailed to board members, news media, and other interested parties prior to the meeting, and posted on the Health and Human Services website. The following members were present: Joel Bessmer, MD; Kevin Borchert, PharmD, RP; Shane Fleming, MSN, RN; Michael Hansen, FACHE; Russell Hopp, DO; Kevin Low, DDS; Debra Parsow; Wayne Stuber, PhD, PT; Travis Teetor, MD; Doug Vander Broek, DC; Joshua Vest, DPM; and Jeromy Warner, PsyD, LP. Quorum met. Members not in attendance: Brian Brightman, OD; Diane Jackson, APRN; Teresa Konda, PE; Tony Moravec, DVM. Staff and others attending: Ron Briel, Monica Gissler, Marla Scheer, Darren Jack.

APPROVAL OF AGENDA. Dr. Teetor asked if there were any changes to the agenda for the meeting today. Dr. Teetor then asked if there were any changes to the minutes from the January 28, 2019 meeting. Dr. Stuber made a motion to approve the agenda and minutes, seconded by Dr. Warner; voting yes: 12 (Bessmer, Borchert, Fleming, Hansen, Hopp, Low, Parsow, Stuber, Teetor, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

PUBLIC HEALTH UPDATE – DARRELL KLEIN, DEPUTY DIRECTOR.

Mr. Klein provided an update on staffing changes within DHHS, and discussed the twenty nursing homes that have recently or are currently in receivership. All the three Public Health deputy directors are dealing with mold issues from the recent flooding. He also warned that if baby chicks from incubators were given as Easter gifts, there is potential risk of salmonella.

LEGISLATIVE LIAISON UPDATE – BRYSON BARTELS.

LB 245 (Erdman) Eliminate an exception to the Medicaid preferred drug list. Hearing: March 28, 2019

LB 260 (B. Hansen) Change provisions relating to Medicaid recovery audit contractors. Hearing: February 21, 2019. General File: February 28, 2019.

LB 341 (Arch) Change provisions relating to a determination of ongoing eligibility for a child care subsidy. Hearing: February 8, 2019; Amended into AM1211 to LB 460; LB 460 Placed on General File: April 8, 2019; Select File: April 29, 2019.

LB 459 (Health and Human Services Committee) Change criminal background check provisions under the Child Care Licensing Act. Hearing: February 8, 2019; Amended into AM1211 to LB 460; LB 460 Placed on General File: April 8, 2019; Select File: April 29, 2019.

LB 460 (Health and Human Services Committee) Change criminal background check provisions under the Children's Residential Facilities and Placing Licensure Act. Hearing: March 7, 2019. HHS Committee Priority Bill: March 19, 2019. General File: April 8, 2019; AM1211 to LB 460 filed: April 8, 2019; AM1211 & AM1396 adopted: Select File: April 29, 2019.

CHAIRPERSON'S REPORT. Dr. Teetor, Chair, reported the following:

1. Professional board meeting attendance? None.
2. Staff changes at the Division of Public Health continue.

Mark Pyle started on February 19th as the third Deputy Director of Public Health. Mark oversees Community and Rural Health Planning, Health Promotion, Lifespan Health Services and Public Health Preparedness and Emergency Response while Ashley will continue to oversee Epidemiology & Informatics and Vital Records, while Darrell oversees Investigations, Licensure and Environmental Health. Mark most recently served as the Deputy Commissioner of Public Health for the Kentucky Department for Public Health.

Dan Taylor, who currently works with Long Term Care facilities, replaced Connie Wagner as the Supervisor for the Nursing Support Office, overseeing credentialing of nurse aides, medication aides, paid dining assistants, and dialysis patient care technicians. Connie Wagner recently retired.

3. Dannette Smith started as the CEO on February 25, 2019.
4. Statements of Financial Interest were due by March 1, 2019.
5. Several Licensure Unit website URLs and program email addresses recently changed. The new Board of Health homepage is <http://dhhs.ne.gov/licensure/Pages/Board-of-Health.aspx>
6. We will hold our September 16th Board of Health meeting in Columbus. Professional Board interviews will be held on Sunday afternoon, September 15th.
7. DHHS has partnered with Nebraska 2-1-1 to provide information regarding referral to services for moms and babies throughout the state. 2-1-1 is a free, comprehensive information and referral system linking Nebraska residents to health and human service programs, community services, disaster services and governmental programs.

COMMITTEE REPORTS.

Rules and Regulations Committee – Mr. Hansen, Committee Chair, reported.

- APPROVE Title DRAFT Title 172 Nebraska Administrative Code 10, Credentials Issued Under The Uniform Credentialing Act. The Public Hearing was held March 20, 2019, with two main testifiers. Committee motion to approve the proposed regulations 172 NAC 10, voting yes: 12 (Bessmer, Borchert, Fleming, Hansen, Hopp, Low,

Parsow, Stuberg, Teetor, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

- Mr. Gelvin reviewed the draft regulations for Credentialing Review. It removes the duplicative statutory language. Like other sets, information will be in a Guidance Document.
- The UCA Regulation Status Report was shared. We anticipate several sets of draft regulations for review in June.

Credentialing Review (407) Committee – Ms. Parsow, Committee Chair, presented. The EMS review had a public hearing.

Art Therapy. No action has been taken yet.

Physician Assistant. The first meeting has been scheduled for May 30, 2019.

Credentialing Review new website: <http://dhhs.ne.gov/licensure/Pages/Credentialing-Review.aspx>

Professional Boards Committee. Dr. Warner, Committee Chair, reported.

The Committee interviewed nine applicants this morning. The following individuals were appointed, most with terms through November 30, 2023, unless indicated otherwise, followed by their hometown:

Board of Alcohol and Drug Counseling

Amy Eigenberg, MSed, LIMHP, LADC, MAC, SAP of Kearney for a partial term through November 30, 2023.

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

Shannon Bingham of Omaha for a partial term through November 30, 2020.

Board of Medical Nutrition Therapy

Kristy Anderson, MS, RD, LMNT of Omaha for a partial term through November 30, 2019.

Board of Medicine and Surgery

Brian Keegan, MD, FACP of Ewing for a partial term through November 30, 2019

Physician Assistant Committee

John Massey, MD of Lincoln for a partial term through November 30, 2021.

There are 54 planned professional board interviews for 2019. Professional Board interviews will be held on September 15, 2019 in Columbus.

Dr. Warner made a Committee motion to appoint these individuals: Call for vote on motion to approve - voting yes: 12 (Bessmer, Borchert, Fleming, Hansen, Hopp, Low, Parsow, Stuberg, Teetor, Vander Broek, Vest, Warner); voting no: 0; not voting: 0.

Motion carried.

More information is available on the Vacancy website, for current and upcoming vacancies: <http://dhhs.ne.gov/licensure/Pages/Board-Requirements-and-Vacancies.aspx>

Public Health, Education and Legislation Committee: Mr. Fleming, Committee Chair, reported. They discussed the status of legislative bills.

- # Public Health Recognition – The Zone by Adams County YWCA. The Zone is a free After School Program providing a safe, fun, drug and alcohol free environment for local middle school students. Students who attend the Zone can take advantage of their free dinner program, homework tutoring, arts and crafts, sports games, classes and lessons, academic enrichment opportunities, and community service learning projects. The Zone has had a positive impact here in decreasing behavioral problems and improving academics. <https://www.ywcaadamscounty.org/what-were-doing/the-zone/>

Mr. Fleming made a Committee motion to approve this nomination for recognition: Call for vote on motion to approve - voting yes: 12 ((Bessmer, Borcher, Fleming, Hansen, Hopp, Low, Parsow, Stuberg, Teetor, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

- # LB607 Position. Mr. Fleming met with representatives from the Board of Cosmetology, Pam Rowland. She and Buddy Sims were scheduled to attend the PHEL meeting on March 18th to express concern regarding the Board of Health's recommendation to Senator Howard that there be a Credentialing Review on the Nail Tech and Body Art proposal. The March 18th Board of Health meeting was cancelled due to the flooding, and this Mr. Fleming made a Committee motion to amend the Board's position on LB607, and to send an updated letter to Senator Howard: Call for vote on motion to approve - voting yes: 11 (Bessmer, Borcher, Fleming, Hansen, Low, Teetor, Vander Broek, Vest, Warner); voting no: 1 (Hopp); not voting: 0. Motion carried.

Approval of Committee Reports. Dr. Teetor made a motion to approve the Committee Reports, with a second by Dr. Hopp. Call for vote on motion to approve - voting yes: 12 (Bessmer, Borcher, Fleming, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, Teetor, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

UNFINISHED BUSINESS.

Board of Health Policy on Guideline for Board of Health Member Attendance at Professional Board Meetings. This was introduced at the January 28, 2019 Board of Health meeting. Dr. Bessmer made a motion to approve the Committee Reports, with a second by Dr. Warner. Call for vote on motion to approve - voting yes: 12 (Bessmer, Borcher, Fleming, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, Teetor, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

NEW BUSINESS.

PUBLIC COMMENTS. None.

TOPICS AND PREPARATION FOR NEXT MEETING. The next regular Board of Health meeting will be June 17, 2019 in the State Office Building, room Lower Level C.

ADJOURN. There being no further business, Dr. Warner made a motion to adjourn, with a second by Dr. Hopp, all in favor by voice vote. The meeting adjourned at 1:39 PM. Minutes were taken by Monica Gissler.

These minutes were approved by the State Board of Health on June 17, 2019.

- Board of Health remaining meeting dates for 2019:
June 17
September 16 in Columbus
November 18

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If you would like any attachments mentioned in these minutes, or have other questions, please contact Monica Gissler, 402/471-6515, Fax 402/471-0383, or email at: monica.gissler@nebraska.gov.

Board of Health: <http://dhhs.ne.gov/licensure/Pages/Board-of-Health.aspx>

5/7/19, mcg