

MINUTES OF THE MEETING OF
THE BOARD OF Athletic Training

July 9, 2018

1. ROLL CALL

The meeting of the Board of Athletic Training was called to order by the Chair, Lisa Moore, at 1:05 p.m. in Lower Level Conference Room B, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Public Meeting Law.

Moore announced that it was a public meeting and the Open Meetings Law was posted.

The following members answered roll call:

Amie Carnahan, member
Rebecca Docter, Vice-Chair
Lisa Moore, Chair
Jessica Roberts, Secretary

Others Present:

Ami Huff, Assistant Attorney General
Claire Covert-ByBee, Program Manager, Licensure Unit
Nancy Herdman, Health Licensing Coordinator, Licensure Unit
Larry Wiehn, Investigator
2 public persons

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Roberts moved, seconded by Docter, to adopt the agenda. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

3. APPROVAL OF MINUTES (12-1-17)

MOTION: Docter moved, seconded by Roberts, to approve the minutes of 12-1-17. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

4. CLOSED SESSION – (INVESTIGATIONS, APPLICATIONS, OTHER CONFIDENTIAL INFORMATION)

MOTION: Docter moved, seconded by Roberts, to enter into closed session at 1:11 p.m. for the purpose of hearing discussions regarding confidential information and to protect the reputation of individuals named or referenced in such discussion. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

1:11 p.m. - 2 public persons departed meeting
1:30 p.m. - Wiehn departed meeting

MOTION: Docter moved, seconded by Roberts, to return to open session at 2:20 p.m. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

2:20 p.m. - 1 public person entered meeting

5. RECOMMENDATIONS

There were no recommendations

6. Election of Officers

MOTION: Docter moved, seconded by Roberts, to elect Roberts as Chair, Docter as Vice-Chair, and Moore as Secretary. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

7. Selection of Investigative Consultant

MOTION: Roberts moved, seconded by Docter, to select Roberts as the Investigative Consultant. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

8. Method of Publicizing Future Meetings

MOTION: Roberts moved, seconded by Docter, to maintain the same method of publicizing future meetings as has been done in the past. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

9. 2018 LEGISLATION

Covert-ByBee provided a spreadsheet of bills relevant to the Licensure Unit. Some specifically discussed included:

LB 681 – A physical therapy license compact was passed.

LB 701 – Provided a definition for telehealth

LB 1034 – Removed the requirement of having signatures on licenses.

Covert-Bybee reported the bill that was proposing to waive licensing fees never came out of committee.

10. LB 88 Military Spouse

This bill creates a process for the Department to issue a temporary credential to a military spouse.

MOTION: Roberts moved, seconded by Docter, to approve the Department to determine which military spouse applications needed to be presented to the Board. A roll call vote was taken. Voting aye: Carnahan, Docter, Moore, Roberts (4). Voting nay: None (0). Absent: None (0). Motion carried.

11. LB 299 – Applications for Preliminary Review based on Convictions

The Occupational Board Reform Act bill goes into effect on 7-19-18. It creates an additional layer for the review of rules and regulations. It also allows an individual to petition a licensing board to look at their convictions prior to the individual making an application for a license.

2:35 p.m. - 1 public person departed meeting

12. SCOPE OF PRACTICE – DRY NEEDLING

Covert By-Bee provided the Attorney General's opinion on dry needling which stated it was not something an athletic trainer could do under their modalities. Roberts questioned the definition used by the Attorney General. She stated the Attorney General referred to dry needling as a physical modality. Roberts stated she believed dry needling to be a treatment and athletic trainers can do treatment under their scope of practice definition.

It was discussed that a statute change would need to happen for an Athletic Trainer to do dry needling. It was

suggested a 407 process could be pursued to begin the process of expanding the practice of Athletic Trainers. Covert-Bybee recommended that a stakeholder or an association initiate the 407 process and have a Board member as a liaison.

13. BOC AT Awareness Advertisements

Covert-Bybee said she did not know if the advertisements could be a Department promoted effort but that they could be put up as a link for the Board of Athletic Training. Roberts stated that the advertisements needed to go to employers, secondary schools, school superintendents, licenses, and lay persons. She commented it was important to let people know that Athletic Trainers needed to be licensed in Nebraska in order to practice in Nebraska.

14. APPLICATION PROCESSING REPORT

This report was provided to the Board.

15. TOPICS FOR THE NEXT MEETING

Topics suggested were: dry needling, 407 process to expand scope, and listing a national athletic trainer credential when the individual is not a licensed Athletic Trainer in Nebraska.

Roberts asked if the Board could meet more often. Covert-Bybee responded that boards meet when there is sufficient material to discuss to warrant a meeting and explained that budgets needed to be considered as holding a meeting expends funds.

16. ADJOURNMENT

Moore declared the meeting adjourned at 3:34 p.m.

Respectfully submitted,

Jessica Roberts, Secretary
Board of Athletic Training

Summarized by Nancy Herdman, Health Licensing Coordinator