

Minutes of the July 21, 2020 Board of Athletic Training Conference Call Meeting

1. ROLL CALL

Jessica Roberts, Chairperson, called the meeting of the Board of Athletic Training to order at 9:02 a.m. on Tuesday, July 21, 2020 in Conference Room 3C at the State Office Building in Lincoln, Nebraska. The meeting was duly publicized by distribution of the Notice of Meeting and Agenda prior to the meeting and posting the agenda at the entrance of the Department of Health and Human Services Division of Public Health at least twenty-four (24) hours prior to the meeting.

Roberts announced that this is a public meeting and the Open Meetings Act is posted.

Members Present: The following members answered roll call:

Jessica Roberts, Chairperson
Michael Nicola, Vice-Chairperson
Rebecca Docter, Secretary
Amie Carnahan, Member

Others Present:

Natalee Hart, Assistant Attorney General
Jeff Newman, Investigator
Anna Harrison, Compliance Monitor
Claire Covert-ByBee, Program Manager
Antonio Carranza, Health Licensing Coordinator

2. MOMENT OF SILENCE FOR DAVE MONTGOMERY

Roberts recognized the contributions of Dave Montgomery to the Department of Health and Human Services as a whole as well as to Athletic Training specifically. The Board and staff recognized a moment of silence in remembrance.

3. ADOPTION OF AGENDA

MOTION: Docter moved, seconded by Nicola to adopt the agenda. Voting aye: Carnahan, Docter, Nicola and Roberts. Voting nay: None. Motion carried.

4. REAFFIRMATION OF MAIL BALLOT

The Board reaffirmed the mail ballot regarding approval of the April 10, 2020 meeting minutes.

These minutes were approved by the Board of Athletic Training via mail ballot.

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Docter moved, seconded by Nicola to go into closed session at 9:04 a.m. to hear discussions regarding confidential information and to protect the reputation of the individuals named or referenced in such discussions. Voting aye: Carnahan, Docter, Nicola and Roberts. Voting nay: None. Motion carried.

6. BOARD RECOMMENDATIONS ON APPLICATIONS – OPEN SESSION

The Board returned to open session at 9:35 a.m.

There were no recommendations.

7. LEGISLATIVE UPDATE

Covert-ByBee advised the legislature reconvened on July 20th after pausing their session in March. They are scheduled to meet for 17 days to complete the session on August 13th. She stated she was not aware of any bills of strong interest to the Board.

8. REGULATION UPDATE

Covert-ByBee stated 172 NAC 17 Licensure of Athletic Trainers is currently with the Attorney General's Office to determine if it meets constitutionality. After that it goes to the Governor's Office for approval and then would be filed with the Secretary of State.

9. COVID-19 AND LICENSURE

Covert-ByBee gave an overview of Executive Order 20-27 which was signed by the Governor in late June. It does not have a large effect on Athletic Training licensure aside from allowing for an additional continuing education waiver if a licensee was not able to complete their hours due to circumstances beyond their control. If they request that waiver they would also need to provide documentation supporting it.

10. 407 CREDENTIALING PROCESS UPDATE

Roberts shared an update on the 407 credentialing review of the statutes pertaining to Athletic Training licensure. The Nebraska Athletic Trainers' Association initiated the review process and the next meeting is Tuesday, July 28th. It is a public meeting and information is on the website to join virtually as well. After that meeting it will move on to a public hearing and then the committee which is organized by the department will make a recommendation on the application. The review committee had previously requested clarification on the proposal and to have a few terms explained as well.

11. BOC SURVEY ON PRACTICE ACT CHANGES

Roberts inquired about a Board of Certification survey that was to be completed regarding athletic training licensure. Covert-ByBee advised that much of the information is public and the department will work on compiling that information.

12. LICENSURE APPLICATION PROCESSING REPORT

Carranza presented the application processing report for informational purposes only.

13. PER DIEM DISCUSSION

Covert-ByBee advised the department is reviewing Per Diem procedures for all occupational boards. Currently the Athletic Training Board receives a \$25 Per Diem for the day of the meeting and travel costs are reimbursed. Covert-ByBee stated the Board has the option of receiving a Per Diem up to \$50 each for each day actually engaged in the discharge of his or duties. That can include time spent preparing for a Board meeting, additional days spent traveling for a Board meeting and when representing the Board in an official capacity.

The Board discussed many factors including consistency with other boards, incentivizing potential board members to apply in the future, provide compensation for the time taken away from work and serving the profession.

MOTION: Docter moved, seconded by Carnahan, to approve a \$50 per diem for the day of the meeting and any time when representing the Board at meetings, hearings or other official Board duties. Voting aye: Carnahan, Docter, Nicola and Roberts. Voting nay: None. Motion carried.

14. ELECTION OF OFFICERS

MOTION: After discussion Docter moved, seconded by Nicola, to elect Roberts as Chairperson and Investigative Consultant, Nicola as Vice-Chairperson and Docter as Secretary. Voting aye: Carnahan, Docter, Nicola and Roberts. Voting nay: None. Motion carried.

15. NOTICE OF MEETING PUBLICATION

The Board is required to inform the public each year of the method by which it will provide notice of meetings. In the past, the Board has elected to post meeting agendas at the Nebraska State Office Building, to email the agenda to the interested parties list, and to post agendas on the Department's website. The Board and Department agreed to continue notification with these methods.

16. SCHEDULE MEETING FOR NEXT YEAR

The Board scheduled the next Board meeting for July 20, 2021 at 9:00 a.m.

These minutes were approved by the Board of Athletic Training via mail ballot.

17. PUBLIC COMMENT

There were no public comments.

18. TOPICS FOR NEXT MEETING

Suggested topics for the next meeting included conviction review update, legislative update including 407 credentialing review, report on BOC Cares conference and regulation update.

19. ADJOURNMENT

There being no further business, the meeting adjourned at 10:11 a.m.

Respectfully submitted,

Rebecca Docter, Secretary