

NEBRASKA STATE BOARD OF HEALTH MEETING
DRAFT MINUTES – September 16, 2019

ATTENDANCE NOTIFICATION. A regular meeting of the State Board of Health was called to order by the Vice Chair, Dr. Wayne Stuberger, at 1:03 PM on September 16, 2019 in the Platte Conference Room of the Columbus Community Hospital. 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: Kevin Borchert, PharmD, RP; Michael Hansen, FACHE; Russell Hopp, DO; Diane Jackson, APRN; Kevin Low, DD; Debra Parsow; Wayne Stuberger, PhD, PT; Doug Vander Broek, DC; Joshua Vest, DPM; and Jeromy Warner, PsyD, LP. Quorum met.

Members not in attendance: Joel Bessmer, MD; Shane Fleming, MSN, RN; Travis Teeter, MD.

Staff and others attending: Ron Briel (morning only), Matt Gelvin, Monica Gissler, Marla Scheer.

APPROVAL OF AGENDA. Dr. Stuberger asked if there were any changes to the agenda for the meeting today. Dr. Stuberger then asked if there were any changes to the minutes from the June 17, 2019 meeting. Dr. Low made a motion to approve the agenda and minutes, seconded by Dr. Borchert. Voting yes: 10 (Borchert, Hansen, Hopp, Jackson, Low, Parsow, Stuberger, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

WELCOME BY MIKE HANSEN, President/CEO of Columbus Community Hospital. He explained the current renovations in the hospital, and adjacent conference center. With six operating rooms, they will become a regional referral hospital. They just did their first robotic surgery on September 3, 2019.

PUBLIC HEALTH UPDATE – Becky Wisell, Licensure Unit Administrator. We are thrilled to have a new Director of Public Health/Chief Medical Officer with Dr. Gary Anthonie starting on September 3, 2019. She explained the regulation update project from the 2017 directive to remove duplicative language from the statutes.

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

1. Professional board meetings that they would like to report on?

Dr. Vander Broek – June 27, Board of Chiropractic

Dr. Warner – July 19, Board of Psychology

Dr. Borchert – July 22, Board of Pharmacy

It is important that you let Monica know in advance when you plan to attend a meeting, and if you plan to attend the entire meeting or just a portion. If the meeting includes a working lunch, a lunch will not be ordered for you, unless specific arrangements are made. When you arrive at the meeting, please make a point of introducing yourself to the Board staff.

2. Gary Anthone, MD, the new Director of Public Health/Chief Medical Officer, started on September 3rd. He comes from a private surgical practice in Omaha, and was also a faculty member at Creighton University. We hope to see him at a Board of Health meeting in the near future.
3. DHHS had requested that we schedule special meetings in October and December in order to manage the anticipated Rules and Regulations workload. The dates selected are October 28th and December 16th, both meetings to be held at the State Office Building in Lincoln.
4. At our November 18th meeting, we will elect Board of Health officers for 2020. Please consider serving, and let Monica know if you would like your name on the ballot.
5. Committee Chairs – Annual reports are due in November. Please work with your committee staff person.
6. Thank you to Mike Hansen and the Columbus Community Health Center for hosting our meeting today, and for providing meeting space for the professional board interviews the day before.
7. Lastly, today is the last meeting for Dr. Russ Hopp. I know your term ended in August, and we appreciate your attendance at this meeting. And I know it won't surprise you when I tell you that your official proclamation is still in the works, and we will get it to you. On behalf of the other Board of Health members, the staff, and the citizens of Nebraska, thank you for your service to this Board, and especially to the Professional Boards and PHEL Committees.

SPRING 2019 FLOODS – Sue Deyke, MSN, RN, CEN, Columbus Community Hospital, Director of Emergency Services and Disaster Preparedness presented.

Rules and Regulations Committee – Mr. Hansen, Committee Chair, reported. <http://dhhs.ne.gov/Pages/DHHS-Regulations.aspx>

- Review of Title 402 Nebraska Administrative Code, Chapter 2 – Grants from the Nebraska Health Care Cash Fund (Repeal). The purpose of these regulations was to govern the grants made from the Nebraska Health Care Cash Fund. The statute that authorized this grant was repealed in 2008, and the regulations are no longer applicable.
- Review of Title 402 Nebraska Administrative Code, Chapter 3 – Teen Tobacco Education and Prevention Project (Repeal). The purpose of these regulations was to govern the grants made from the Teen Tobacco Education and Prevention Project authorized by the Nebraska Health Care Funding Act. The statute that authorized this grant was repealed in 2008, and these regulations are no longer applicable. Mr. Hansen made a Committee motion to approve the repeal of 402 NAC, Chapters 2 and 3. Voting yes: 10 (Borcher, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

- The Licensure Unit Regulation Status Report was shared. Special Board of Health meetings are scheduled on October 28 and December 16 to accommodate the high volume of regulations expected. Staff have been hard at work, along with the professional boards.

Credentialing Review (407) Committee – Ms. Parsow, Committee Chair, presented. The EMS review had a public hearing on June 5, 2019.

- Recommendations on the EMS Community Paramedicine Proposal and the EMS Critical Care Paramedic Proposal. The full text of the applicants' proposal and all related documents can be found under the EMS subject area on the credentialing review program link at <http://dhhs.ne.gov/licensure/Pages/Credentialing-Review.aspx>

The members of the technical review committee recommended approval of the EMS Community Para-medicine Proposal by a vote of four to two. The committee members recommended approval of the EMS Critical Care Paramedic Proposal by a vote of six to zero.

The Board of Health Credentialing Review Committee met on June 5th and the morning of June 17th. Dr. Teetor, Chair of this Technical Review Committee, presented his summary this morning via telephone.

Ms. Parsow made a Committee motion to approve the EMS proposal. Dr. Stuberg asked if anyone in attendance wanted the motion broken out, and there were none. Voting yes: 10 (Borcher, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

- Art Therapy. No action has been taken yet. The first meeting will be held on October 29, with Dr. Low serving as Chair of the Technical Review Committee.
- Physician Assistants. The first meeting was held on May 30, 2019. Next meeting is scheduled for September 30, 2019. Dr. Stuberg is Chair of the Technical Review Committee. The applicant group reached out to the Nebraska Medical Association to collaborate and improve the application.

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

There are 54 planned professional board interviews for 2019; some were held on April 29th. Professional Board interviews were held on September 15, 2019 in Columbus, and more will be held in Lincoln in November 18. We are in need of more public members.

Board of Advanced Practice Registered Nursing
* Barbara Foss, APRN-NP, of Elwood

Board of Alcohol and Drug Counseling
Mary Sneckenberg, Public Member, of Lincoln

Board of Athletic Training
Michael Nicola, ATC, of Bellevue

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
* Pamela Rowland, of Omaha
Becky Pettigrew, of Valentine

Board of Dentistry
* Lisa Kucera, RDH, BGS, of Omaha
Michael O'Hara, JD, PhD, of Omaha
Hannah Randell, RDH, PHRDH, of Hastings
Melanie Steckelberg, DDS, of Lincoln
* John Thomas, DMD, of Papillion

Board of Funeral Directing and Embalming
* Arvard Wiest, FDE, of Beatrice

Board of Hearing Instrument and Fitters
* Edward Granger, HIS, of Fremont

Board of Medical Radiography
Megan Dutt, BS RT (R)(CR)(MR), Wahoo

Board of Medicine and Surgery
* Brian Keegan, MD, of Norfolk
* Jeffrey Howorth, of Plattsmouth

Board of Mental Health Practice
* Dale Battleson, PhD, of Omaha

Board of Nursing
* Kristin Ruiz, EdD, msn, RN, of Beatrice

Board of Nursing Home Administration
Theresa Parker, MAM, MA, NHA, FACHCA, CSW, of Lincoln

Board of Optometry
* Rogbert Vandervort, OD, of Omaha

Board of Physical Therapy
Kim Oliphant, MPT, of Kearney
* Thomas Victor, of Omaha

Physician Assistant Committee
* Tamara Dolphens, PA, of Papillion
Merle Henkenius, of Lincoln
Corrigan McBride, MD, MBA, FACS, FASMBS

Board of Podiatry

* R. McLaran Sawyer, PhD, of Lincoln

Board of Registered Environmental Health

* Jeremy Collinson, REHS

* Mike Wentink, REHS

* Larry Hardesty

Board of Veterinary Medicine and Surgery

Christopher G. Byers, DVM, DACVECC, DACVIM (SAIM), CVJ, of Omaha

* Indicates incumbents.

Dr. Warner made a Committee motion for approval to appoint these 29 applicants as professional board members. Voting yes: 10 (Borcher, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, 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: Dr. Vander Broek, Committee Vice Chair, reported.

- Legislative Bills introduced in the 2019 session became effective September 1, 2019, unless they had an Emergency clause.
- Legislative Luncheon. The Committee proposed we skip the January 2020 Legislative Luncheon, and try to get on the DHHS Presentation agenda to the HHS Legislative Committee. Dr. Stuberg will reach out. Mr. Gelvin will also follow up.
- The tentative start date for the next legislative session is January 8, 2020. Day 10 is January 23, 2020. The PHEL Conference call will be scheduled for January 23 or 24.
- Education. We will request Dr. Van Patten to attend a meeting to discuss Medicaid expansion that will be effective October 1, 2020.
- Professional Boards. This last session, the Board of Health took a position on a bill that conflicted with a professional board. We will send out an email in November to all of the professional board chairs asking them to communicate their legislative priorities to us. We also need our own professional board liaisons to talk with the boards when they attend meetings and see what, if any, legislative plans and positions they might have.

Approval of Committee Reports. Ms. Jackson made a motion to approve the Committee Reports, with a second by Dr. Hopp. Call for vote on motion to approve - voting yes: 10 (Borcher, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

UNFINISHED BUSINESS.

- The Board of Health By-Laws are reviewed every five years, or more often as needed. The current version is from 2014. Revisions were introduced at the June 17, 2019 meeting. Dr. Warner made a motion to approve, with a second by Ms. Parsow - voting yes: 10 (Borcher, Hansen, Hopp, Jackson, Low, Parsow, Stuberg, Vander Broek, Vest, Warner); voting no: 0; not voting: 0. Motion carried

NEW BUSINESS.

- Board of Health 2020 meeting dates. The following Monday dates were approved: January 27, March 16, June 15, September 21, and November 16.

PUBLIC COMMENTS. None.

TOPICS AND PREPARATION FOR NEXT MEETING. The next regular Board of Health meeting will be November 18, 2019 at the State Office Building in Lincoln. There will be a special meeting dedicated to the rules and regulations on October 28th.

ADJOURN. There being no further business, Dr. Low made a motion to adjourn, with a second by Dr. Hopp, all in favor by voice vote. The meeting adjourned at 2:27 PM. Minutes were taken by Monica Gissler. These minutes were approved by the State Board of Health on November 18, 2019.

- Board of Health remaining meeting dates for 2019:
November 18
Special Rules and Regulations meetings scheduled for October 28 and December 16, 2019

NOTE: If you would like to receive these minutes electronically instead of receiving a hard copy, please send a request to the email address below. Please also inform staff if you would like to be removed from this distribution list altogether.

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>

10/1/19, mcg