



RURAL HEALTH ADVISORY COMMISSION

NEBRASKA OFFICE OF RURAL HEALTH
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Minutes of the RURAL HEALTH ADVISORY COMMISSION

Friday, November 21, 2014

**220 S. 17th Street, Conference Room LLA
Lincoln, Nebraska**

Members Present: Brian Buhlke, D.O.; Marty Fattig; Jessye Goertz; Mary Kent; Lisa Mlnarik, MSN, APRN, FNP; Noah Piskorski, D.D.S.; Jenifer Roberts-Johnson, J.D.; Rebecca Schroeder, Ph.D.; Michael Sitorius, M.D.; Roger Wells, P.A.-C.

Members Excused/Absent: Scot Adams, Ph.D.; Mark Goodman, M.D.; (Family Practice Resident position on the commission is currently open)

Guests Present: Jordyn Lechtenberg, Graduate-Student at UNL; Daniel Ullman, Ph.D., MSCP; Mikel Merritt, Ph.D., MACP

Staff Present: Margaret Brockman; Marlene Janssen; Tom Rauner, Deb Stoltenberg

1. Call Meeting to Order; Open Meetings Act & Agenda Posted; Adopt Agenda; Approve Minutes of September 18, 2014, Meeting; Introduce Members/Guests

Marty Fattig called the meeting to order at 1:36 p.m. with the following members present: Brian Buhlke, D.O.; Marty Fattig; Jessye Goertz; Mary Kent; Lisa Mlnarik, A.P.R.N.; Noah Piskorski, D.D.S.; Jenifer Roberts-Johnson, J.D.; Rebecca Schroeder, Ph.D.; Michael Sitorius, M.D.; Roger Wells, P.A.-C.

Marty Fattig announced that the Open Meetings Act and Agenda are posted by the door.

Dr. Brian Buhlke moved to approve the agenda with the following change: Under Agenda Item #7, Closed Session – add a “request from a potential loan repayment recipient concerning eligibility.” Roger Wells seconded the motion and the motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

Roger Wells moved to approve the September 18, 2014, Rural Health Advisory Commission meeting minutes. Lisa Mlnarik seconded the motion. The motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Schroeder, Sitorius, and Wells. NO: None. ABSTAINED: Roberts-Johnson. Excused: Adams, Goodman.

Guests present were given the opportunity to introduce themselves. Jordyn Lechtenberg stated she is a graduate student from the University of Nebraska-Lincoln interested in rural health, economics and rural development.

2. Administrative Announcements

- **Nominations for Chair and Vice-Chair**
- **2015 Meeting Dates**
- **Other Announcements**

Marty Fattig stated that this is the meeting that the Commission usually elects a Chair and Vice-Chair. Mr. Fattig volunteered to continue as chair due to the large amount of legislative work the commission has proposed for the next year. Dr. Rebecca Schroeder volunteered to continue as vice-chair. Roger Wells moved to nominate Marty Fattig as Chair and Dr. Rebecca Schroeder as Vice-Chair and moved that nominations be closed. Dr. Brian Buhlke seconded the motion. Motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

The commission members present agreed to the following 2015 meeting dates:

Friday, February 20, 2015; 1:30 p.m.; Lincoln, NE

Friday, June 19, 2015; 1:30 p.m.; (student loan interviews in the morning); Lincoln, NE

Friday, September 11, 2015; time and location to be determined

Friday, November 20, 2015; 1:30 p.m.; Lincoln, NE

Marlene Janssen stated that Dr. Avery Sides has resigned from the Commission because she has completed her family practice residency and has begun practicing in western Nebraska. Ms. Janssen will send letters to the family practice residency training programs.

3. State-Designated Shortage Area Request

Marlene Janssen stated the Office of Rural Health received a letter from Webster County Community Hospital in Red Cloud requesting to become a state-designated shortage area for family practice. Ms. Janssen said they do meet the guidelines for a family practice shortage area designation since one physician is no longer practicing in the county and another physician is practicing internal medicine and not family practice. This information was verified by the UNMC Health Professions Tracking Services. Dr. Brian Buhlke moved to approve Webster County as a state-designated family practice shortage area. Roger Wells seconded the motion. Motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

4. Rural Health Advisory Commission's Annual Report

- **Rural Incentive Programs**
- **Recommendations**

Marlene Janssen stated the Rural Health Advisory Commission's 2014 Annual Report and Rural Health Recommendations as provided through the Nebraska Rural Health Systems and Professional Incentive Act is complete and ready for the commission's approval. Jessye Goertz moved to approve the Rural Health Advisory Commission's 2014 Annual Report and Rural Health Recommendations and have the Office of Rural Health distribute the report with a cover letter from the commission chair via email to the following individuals/groups: all State Senators, Congressional representatives including newly elected representatives, and DHHS Directors; and mail hardcopies to the Governor, Lt. Governor, Governor-Elect, Lt. Governor-Elect, and the newly elected state senators. The Commission commended Ms. Janssen for the wonderful job she has done in putting together this report. Lisa Mlnarik seconded the motion. Motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

Sitorius out 2:43 p.m.

5. Nebraska Rural Incentive Programs

• Loan Repayment Awards Update

Marlene Janssen stated that Anthony George, D.D.S (Cheyenne County), whose loan repayment application was approved by the Commission in September, has requested that his application be moved to the waiting list with a start date of July 1, 2015. This is due to personal commitments at this time.

Sitorius returned 2:49 p.m.

• Accounts Receivable

Marlene Janssen provided the following report of accounts receivable:

Student Loan Update (Contract Buyout and Defaults)

Michelle Bausch, LMHP – left shortage area/not practicing scope of practice of LMHP
Case is being referred to Legal for collection

Stephanie Ebke, dental student, - in-school buyout, payoff date 5/1/2015

Danial Hanlon, Dental – in-school buyout, payments current, payoff date 5/1/2015

Tamara Kenning, LMHP – defaulting, payments current

Tom Pratt, DDS – Paid-in-full (10/6/2014)

Andria Simons, med student – court judgment; has made several payments

Nick Woodward, DDS Ped – (left Nebraska after graduating...moved back to Nebraska and is now practicing in the Omaha metro area), payments current

Loan Repayment (Defaults – left shortage area for non-shortage area or left Nebraska)

Tiffany Contet, P.A. – had to resign for health reasons (5/2014); payments are current

Megan Faltys, M.D. – leaving shortage area as of 12/1/13; payments current

Paul Willette, M.D. (general surgeon) – left Nebraska, default 7/1/2013, Legal staff working on collecting

- **Review Budget**

Marlene Janssen reported that if the commission approves the loan repayment applications recommended today, the state funds will be obligated for this fiscal year with only \$12,662 left. The commission has obligated just over \$3.3M this year. This includes both the state and local match. We do have a waiting list for loan repayment.

6. Prescribing Psychologist Permit

Dan Ullman, Ph.D., MSCP, is a representative of the Nebraska Psychological Association (NPA) and chair of the NPA's committee on prescribing psychologists. Mikel Merritt, Ph.D., MACP, is a prescribing psychologist in the Air Force. Drs. Ullman and Merritt presented on the issue of the creation of a prescribing psychologist permit in Nebraska which is being studied and proposed by the NPA.

The NPA is currently going through the 407 credentialing process for the creation of a prescribing psychologist permit. This permit would be an extra credential for already licensed psychologists who have met national post-doctoral training standards that would enable them to prescribe medications for mental disorders. This would be a voluntary supplemental credential with its own set of standards and requirements, and would not affect the general scope of practice of psychology. Dr. Ullman reported that New Mexico and Louisiana have a prescribing psychologist permit which includes a mandatory collaboration agreement with a primary care provider. With the shortage of psychiatric prescribers in Nebraska, there are delays in receiving treatment. With a prescribing psychologist the patient receives a combined treatment of psychotherapy and prescription if needed.

Dr. Merritt described his training to become a prescribing psychologist when he was stationed in New Mexico with the Air Force. This is a master's level program in psycho-pharmacology and included a practicum with a primary care provider and a psychiatrist. Dr. Merritt then had to pass a national exam. As per military guidelines, he had to do a one-year supervised practice under a psychiatrist before being able to practice independently. Since 2011, Dr. Merritt has been practicing independently.

Dr. Merritt described military medicine as analogous to small clinics where there is probably not a psychiatrist on staff. The prescribing psychologist allows continuity of care for the patient with the integration psycho-therapy and medication. If the patient with a mental health diagnosis is seeing multiple providers things tend to fall through the cracks.

Dr. Ullman stated that this is a controversial issue and there needs to be national standards, competency exams, and a practicum component. There is data available on the safety of prescribing psychologists. This is a post-doctoral educational program with collaboration from a medical doctor. Dr. Rebecca Schroeder added that this is a very intense curriculum.

Dr. Sitorius asked Drs. Ullman and Merritt what states offer this and asked if Nebraska psychiatrists were supportive of this proposal. Dr. Ullman stated that the U.S. Department of Defense, Public Health Services, Indian Health Services, New Mexico and Louisiana have had prescribing psychologists for over 10 years. Illinois just passed legislation this year (2014).

There have been attempts to open discussions with Nebraska psychiatrists but there is not emphatic support based on the questions.

Dr. Mike Sitorius asked what prescriptions would be prescribed most frequently. Dr. Merritt replied that the primary focus is through therapeutic techniques to get patients off of medications but if needed SSRIs (Selective Serotonin Reuptake Inhibitors), anti-psychotics, and benzodiazepines. The Department of Defense (DOD) allows full formulary but Dr. Merritt stated he self limits to FDA indication for a DSM (Diagnostic and Statistical Manual of Mental Disorders) diagnosis.

Dr. Buhlke asked about prescribing for non-mental health related disorders like sleep apnea and how side effects are managed. Dr. Merritt stated first he uses cognitive behavioral techniques but if required he starts patient with Benedryl. Dr. Merritt also stated that he has had training on treating non-mental health diagnosis; however, the prescribing psychologist would continue to work with primary care providers. It is primary care physicians in rural Nebraska that write the majority of psycho-therapy prescriptions.

There was some discussion on prescribing psychologists treating different age groups such as pediatrics and geriatrics. Drs. Ullman and Merritt commented that this will depend on the regulations and training of the provider. Dr. Merritt replied that his interest and training is adults (18-65) not pediatrics or geriatrics so he would not treat those age groups.

Dr. Buhlke asked how prescribing psychologists manage the call schedule when a patient presents him/herself to the emergency room at midnight with medication side effects. Dr. Merritt stated that in his practice there is always someone on call at the DOD. Dr. Buhlke then asked how this will work in rural Nebraska because a physician cannot abandon a patient so someone has to be on call. If the prescribing psychologist comes out to a rural clinic and prescribes psychotropic medication then goes back home and turns off his cell phone, who is responsible for managing that patient? Dr. Buhlke stated that if he is going to have to manage the side effects and adverse reactions to a medication then he wants to be the one prescribing it.

There was a question about malpractice insurance. Dr. Ullman replied that the primary insurer has a rider for prescribing psychologist and at a very minimal increase in cost.

Roger Wells asked since psychologists supervise LMHPs (Licensed Mental Health Practitioners) will the prescribing psychologist prescribe for the LMHP's patient. Dr. Merritt replied that the prescribing psychologist only prescribes after direct consultation. This is another level of care and not just consultation between the supervising psychologist and the LMHP.

There was some discussion on how many psychologist in Nebraska actually practice in rural Nebraska which lead to how many of these rural psychologists would take the training to become prescribing psychologists. Dr. Merritt stated he knows of at least 2 in Scottsbluff and 1 or 2 in North Platte.

Jessye Goertz asked Drs. Ullman and Merritt why they wanted to address the Rural Health Advisory Commission. Dr. Merritt responded that they want to represent the needs of rural Nebraska in their proposal and basically address rural concerns. If this proposal passes, Dr.

Ullman stated that regulations would be drafted with input from the medical, pharmacist, and psychologist boards.

After Drs. Ullman and Merritt left, the commission continued to discuss the proposal for prescribing psychologists. Marlene Janssen asked how this differs from physicians prescribing mental health drugs in rural Nebraska. Looking at the map of psychologists, they are not in the rural shortage areas. There are maybe 100 psychologists outside of Sarpy, Douglas, and Lancaster Counties but they are not in the primary care shortage areas, they are in the rural hubs. How does this help rural shortage areas? Dr. Buhlke responded saying rural Nebraska does not need any more “hit and run” providers. These providers are not accessible at midnight when a patient presents at the emergency room. Dr. Sitorius added that there is no medical documentation for the ER physician to review and the ER physician does not know the details. Dr. Sitorius stated that there is a shortage of mental health providers *everywhere* not just rural. Jenifer Roberts-Johnson mentioned that during the 407 review process many groups will stress that they will help with the rural shortage areas but they are not distributed in a way to do that. The numbers may not show that this will help rural Nebraska. Scottsbluff, North Platte are population centers in rural Nebraska but where are the psychologists for communities like Gordon, Chadron, and Ainsworth?

Dr. Rebecca Schroeder stated that the number one prescriber of psychotropic medications in North Platte is through telehealth and there may not be collaboration with a primary care physician. Dr. Buhlke said they use telehealth and work directly with the psychiatrist so the primary care physician knows what medications the patient is taking and the treatment plan.

7. Closed Session

- **Review Loan Repayment Applications**
- **Request from potential loan repayment applicant concerning eligibility**
- **Student Loan Recipient Request(s)**

Dr. Mike Sitorius moved to go to closed session at 2:52 p.m. Dr. Brian Buhlke seconded the motion and the motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

Marty Fattig announced that the Commission would go into Closed Session at 2:52 p.m. to review the loan repayment applications, consider a potential loan repayment applicant’s request, and discuss student loan recipients’ requests. Mr. Fattig asked guests to please wait outside the room.

8. Open Session

- **Motion(s) on Closed Session Discussions**

Dr. Brian Buhlke moved to go to Open Session at 3:10 p.m. Roger Wells seconded the motion and the motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

Dr. Brian Buhlke moved to approve the following loan repayment applications with estimated loan repayment start dates and loan repayment amounts as indicated or as determined by Office of Rural Health staff based on issuance of license and/or loan documentation:

| Applicant's Name | Loan Repayment Start Date | Specialty | County (Town) of Practice | Total LR Amt. State & Local |
|--------------------------------------------------|---------------------------|-----------|------------------------------------|-----------------------------|
| High, Claire PENDING LICENSE | 02/01/2015 | P.A. (FP) | Cherry County (Valentine) | \$60,000.00 |
| Reikofski, Sara | 11/01/2014 | P.A. (FP) | Holt County (O'Neill) | \$60,000.00 |
| Schurman, Rebecca 0.8 FTE (32 hours/week) | 08/01/2014 | O.T. | Cedar County (Hartington) | \$24,074.00 |
| Brummer, Katharine | 09/01/2014 | O.T. | Box Butte County (Alliance) | \$60,000.00 |
| Livingston (McDonald), Trisha | 09/01/2014 | P.T. | Morrill County (Bridgeport) | \$60,000.00 |
| Crook, Lindsey | 09/01/2014 | P.T. | Polk County (Osceola & Stromsberg) | \$35,736.00 |

and move the following loan repayment applications to the waiting list due to state funds being obligated for this fiscal year:

| Applicant's Name | Estimated Loan Repayment Start Date | Specialty | County (Town) of Practice | Total LR Amt. State & Local |
|-----------------------------------------|-------------------------------------|---------------|---------------------------------------|-----------------------------|
| Grone, Angela | 07/01/2015 | M.D. (OB/GYN) | Gage County (Beatrice) | \$120,000.00 |
| Ladwig, Adam | 07/01/2015 | P.T. | Cedar County (Hartington) | \$20,004.00 |
| Ardon, Aura | 07/01/2015 | M.D. (Psyc) | Scotts Bluff County (Scottsbluff) | \$120,000.00 |
| Baumert, Angie | 07/01/2015 | P.A. (FP) | Custer (Broken Bow), Sherman & Valley | \$60,000.00 |
| Lanoha, Holly | 07/01/2015 | P.A. (FP) | Douglas County (Charles Drew CHC) | \$60,000.00 |
| Pierce, Rebecca | 07/01/2015 | Pharmacist | Thurston County (Pender) | \$60,000.00 |
| Zimmerman, Jessica | 07/01/2015 | O.T. | Thayer County (Hebron) | \$60,000.00 |
| Krikke, Amber PENDING LOAN DOCU. | 07/01/2015 | P.A. (FP) | Burt County (Tekamah) | \$60,000.00 |
| Harriger, Kevin | 07/01/2015 | N.P. (FP) | Morrill County (Bridgeport) | \$26,093.00 |
| Heinrichs, Leann | 11/01/2015 | M.D. (FP) | Thayer County (Hebron) | \$83,138.00 |

Jessye Goertz seconded the motion and the motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

The Commission decided to table the request from Megan Moser, P.A. concerning her practice with a family practice physician and an internal medicine physician pending additional information. Ms. Moser is practicing in a general internal medicine shortage area which is not a

family practice shortage area. The Commission asked the Office of Rural Health to verify Ms. Moser's primary supervising physician and report back at the next meeting.

Dr. Brian Buhlke moved to approve the following Nebraska Rural Health Student Loan recipients' requests to extend the time period to obtain their full (non-provisional) licenses as a mental health practitioners on or before the dates shown: Donielle Larson – March 1, 2016 and Brooke Pelster-Hess – September 1, 2015. Rebecca Schroeder seconded motion. Motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

Dr. Brian Buhlke moved to have the Office of Rural advise loan repayment applicants of options for federal loan repayment programs, if eligible. Roger Wells seconded the motion and the motion carried. YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.

9. Federal and State Legislative Update

Marty Fattig reported on LR 22/LR 422 study group's eight building blocks for future Nebraska healthcare. Both Mr. Fattig and Roger Wells attended the stakeholders meeting in October and both provided reports to the full commission. This work group recommends that the State legislature consult with stakeholders before making healthcare policies. The document of "The 8 Building Blocks for Future Nebraska Healthcare" was presented to the combined legislative committees (Health and Human Services and Banking, Commerce, and Insurance) on November 14, 2014. Mr. Fattig reported that Senator Kathy Campbell has some ideas on how to pursue the recommendations.

The eight building blocks include: (1) assures healthcare is available for all Nebraskans; (2) supports effective models of healthcare delivery, financing, and payment; (3) assures public transparency of healthcare quality and patient safety for all providers and facilities; (4) establishes a statewide database for collection and analysis of health and healthcare delivery data in Nebraska; (5) utilizes population health-based interventions; (6) promotes personal responsibility for wellness; (7) addresses healthcare workforce shortages; and (8) provides coordination of state-wide health planning for Nebraska.

Mr. Fattig reported that he met with Senator Kathy Campbell a few weeks ago to discuss the recommended statutory changes to the Rural Health Incentives Professional Act. Senator Campbell will be introducing these proposed legislative changes in 2015. Mr. Fattig stated that Senator Campbell has been great to work with and listens to rural health issues.

Mr. Fattig reported that he also met with Senator Jeremy Nordquist and provided him with information on student loans and loan repayment recipients approved by the Rural Health Advisory Commission. He told Senator Nordquist that most of the state funds for the rural incentive programs have been obligated and there is a waiting list for loan repayment. According to Mr. Fattig, Senator Nordquist asked how much more is needed to fund the waiting list and Mr. Fattig replied that the program could use another \$500,000 in state funds.

Mr. Fattig also met with Senator Dan Watermeier to discuss another piece of legislation regarding amending the statutes for the Trauma-Designated Rehabilitation Hospitals (example:

Madonna in Lincoln and Immanuel in Omaha). There are national standards and this proposed legislation would provide specific requirements for these hospitals.

Mr. Fattig mentioned he received new information regarding federal legislation. The House Ways & Means Committee released a section-by-section summary of the Hospital Improvements for Payment (HIP) Act of 2014. Congressman Adrian Smith was able to get two critical assess hospital issues in this legislation, removal of the 96-hour certification rural and the physician's supervision rule.

Marty Fattig reported that in every county in Nebraska insurance premiums went up as much as 17.1 percent. This is the opposite of what the public has been told about the Affordable Care Act. This report came from Congressman Adrian Smith's office.

Jessye Goertz suggested that commission members get to know their State Senators. We need to have support in the legislature for rural health issues.

10. Primary Care Office Update

- **Nebraska NHSC State Loan Repayment Program Grant**

Tom Rauner reported that the National Health Service Corps State Loan Repayment Program grant provides funding of \$100,000 per year for four years. The grant year is September 1, 2014 through August 31, 2015. The Office of Rural Health is considering a couple potential loan repayment applicants who are practicing in federally-designated shortage areas and would be eligible to receive these funds. Mr. Rauner said this will be a great opportunity to use these federal funds and save the Nebraska Loan Repayment Program funds applicants that are not eligible for the federal program. Margaret Brockman stated that the Office of Rural Health will be hiring another staff person who will be working primarily on this federal grant as well as the Rural FLEX grant program.

11. Other Business

- **National Rural Health Day**
- **Other Information**

Marty Fattig stated that on behalf of the Rural Health Advisory Commission he sent letters to all of the current rural incentive recipients in practice in celebration of National Rural Health Day, November 20, 2014, thanking them for their commitment to rural health. There are approximately 97 recipients in practice under obligation. Marlene Janssen reported that Nebraska Office of Rural Health sponsored a food day and included display information about rural health and what we do.

Jessye Goertz asked about the status of Commission appointments with the new governor taking office in a couple of months. Marlene Janssen replied that all current RHAC members will remain on the Commission.

Margaret Brockman reported that the Office of Rural Health purchased a promotional item to use on display tables at conferences. These green flashlight key chains are inscribed with "Go Rural" and the Office of Rural Health's phone number and website address.

Ms. Brockman stated that the Nebraska Office of Rural Health hosted the Annual National Organization for State Offices of Rural Health (NOSORH) Meeting in Omaha on October 27-29, 2014. It was a great conference and we learned what other states are doing especially with the SLRP grant. Ms. Brockman mentioned the group had a chance to visit with the Helmsley Foundation, an organization that provides grants to rural communities. The Helmsley Foundation is looking to fund projects that can become sustainable.

Roger Wells mentioned that in September he attended his last meeting as a member of the National Advisory Commission on Rural Health & Human Services. This has been a great opportunity to serve over the years and a wonderful learning experience. He stated he has made some fantastic contacts.

12. Adjourn

Roger Wells moved to adjourn the meeting at 3:57 p.m., no second necessary – vote on immediately! YES: Buhlke, Goertz, Kent, Mlnarik, Piskorski, Roberts-Johnson, Schroeder, Sitorius, and Wells. NO: None. Excused: Adams, Goodman.