

NEBRASKA STATE BOARD OF HEALTH MEETING
MINUTES – September 19, 2016

ATTENDANCE NOTIFICATION. A regular meeting of the State Board of Health was called to order by the Chair, Wayne Stuberg, PT, PhD, at 1:00 PM on September 19, 2016 in Private Dining Rooms A and B of the Durham Outpatient Center of the University of Nebraska Medical Center in Omaha. The agenda was electronically mailed to board members and other interested parties prior to the meeting, and posted on the Department of Health and Human Services website. The following members were present: Kevin Borchert, PharmD, RP; Shane Fleming, MSN, RN; Michael Hansen; Russell Hopp, DO; Teresa Konda, PE; Diane Jackson, APRN; Dale Michels, MD; Debra Parsow; Paul Salansky, OD; Wayne Stuberg, PhD, PT; Travis Teetor, MD; James Trebbien, Public Member; Joshua Vest, DPM; Jeromy Warner, PsyD, LP. Quorum met. Members not in attendance: Kevin Low, DDS; Tony Moravec, DVM; Doug Vander Broek, DC Staff attending: Ron Briel, Matt Gelvin, Monica Gissler, Marla Scheer

APPROVAL OF AGENDA. Dr. Stuberg asked if there were any changes to the agenda for the meeting today. There being no objections, the revised agenda was approved by consent calendar.

APPROVAL OF MINUTES. Dr. Stuberg asked if there were any changes to the minutes from the March 14, 2016 meeting. Dr. Michels made a motion to approve the March minutes; second by Dr. Teetor. All in favor by voice vote. Motion carried.

CHAIRPERSON’S REPORT. Dr. Stuberg reported the following:

1. First of all, it’s nice to be back meeting again, after our summer hiatus due to the budget shortfalls. Thank you to Vice Chancellor Deb Thomas and Dr. Angela Hewlett for hosting the Board of Health and making us all feel welcome. The Biocontainment Unit tours conducted by Dr. Hewlett and Ms. Bowen were both informational and interesting.

2. Has anyone attended any professional board meetings that they would like to report on?

- Ms. Jackson attended the Board of Nursing meeting on August 11th.

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.

3. We welcome Becky Wisell, Administrator of the Licensure Unit, to our meeting. She will give us an update later in our meeting.

4. The Division of Public Health has achieved national accreditation through the Public Health Accreditation Board (PHAB). Nebraska joins 18 other state health departments that have achieved this distinction. The purpose of the national accreditation program is to improve and protect public health by advancing the quality and performance of state and local health departments. DHHS started work on the accreditation process in 2010.

5. Dr. Stuberg introduced Anne Oertwich, RN. On June 1st she started as the Program Manager for Nursing Services in the Licensure Unit. A new Director of Public Health / Chief Medical Officer has been named. Tom Williams, MD will start on November 1st, and he has been invited to join us at our November meeting.
6. Dr. Michels announced that Dr. T.J. Teetor was named by the NMA as the Young Physician of the Year. Congratulations!
7. On October 14th there will be an Opioid Summit at UNMC. Kevin Borchert and Debra Parsow will attend to represent the Board of Health.
8. Annual committee reports will be due for the November meeting.
9. Lastly, the annual election of Board of Health officers will be held at the end of the November 14th meeting. If you would like your name to be on the ballot, please let Monica know. Dr. Stuberg will complete his second term as Chair on December 31, 2016; by-laws limit service to two consecutive terms.

COMMITTEE REPORTS.

Rules and Regulations Committee – Dr. Borchert, Committee Chair, reported.

Review the following proposed regulations:

- Communicable Disease Reporting, Title 173, Chapter 1. Dr. Maureen Tierney addressed questions at the morning Committee meeting. Revisions to these regulations started in 2014. More reportable organisms and diseases have been added, including healthcare associated infections (HAIs, changing some reporting periods from 7-days to within 24 hours. There are minor administrative changes in HIV reporting. The Online Reporting of Nebraska reportable Antimicrobial resistant Organisms (ORNAO) system has been eliminated, as an obsolete method of reporting, along with special reporting procedures for lead analysis. SARS (Severe Acute Respiratory Syndrome) and MERS (Middle East Respiratory Syndrome) have been added to the list of diseases identified as a possible risk of significant exposure for emergency medical services personnel and healthcare workers.
- Control of Radiation, Title 180, Chapters 1-4, 6-8, 10, 13-15, 19-21, and 24. Julia Schmitt addressed questions at the Committee meeting. Most of the proposed changes impact licenses and are required for Nebraska to remain an Agreement State with the United States Nuclear Regulatory Commission. They harmonize x-ray equipment standards with current FDA requirements, add definitions, and make technical edits.
- School Health Screenings, Physical Exams and Visual Exams, Chapter 173, Chapter 7. There was a question about chiropractors being allowed to sign forms, and this is not allowed. Proposed changes include notification to parents/guardians that screenings will take place, and what must be included in a statement of exception. There are also changes to equipment and scope of screening for vision.

- UCA Regulation Status Report. There was discussion about the updated UCA Regulations Status Report.

Review of Current Committee Mission: Two goals and objectives were amended, which will be reflected in their annual report in November.

Other Committee Business.

- Becky Wisell attended the Committee meeting. She explained what the current goals and efforts are with regard to rules and regulations from the Licensure Unit, and explained about some of the obstacles that interfere with the timeline.

Credentialing Review (407) Committee – Ms. Parsow, Committee Chair, presented.

Credentialing Review documents may be accessed at http://dhhs.ne.gov/Pages/reg_admcr.aspx.

LPN Technical Review Committee: One member resigned due to a conflict. Ben Greenfield is recommended to replace him. Ms. Parsow made a Committee motion for Approval of the recommendation for composition of the LPN Technical Review Committee, with the change to Mr. Greenfield. When the June 20, 2016 Board of Health meeting was cancelled due to budget constraints, this action was taken via electronic voting. Call for vote on motion to approve the membership for the Licensed Practical Nurse Technical Review Committee - voting yes: 14 (Borcher, Fleming, Hansen, Hopp, Jackson, Konda, Michels, Parsow, Salansky, Stuberger, Teetor, Trebbien, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

Ms. Parsow explained that they are deferring any action for the Credentialing Review Committee draft report for Dialysis Technician credentialing review, as they may change to a registry. This will be on the agenda for November 14th. For more information, see the reports posted on the website. http://dhhs.ne.gov/Pages/reg_admcr.aspx

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

The Committee interviewed 28 applicants on Sunday, September 18th, and made the following recommendations for appointment: All terms are for December 1, 2016-November 30, 2021, unless indicated otherwise.

Board of Advanced Practice Registered Nurses:

- * Tim Glidden, CRNA, MS of Omaha was reappointed.

Board of Chiropractic:

- * David Lauer, DC of Lincoln was reappointed.

Board of Dentistry:

- * Dennis Anderson, DDS, MS of Omaha was reappointed.

Board of Funeral Directing and Embalming:

- * Steve Brunken, FDE of Omaha was reappointed.

Board of Medicine and Surgery:

- * Mark Goodman, MD of Omaha was reappointed.

Board of Mental Health Practice:

- * Susan Feyen, LCSW of Omaha was reappointed.
Chante Chambers of Bellevue was appointed as a Public Member.

Board of Nursing:

- * Anne Dey, DNP, Nursing Service Administrator of Omaha was reappointed.
Patricia E. Motl, BSN, RN, CPN, CHEP of Omaha was appointed as a Staff Nurse.

Board of Occupational Therapy:

- Marcus Doughty, OTD, OTRL of North Platte was appointed.

Perfusion Committee:

- * John Batter, MD of Omaha was reappointed.

Physician Assistant Committee:

- * John Davies, PA-C of Pilger was reappointed.
* Michael Bittles, MD of Hooper was reappointed.

Board of Pharmacy:

- Sabrina Beck, PharmD, BCPS of Omaha was appointed as Hospital Pharmacist.
Charlene Dunbar, MBA, RHIA of Lincoln was appointed as a Public Member.

Board of Physical Therapy:

- Betsy Becker, PT, DPT, CLT-LANA
Jessica Turner, PT, DPT, OCS

Board of Podiatry:

- * Scott Nelson, DPM of Omaha was reappointed.

Board of Psychology:

- Stacy Waldron, PhD of Lincoln was appointed.

Board of Veterinary Medicine and Surgery:

- * Paul Foy, DVM of Ogallala was reappointed.

Voting yes: 14 (Borcher, Fleming, Hansen, Hopp, Jackson, Konda, Michels, Parsow, Salansky, Stuberger, Teetor, Trebbien, Vest, Warner); voting no: 0; not voting: 0. Motion carried.

There are 25 interviews scheduled for October 16th in Lincoln. There are still Cosmetology and Public Member positions with no applicants.

Dr. Warner explained about a question received about increasing representation on a professional board, and specifically, why acupuncturists are not represented on the Board of Medicine and Surgery. Composition of professional boards is changed via legislative action only.

There is an immediate need for public members to serve on professional boards. Please help spread the word. More information is available on the Vacancy website, for current and upcoming vacancies: <http://dhhs.ne.gov/publichealth/pages/BoardReqVac.aspx>

Dr. Borchert left the meeting at 1:12 PM to catch a flight.

Public Health, Education and Legislation Committee: Mr. Fleming, Committee Chair, reported.

- The Board of Health Legislative tracking document will be reformatted for 2017, moving bills that have been signed or indefinitely postponed to the end of the document.
- The PHEL Committee conference call to discuss introduced legislative bills is scheduled for 1:30 PM on Thursday, January 19, 2017.
- Becky Wisell told the Committee that for 2017, the total number of DHHS bill proposals submitted is 20, and the Licensure Unit submitted 14. Ms. Wisell agreed to share legislative proposal information with the Board of Health earlier in the process, when possible.
- Committee goals were reviewed, and will be slightly tweaked for 2017.

Unfinished Business.

Dry Needling. CEO Phillips sent a letter to the Attorney General requesting a formal AG Opinion, as it relates to Physical Therapy. The impact on Athletic Trainers and Occupational Therapists was added to the request. AGO was received in July.

Dr. Stuberg had asked the committee chairs at the last meeting to review the missions of their committees, as stated in the annual report which was distributed in January, and to review, amend, and/or affirm them.

New Business.

- Transportable Medical Orders – Dr. Michels reported that here is a movement involving several physician groups (the NMA, NAFF) and the Nebraska Bar Association to work at standardizing the language and definitions in statute for durable power of attorney for health care, the issues with the succession of individuals able to act on behalf of a patient when they are unable to make their own health care decisions and the development of a “Transportable Medical Order”. The concern is a potential gap in following the patient’s wishes in the time

between the beginning of an event until the patient arrives at an acute care medical facility.

The idea of the Transportable Medical order includes the possibility of using the POLST form or one of many other possible formats. This was introduced in the last Legislative session with the proposed bill putting the language of the POSLT form into law. It did not advance and was opposed because of the difficulty of changing a statute rather than a rule, regulation or changing document.

The proposal being put forward would establish a committee (possibly with Board of Health members) or another group that would develop the format for a Transportable Medical Order, promote its use, and provide a mechanism for upgrading and modifying the form. In addition, the committee would be able to get information on shortcomings of any form to use in the upgrade. One suggestion was to have a task force work through the PHEL Committee, and to discuss this topic with Dr. Williams in November.

- 2017 Meeting Dates:
January 23 (legislative luncheon), March 20, June 19, September 18, and November 13.

Licensure Unit Administrator Update. Becky Wisell, Licensure Unit Administrator, gave a presentation during the lunch hour. A copy of her presentation will be made available for Board members. Topics included:

- To keep with the Governor's mission, DHHS is using Lean Six Sigma to help reduce waste and improve efficiencies. Add durability to our systems, processes, and people. Lean Six Sigma is a methodology that relies on a collaborative team effort to improve performance by systematically removing waste.
- The first area to undergo the Lean Six Sigma process was LPN/RN Licensure. They started in February, 2016, then moved on to EMS and Behavioral Health. Now all Division of Public Health staff are undergoing training, and teams are holding daily huddles to update QDIP (Quality, Delivery, Inventory, and Productivity Metrics) Boards, manage projects, track activities, and ensure workflow is moving and not encountering bottle necks.
- All program areas within the Licensure Unit will experience process improvement.
- In Matt Gelvin's RPQI area, staff have implemented this process for Compliance Assurance.

Public Comments.

Don Wesley told the Board members to just continue what they're doing!

Preparation For Next Meeting. The next regular Board of Health meeting will be November 14, 2016 at the State Office Building in Lincoln, conference room Lower Level D.

Adjourn. There being no further business, Dr. Michaels made a motion to adjourn, with a second by Dr. Hopp, all in favor by voice vote. The meeting adjourned at 1:45 PM. Minutes were taken by Monica Gissler. These minutes were approved on November 14, 2016.

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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.

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