

Report of the Nebraska State Board of Health For 2018

Mission Statement: The Board of Health promotes and protects the health and safety of all people in Nebraska by providing expertise and advice on health issues, with input from health care providers and the public, to the Nebraska Department of Health and Human Services and others regarding:

- Regulatory and legislative issues
- Professional boards
- Educational health programs
- Public health assessment, policy development, and assurance
- Communication/coordination

Vision: Healthy people in a healthy Nebraska.

**Staffed by the
Department of Health and Human Services
Division of Public Health**

<http://dhhs.ne.gov/licensure/Pages/Board-of-Health.aspx>

2018 BOARD OF HEALTH FACT SHEET

STATUTORY AUTHORITY:

- N.R.S. 71-2601 through 71-2611 (Revised July 1, 2007).

MEMBERSHIP and MEETINGS:

- 17 members appointed by the Governor for five year terms. Five terms expired in August 2018; two of those members are seeking reappointment. Current vacancies: professional engineer, optometrist, public member, and veterinarian.
- Officers are elected annually in November: Chair Diane Jackson, APRN-FNP; Vice Chair Travis Teetor, MD; and Secretary Kevin Borchert, PharmD served in 2018. In November 2018, Dr. Teetor was elected as Chair; Wayne Stuber, PhD, PT, was elected as Vice Chair; and Dr. Borchert was re-elected as Secretary.
- Meetings are held the fourth Monday in January, and the third Mondays of March, June, September (typically held at a hospital outside on Lincoln), and November.
- September 2018 the Board met in Crete as guests of the Crete Area Medical Center.
- 2019 meeting dates: January 28, March 18, June 17, September 16, and November 18.

PROFESSIONAL BOARD APPOINTMENTS:

- In 2018 there were 57 applicants; 47 interviews conducted; and 30 members appointed or reappointed to 16 different professional boards.
- There were 3 positions that we were unable to fill. With those, we have 54 planned for 2019.

RULES AND REGULATIONS:

- There were no regulations submitted for approval in 2018. Two sets were reviewed in 2018. Work continues on UCA updates.

CREDENTIALING REVIEWS:

- Completed the Reflexology review. A review on Emergency Medical Services is in progress. Letters of Intent have been received for Art Therapy and Physician Assistant reviews in 2019.

PUBLIC HEALTH, EDUCATION & LEGISLATION:

- Researched initiatives to develop position statements and prepare news articles.
- Received regular presentations by Bryson Bartels, DHHS Legislative Liaison.
- Received presentations on from Public Health Solutions; Crete Area Medical Center; Opioid and other Prescription Drug Overdose Prevention Efforts, TeleStewardship by MD Stewardship and Bryan Telemedicine Antimicrobial Stewardship Programs; and Licensee Discipline.

REVIEW PANEL:

- There is an ad hoc committee to address the potential removal of professional board members for cause, in accordance with 184 NAC Ch. 6. There were no activities in 2018.

CONTACT INFORMATION:

- Matt Gelvin, Executive Administrator or Monica Gissler, Program Staff
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- Email monica.gissler@nebraska.gov
- Web site: <http://dhhs.ne.gov/licensure/Pages/Board-of-Health.aspx>
- Address: State Board of Health, Division of Public Health, Licensure Unit, RPQI, P.O. Box 95026, Lincoln, NE 68509-5026 (301 Centennial Mall South, 3rd floor)

NEBRASKA STATE BOARD OF HEALTH – MEMBERSHIP LIST

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Brian Brightman, OD
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Shane Fleming, BSN, MSN, RN (PHEL Chair)
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Travis Teetor, MD (Chair)
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Joshua Vest, DPM
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Current Vacancies: Engineer, Optometrist,
Veterinarian, and Public Member

Staff:

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Dates indicate expiration of terms
Updated: 1-14-19

STATE BOARD OF HEALTH – COMMITTEE ASSIGNMENTS FOR 2019

Professional Boards	PHEL	Rules and Regs	Credentialing Review
Jeromy Warner (Chair)	Shane Fleming (Chair)	Mike Hansen (Chair)	Debra Parsow (Chair)
Russ Hopp (Vice Chair)	Doug VanderBroek(VC)	Joshua Vest (Vice Chair)	Diane Jackson (Vice)
Diane Jackson	Joel Bessmer	Joel Bessmer	Shane Fleming
Optometrist	Mike Hansen	Russ Hopp	Josh Vest
Kevin Low	Engineer	Kevin Low	Jeromy Warner
Doug Vander Broek	Public	Debra Parsow	Veterinarian
Engineer	Veterinarian	Optometrist	Public
Ex Officio:	Chair	Vice Chair	Secretary
Staff:	Travis Teetor	Wayne Stuberg	Kevin Borchner
Monica Gissler	Monica Gissler	Monica Gissler/M Gelvin	Matt Gelvin/Ron Briel
Review Panel:	Diane Jackson	Debra Parsow	Jeromy Warner

2019 Committee Objectives

Professional Boards Committee

- ✓ Continue the process of inviting professional board chairs to meet with the Committee.
- ✓ Utilize the prescreening process again to make the best use of our interview times.
- ✓ Continue to build and utilize the database of applicants who were excellent candidates.
- ✓ Continue to work with the professional organizations to increase the pool of applicants.
- ✓ Utilize the recently implemented peer evaluation process for incumbents for the 2010 interviews and develop a method of obtaining feedback from board members and staff about the process.
- ✓ Further define the role of the committee in mediating difficulties among professional board members.
- ✓ Improve upon and continue to use more efficient electronic means of processing application forms.

Public Health, Education, and Legislation Committee

- ✓ Provide information and education about selected health programs in Nebraska that promote public health and the prevention of health and behavioral health problems.
- ✓ Develop BOH position statements directed toward public health issues that affect Nebraskans.
- ✓ Review, select, prioritize and advocate for proposed legislation that enhances health of Nebraskan's citizens.
- ✓ Advocate and support legislative efforts to enhance opportunities for the education and development of health care professionals in Nebraska, especially in underserved areas.
- ✓ Help plan retreats and provide program content for special meetings of the Board of Health.
- ✓ Promote cooperative efforts with district health departments and other public health entities
- ✓ Honor those public health programs that have worked to improve the lives of Nebraskans

Rules and Regulations Committee

- ✓ Consider all regulations of the Division of Public Health prior to their presentation to the full Board.
- ✓ Review and recommend to the Board on approval of professional licensing regulations.
- ✓ Review and forward to the Board all other regulations of the Division.

Credentialing Review Committee

- ✓ Advise the Board regarding proposals for either change in scope of practice or new credentialing.
- ✓ Continue to improve the efficiency and effectiveness of the Credentialing Review Program.
- ✓ Screen and advise the BOH regarding members of upcoming technical review committees, and advise on which Board of Health members would be appropriate as chairpersons.

The BOH Chair (Travis Teetor, MD), Vice-Chair (Wayne Stuberg, PT, PhD) and Secretary (Kevin Borchner, PharmD, RP) are voting members on all standing committees. All members of the BOH are encouraged to attend interviews whenever possible. All members of the BOH may attend any committee meeting at any time, but only those assigned to the particular committee may vote unless the committee chair states otherwise.

Chair's Report
Nebraska State Board of Health – 2018
Diane Jackson, APRN -FNP

The Board of Health has worked actively in 2018 to support the state of Nebraska and to fulfill its mission of “Health People in a Healthy Nebraska”. The work of the Board of Health, the Professional Boards and the Public Health infrastructure created by the Legislature have all been important parts of dealing with the health challenges of Nebraskans.

The Board of Health breaks down into four subcommittees that have specific tasks to streamline the duties.

- The Rules and Regulations committee reviews regulations that are slated for either approval or review by the BOH. In the fall of 2017, regulations were put on hold for the Governor’s review of their 113 sets of regulations. In 2018 the Department resumed work on drafting regulations, and we anticipate more activity in this area for 2019.
- The Credentialing Review Committee looks at proposals from technical reviews that effect scope of practice.
- Professional Board interviews candidates to sit on the various boards that govern the professions of Nebraska. Each member of the Board of Health serves as a liaison to specific professional boards, and is encouraged to attend one meeting per year.
- The Public Health, Education, and Legislation (PHEL) Committee provides a forum for the discussion of legislative issues and recognizing Community programs.

The people of Nebraska continue to be well served by the Board of Health. The board continues to be committed to the citizens of Nebraska and, through its very dedicated members, continues to provide dedicated service to the citizens of this state. In addition, the Department of Health and Human Services staff continues to provide excellent seasoned support to make this possible and we applaud them for their service.

To: Members of the Nebraska State Board of Health
From: Mike Hansen, Chairperson of the Rules and Regulations Committee
Subject: Rules and Regulations Committee Annual Report for 2018
Date: November 19, 2018

The State Board of Health is required by law to consider all rules and regulations of the DHHS Division of Public Health. Professional and occupational credentialing regulations must be adopted (or “approved”) by the Board. Other regulations of the Division of Public Health must be advised upon (or “reviewed”) by the Board.

To enhance discussion and improve efficiency of Board meetings, all Public Health regulations come before the Board’s Rules and Regulations Committee prior to the meeting of the full Board.

For most of 2018 Rules and Regulations Committee members were:

Joel Bessmer, MD
Brian Brightman, OD
Michael Hansen, FACHE (Hospital Administrator), Chair
Kevin Low, DDS
Debra Parsow (Public member)
Joshua Vest, DPM, Vice Chair
Wayne Stuber, PhD, PT

Staff support for the Rules and Regulations Committee is provided by Monica Gissler.

There was not much rules and regulation activity at the Board of Health level this year. We continue to monitor movement of draft regulations through the process, and attend public hearings. Twice regulations that were put on our agenda were pulled by DHHS staff so changes could be made following public hearings.

Regulations reviewed in 2018:

- Title 181 Nebraska Administrative Code 5, Consent for Predictive Genetic Testing – Repeal. The forms and process from the current regulations are burdensome and ineffective at helping to inform patients about testing. By repealing the regulations, we can post the consent form and informational pamphlet on the DHHS website, and easily update them. A public hearing was held on October 5, 2018, and no opposing testimony was received.
- Title 183 Nebraska Administrative Code 2 and repeal of NAC 7, Cancer and Smoking Disease Research Program – Monica Pribil. These regulations govern contracts and grants for cancer and smoking disease research and implement Neb. Rev. Stats. §§ 81-637 through 81-640 by establishing an application process, criteria for the eligible applicants to receive funding, and criteria for the rates and amount of funding, and combine two sets of regulations into one. They impact researchers and administrators at the University of Nebraska and other postsecondary institutions having colleges of medicine located in Nebraska. Practices that have been in place for several years will now be put into regulation. The regulations have not been updated since the early 1990s.

During the re-write process, input was sought and incorporated as appropriate from sponsored program administrators at the University of Nebraska and Creighton University. A public hearing was held on October 3, 2018. No one from the public appeared at the hearing and no comments were received.

Goals for 2019

The Rules and Regulations Committee will consider all regulations of the DHHS Division of Public Health prior to their presentation to the Board of Health, with adequate time to make recommendations.

This will include consideration for approval of additional professional and occupational credentialing regulations under the Uniform Credentialing Act (UCA).

The Committee will also continue to review all other regulations of the Division of Public Health. This will include program regulations of the following units of the Division:

- Community and Rural Health Planning
- Epidemiology and Informatics
- Environmental Health
- Health Promotion
- Lifespan Health Services

To: Members of the Nebraska State Board of Health
From: Debra Parsow, Chairperson of the Credentialing Review Committee
Subject: 2018 Annual Report of the Credentialing Review Committee of the Nebraska State Board of Health
Date: November 19, 2018

Committee Duties and Responsibilities:

The 2018 assignment was to continue to work toward improving the efficiency of the Credentialing Review Program, to assist the full Board with any new credentialing reviews that arise, to assist the full Board generate its advice in the appointment of new technical review committees, and to assist the full Board appoint new members to the two credentialing review pools.

Current Committee Members:

Debra Parsow (Chair); Anthony Moravec, DVM (Vice Chair); Shane Fleming, RN; Joshua Vest, DPM; Russ Hopp, DO; Jeromy Warner, PhD

Staff: Ron Briel, Matt Gelvin

Goals for 2018 were as follows:

- 1) Advise the full Board regarding upcoming proposals for either change in scope of practice or new credentialing,
- 2) Continue to work towards improving the efficiency and effectiveness of the Credentialing Review Program,
- 3) Advise the members of the full Board regarding the composition of upcoming technical review committees, and, consult the members of the full Board regarding which Board members would be appropriate to serve as chairpersons for such committees, and,
- 4) Advise the full Board regarding the recruitment of new members to the two credentialing review pools.

Activities for 2018 were as follows:

During the March 19, 2018 meeting of the full Board the Board members approved their report of recommendations on the Reflexology proposal. The Board members also confirmed the appointees to the upcoming Emergency Medical Services Technical Review Committee.

During the November 19, 2018 meeting of the Board the Board's Credentialing Review Committee reviewed and approved its annual report on credentialing review activities. Also during this meeting the Board members advised the Interim Director of Public Health regarding the composition of the upcoming Art Therapy Technical Review Committee.

Goals for 2019 are as follows:

- 1) Advise the full Board regarding proposals for either change in scope of practice or new credentialing,
- 2) Continue to work towards improving the efficiency and effectiveness of the Credentialing Review Program, and,

- 3) Advise the Board regarding members of upcoming technical review committees, and advise on which Board members would be appropriate as chairpersons. Advise the Board regarding members of the two credentialing review pools.

Activities for 2019 are to be as follows:

The 2019 assignment is to continue to work toward improving the efficiency of the Credentialing Review Program, to assist the full Board with any new credentialing reviews that arise, to assist the full Board generate its advice in the appointment of new technical review committees, and to assist the full Board appoint new members to the two credentialing review pools.

Credentialing Review website:

<http://dhhs.ne.gov/Licensure/Pages/Credentialing-Review.aspx>

11/20/18

To: Members of the Nebraska State Board of Health
From: Jeromy Warner, PsyD, LP, Chair, Professional Boards Committee
Subject: 2018 Annual Report of the Professional Boards Committee of the
Nebraska State Board of Health
Date: November 19, 2018

Committee Members:

Jeromy Warner, PsyD, LP (Chair); Russ Hopp, DO (Vice Chair); Brian Brightman, OD; Teresa Konda, PE; Kevin Low, DVM; and Doug Vander Broek, DC.

Officers Ex-Officio Members: Chair Diane Jackson, APRN; Vice Chair Travis Teetor, MD; and Secretary Kevin Borchert, PharmD, RP.

Staff: Monica Gissler

Committee Duties and Responsibilities:

In September 2018, the current Committee Chair and members established the following committee goals for 2019:

1. Continue to work with professional organizations to increase the pool of qualified applicants for positions. Urge organizations to nominate at least three members for consideration.
2. Utilize the prescreening process again to make the best use of our interview times.
3. Continue to build and utilize the data base of professional board applicants who were excellent candidates, but for various reasons were not appointed to the positions they were seeking. Continue to develop and use protocol for notification, content of the letter or to be handled on an individual basis based upon the Professional Board recommendations. These applicants should receive consideration for the Credentialing Review Pool or PREP.
4. Utilize the peer evaluation process for incumbents for the 2017 interviews and develop a method of obtaining feedback from board members and staff about the process.
5. Improve upon and continue to use more efficient electronic means of processing application forms.
6. Formalize and continue the process of inviting professional board chairpersons to meet with the Committee and discuss how their board functions and any concerns or issues they have that the Board of Health might address. Increase the number of board members maintaining contact with the assigned professional boards to enhance communication and clarify BOH members function at professional board meetings. Discuss possibilities for consolidation or mergers of boards.
7. Develop guidelines for the appointment of individuals who wish to serve concurrently on more a Professional Board as well as the Credentialing Review Pool.
8. Further define the committee role in mediating issues with professional board members.

Activities for 2018:

January:

- Meeting cancelled due to weather.

March:

- Dr. Vander Broek participated in a Board of Chiropractic teleconference on February 22nd.

- The Committee interviewed five applicants. The following three individuals were appointed, most with terms through November 30, 2022, unless indicated otherwise:

Board of Pharmacy

Angie Svoboda, PharmD, FIACP, from Ord

Board of Cosmetology

Ruth Lucas, Cosmetology Instructor, from McCook

Board of Medical Nutrition Therapy

Elizabeth “Betty” Kenyon, RDN, LMNT, from Mitchell

June:

- No meeting was held, but recruitment activities were in full swing with direct mailings, website updates, and press releases. Vacancies were also reported on local television news stations.

August:

- Committee Chair and staff prescreened applications. Another news release was issued for all positions for which there were no applications received.

September:

The Board of Health met at Crete Area Medical Center. On Sunday, members conducted 36 interviews and reviewed applications for appointments to 13 professional boards. On Monday, the following 22 positions were appointed by the full Board of Health. Incumbent members where they were the only applicant, and they received favorable staff and peer review evaluations, were not required to interview in person. Terms are for December 1, 2018-November 30, 2023, unless indicated otherwise.

Nebraska Center for Nursing – recommendation to Governor Ricketts
Sheila Bjerrum, RN, BS – York

Board of Alcohol and Drug Counseling

Victor Gehrig, LADC – Gordon

* Natasha Robinson, LIMHP, LCSW, LADC – Boys Town

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Ron “RJ” Banse – Public Member – Lincoln

Brandy Phillips – Cosmetologist Member – Kearney

Board of Hearing Instrument Specialists

Kelly Pritchett, AuD, CCC-A – Lincoln

* Misti Chmiel, HIS – Grand Island

Board of Massage Therapy

Mallory Carstens, LMT -- Hickman

* Brian Allison, FACHE – Public Member – Omaha

Board of Medical Nutrition Therapy
* Cristina Fernandez, MD – Omaha

Board of Medicine and Surgery
Maria Michaelis, MD – Medical School Faculty – Omaha

Board of Mental Health Practice
Laurie Andrews – Public Member – Aurora
* Cassandra Dittmer, LIMHP, LMFT – Lincoln
David Hof, EdD, LMHP, LIMHP, CPC – Kearney

Board of Nursing
Angela Cuffe, LPN – Elgin
Linda Stones, RN, MS – Crete

Board of Nursing Home Administration
* Debra Sutton, RN – Endicott
Natalie Manley, MD – Omaha

Board of Pharmacy
* Sabrina Beck, PharmD, BCPS – Hospital Pharmacist – Omaha

Board of Psychology
Connie Petersen, PhD – Norfolk

Board of Registered Environmental Health Specialists
Kathy King, REHS – Lincoln
* Sarah Pistillo, REHS – La Vista

November:

The Committee interviewed six applicants. The following individuals were appointed, most with terms through November 30, 2023, unless indicated otherwise, followed by their hometown:

Board of Medical Radiography
Jill Wild, RT – Limited Radiographer

Board of Medicine and Surgery
Barratt or Hedrick, DO – Osteopathic Physician

Board of Nursing
Rita Thalken – Public Member

Board of Registered Environmental Health Specialists
Nathan Hartman, REHS – Lincoln

There are three positions for which there were no applicants. These will roll over to 2019. There are 54 planned professional board vacancies in 2019.

To: Members of the Nebraska State Board of Health
From: Shane Fleming, MSN, RN, Committee Vice Chair
Subject: 2018 Report of the Public Health, Education and Legislation Committee of the
Nebraska State Board of Health
Date: November 19, 2018

Committee Members:

Teresa Konda, PE (Chair); Shane Fleming, RN (Vice Chair); Joel Bessmer, MD; Michael Hansen; Tony Moravec, DVM; Doug Vander Broek, DC; and Wayne Stuber, PhD, PT.

Officers: Diane Jackson, APRN-FNP (Chair); Travis Teetor, MD (Vice Chair); and Kevin Borchert, PharmD, PT (Secretary).

Staff: Monica Gissler

Committee Duties and Responsibilities:

The Public Health, Education, and Legislation (PHEL) Committee met in person five times and via conference call once during 2017 and worked toward the following committee objective: To identify and promote public education and legislation to enhance the health, mental health, and living environment of all residents of Nebraska.

Committee Objectives for 2018:

- ✓ Inform and educate about selected health programs in Nebraska that promote public health and the prevention of health and behavioral health problems. Areas of interest include Environmental issues, and Communication/Representation by Board members.
- ✓ Develop BOH position statements directed toward public health issues that affect Nebraskans.
- ✓ Advocate for and actively support proposed legislation that enhances health of Nebraskan's citizens, including opportunities for the education and development of health care professionals, especially in underserved areas in Nebraska.
- ✓ Collaborate with DHHS to get public health initiatives out. Work with Chief Medical Officer.
- ✓ Plan retreats and provide program content for special meetings of the Board of Health.
- ✓ Cooperate with district health departments and other public health entities to promote issues.
- ✓ Nominate public health programs that have worked to improve the lives of Nebraskans.

Activities in 2018:

January:

Ms. Konda, Chair of the Public Health, Education and Legislation Committee, listed bills of interest to her committee, as determined during a committee conference call held on January 18, 2018, and committee discussion held the morning of January 22nd via conference call.

There are three categories that the Board of Health places legislative bill in: Category 1: Take action on; 2: Monitor and take possible action on, and 3: monitor. Board of Health action means providing testimony or sending a letter either lending support or stating concerns regarding a bill. For each of the support and opposition bills listed above, the Board will send a letter and/or testify. Whenever the Board of Health takes a position on a piece of legislation, a supermajority vote of twelve members is required, rather than the normal majority on nine.

BILL	INTRODUCER	BOARD OF HEALTH PRIORITIES 2018
671	Krist	Change requirements for certain driving permits and use of occupant protection systems, change certain violations from secondary to primary enforcement, and prohibit use of interactive wireless communication devices by school bus operators.
703	Kolterman	Provide a licensure exemption for visiting athletic team physicians, as prescribed.
704	Kolterman	Change provisions relating to foreign medical graduates.
731	Williams Kolterman	Provide for licensure of remote dispensing pharmacies.
788	Riepe	Require continuing education for health care professionals regarding opiate prescriptions.
790	Ebke	Provide for licensure of mobile cosmetology and nail technology salons.
838	Wisehart	Change provisions relating to the Indoor Tanning Facility Act.
891	Pansing Chambers	Prohibit discrimination in the provision of services as prescribed under the Psychology Practice Act.
924	Riepe	Change provisions of the Emergency Medical Services Practice Act, the Occupational Therapy Practice Act, and the Uniform Credentialing Act.
1009	Murante	Provide a super-two rural highway classification and change maximum highway speed limits as prescribed.
1107	Linehan	Change provisions relating to barber licensing and the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act.

March:

Discussed the status of legislative bills, and revised the Board of Health Legislative Tracker. So far this session, the Board of Health has sent letters regarding ten legislative bills.

The Committee made a motion to move LB 891, Prohibit discrimination in the provision of services as prescribed under the Psychology Practice Act, to move this bill from Category 1 to Category 2, meaning the Board will not take immediate action on it.

June: Meeting cancelled.

September in Crete: 2018 Interim Studies were reviewed. Discussed upcoming State elections.

November:

Reviewed interim study progress, and prepared for the January 28, 2019 Legislative Luncheon with the senators. There were educational presentations on TeleStewardship by MD Stewardship and Bryan Telemedicine and Antimicrobial Stewardship Programs (ASPs); and Professional Licensee Discipline.