

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES

February 21, 2025

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Adam Kuenning, at 9:00 a.m. on February 21, 2025, at the Hampton Inn & Suites, 7343 Husker Circle, Lincoln, Nebraska 68504. The meeting was conducted In-Person and by WebEx. The following members answered the roll call:

Adam Kuenning, JD, LLM, Chairperson
Wesley Zeger, DO, Vice-Chairperson
Mark Goodman, MD, Secretary
Rachel Blake, MD
Jodanne Hedrick, DO
Brian Keegan, MD
Public Member Position – Vacant

Absent: John Massey, MD

A quorum was present, and the meeting convened.

Also present to participate in the meeting: Vonda Apking, Program Manager and Jan Gadeken-Harris, Health Licensing Coordinator with the Licensure Unit; Mindy Lester, Assistant Attorney General; Kathleen Krueger, Carla Cue, Brittany Bigham, Mark Meyerson and Trevor Klaassen, Investigators with the Investigation Unit; Anna Harrison, DHHS Compliance Monitor for Licensing via WebEx and Danielle Sund, Department Attorney.

Kuenning announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and posted on the Bulletin Board at the entrance to the Nebraska State Office Building February 6, 2025 and revision posted February 14, 2025.

REVIEW OF AGENDA

Hedrick moved, seconded by Blake to approve adoption of the agenda with the Chair having the authority to rearrange agenda items as needed. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

Additions, Modification, Reordering

The Board requested the following applications to be removed from the Application Review Consent Agenda:

Gadgil, Milind Satish, MD - Physician Reinstatement after Discipline application
Wysoske, Rebecca, MD – Physician Request for Waiver of the 4 PA Supervision Requirement

2025 LEGISLATION UPDATES

Amy Reynoldson, Executive Vice President and Paul Henderson, Vice President, Advocacy & Regulation; In-house Counsel with the NMA (Nebraska Medical Association) were present to discuss and provide updates to the Board for the 109th Legislature, 1st Regular Session.

Paul mentioned the Bills listed below that the NMA is watching and believe they may be of interest to the Board:

- LB29** - Create a review process for agency rules and regulations
Hearing was scheduled for February 12, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB29.pdf>
- LB77** - Adopt the Ensuring Transparency in Prior Authorization Act
Hearing was scheduled for February 10, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB77.pdf>
- LB310** - Provide an exemption from newborn screening for certain diseases or conditions
Hearing was scheduled for January 30, 2025
NMA opposes this Bill as written
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB310.pdf>
- LB374** - Adopt the Licensed Midwives Practice Act
Hearing was scheduled for February 5, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB374.pdf>
- LB436** - Change provisions of the Nebraska Regulation of Health Professions Act
Hearing was scheduled for February 20, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB436.pdf>
- LB527** - Adopt the Medicaid Access and Quality Act and change provisions relating to taxes on health maintenance organizations, prepaid limited health service organizations, and insurance companies
Hearing was scheduled for February 4, 2025
AM137 adopted February 11, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB527.pdf>
- LB554** - Create the Nebraska Health Professions Commission
Hearing was scheduled for February 20, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB554.pdf>
- LB651** - Change provisions of the Nebraska Medical Cannabis Patient Protection Act and the Nebraska Medical Cannabis Regulation Act and provide for regulation of medical cannabis
Hearing is scheduled for March 3, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB651.pdf>
- LB676** - Change and eliminate provisions relating to certified nurse midwives and provide for applicability of the Nebraska Hospital-Medical Liability Act
Hearing was scheduled for February 20, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB676.pdf>
- LB677** - Change provisions of the Nebraska Medical Cannabis Regulation Act and provide for regulation of medical cannabis
Hearing is scheduled for March 3, 2025
To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB677.pdf>

Amy noted the following 407 Credentialing Reviews that are Active:

Credentialing Review (407) Nurse Practitioners

This scope expansion by the NNP requests to update the medical radiography statute and fluoroscopy practices to allow nurse practitioners to utilize fluoroscopy

To review the Letter of Intent, go to:

<https://dhhs.ne.gov/licensure/Credentialing%20Review%20Docs/CRNursePracApplicationLtr.pdf>

Credentialing Review (407) Occupational Therapy

To review the Letter of Intent, go to:

<https://dhhs.ne.gov/licensure/Credentialing%20Review%20Docs/CR-OT-NOTALetterOfIntent.pdf>

To date there have been 3 Technical committee meetings, to review the Agendas and the Minutes go to:

[https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-\(407\)-Occupational-Therapy.aspx](https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-(407)-Occupational-Therapy.aspx)

REGULATIONS UPDATE

Currently there are no updates for the Board.

APPROVAL OF MINUTES OF THE MEETING

Blake moved, seconded by Hedrick to approve the minutes for January 17, 2025, as presented. Voting aye: Blake, Goodman, Hedrick, Kuenning and Zeger. Voting nay: None. Absent: Massey. Abstain: Keegan. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Hedrick moved, seconded by Goodman, to go into closed session at 9:15 a.m. for the purpose of review and discussion of investigative reports, disciplinary reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

Zeger Recused at 9:28 a.m.

Zeger Returned at 9:39 a.m.

Anna Harrison left the meeting at 10:22 a.m.

Board Break 11:00 a.m.

Board Reconvened 11:11 a.m.

The Board members returned to Open Session at 11:12 a.m.

APPLICATION REVIEW – OPEN SESSION

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Physician Reinstatement after Discipline Application(s) (1)

GADGIL, MILIND SATISH, MD – application for physician reinstatement after suspension to practice Medicine and Surgery. Hedrick moved, seconded by Goodman, to recommend denial of the reinstatement application to practice Medicine and Surgery. Basis for the denial is insufficient evidence to support fitness to practice. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

Physician Request for Waiver of the Four PA Supervision Requirement (1)

WYSOSKE, REBECCA, MD – physician request for waiver of the (4) four physician assistant supervision requirements. Hedrick moved, seconded by Goodman, to recommend denial of the request. Basis for the denial is insufficient evidence to support the waiver. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

NEBRASKA BOARD OF NURSING ADVISORY OPINION REGARDING COMPOUNDING

The Board appreciates the Board of Nursing sharing the opinion with the Board prior to it being finalized.

NEW FEDERAL LAW SETS STANDARDS FOR PHYSICIAN CERTIFYING ORGANIZATIONS

The Board appreciates that the American Board of Medical Specialties has sent a letter of notification of the new Federal Law.

PUBLIC COMMENTS

There were no public comments currently.

BOARD MEETING SCHEDULE

The next meeting is scheduled for March 21, 2025, in the Husker Conference Room at the Hampton Inn & Suites. To see a complete list of the projected schedule for the 2025 schedule, visit the DHHS website:
<https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

There being no further business, Kuenning, Chairperson adjourned the meeting at 11:15 a.m.

Respectfully submitted,

signature available upon request

Mark Goodman, MD, Secretary
Board of Medicine and Surgery