

## **NEBRASKA BOARD OF MEDICINE AND SURGERY**

### **MEETING MINUTES**

**March 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 March 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 via WebEx  
John Massey, MD via WebEx  
Public Member Position – Vacant

Absent: None

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, Jeff Newman and Mark Meyerson, 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 March 6, 2025.

#### **REVIEW OF AGENDA**

Goodman moved, seconded by Hedrick 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**

Zeger moved, seconded by Goodman to have the following applications to be removed from the Application Review Consent Agenda:

Miller, Annette Sue, MD - Physician Reinstatement after Discipline application

Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

## **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 109<sup>th</sup> Legislature, 1<sup>st</sup> Regular Session.

**LB29** - Create a review process for agency rules and regulations

Hearing held 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 held February 10, 2025

**Speaker Priority Bill**

To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB77.pdf>

**LB 202** - Exempt certain activities from disciplinary action under the Medicine and Surgery Practice Act

Hearing held March 5, 2025

**AM57 filed March 18, 2025:** <https://nebraskalegislature.gov/FloorDocs/109/PDF/AM/AM57.pdf>

To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB202.pdf>

**LB310** - Provide an exemption from newborn screening for certain diseases or conditions

Hearing held 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 held 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 held 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 held February 4, 2025

AM137 adopted February 11, 2025: <https://nebraskalegislature.gov/FloorDocs/109/PDF/AM/AM137.pdf>

AM373 adopted February 28, 2025: <https://nebraskalegislature.gov/FloorDocs/109/PDF/AM/AM373.pdf>

**Placed on Final Reading March 10, 2025:**

<https://nebraskalegislature.gov/FloorDocs/109/PDF/Final/LB527.pdf>

**LB554** - Create the Nebraska Health Professions Commission

Hearing held 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 held 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 held February 20, 2025

**Priority Bill**

**AM 655 filed:** <https://nebraskalegislature.gov/FloorDocs/109/PDF/AM/AM655.pdf>

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 held March 3, 2025

AM297 filed: <https://nebraskalegislature.gov/FloorDocs/109/PDF/AM/AM297.pdf>

Priority Bill

To review the Bill in detail, go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB677.pdf>

#### **Active 407 Credentialing Reviews:**

##### **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:

The Technical Committee Meeting was held March 19, 2025.

To review the Letter of Intent, the NP application, Presentations, Meeting Recordings and Support Letters go to: [https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-\(407\)-Nurse-Practitioners.aspx](https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-(407)-Nurse-Practitioners.aspx)

##### **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**

Goodman moved, seconded by Zeger to approve the minutes for February 21, 2025, as presented. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

#### **INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION**

Goodman moved, seconded by Zeger, to go into closed session at 9:35 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.

Massey left the meeting at 9:35 a.m.

Goodman Recused at 9:57 a.m.

Goodman Returned at 9:58 a.m.

Anna Harrison left the meeting at 10:38 a.m.

Board Break 10:38 a.m.

Board Reconvened 10:57 a.m.

The Board members returned to Open Session at 10:58 a.m.

## **APPLICATION REVIEW – OPEN SESSION**

### **BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION**

#### **Physician Reinstatement after Discipline Application(s) (1)**

**MILLER, ANNETTE SUE, MD** – application for physician reinstatement after suspension to practice Medicine and Surgery. Hedrick moved, seconded by Blake, to recommend approval of the reinstatement application to practice Medicine and Surgery with a three (3) year probationary period with the standard terms and conditions. Basis for the probationary period is prior disciplinary history and prior diagnosis history. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Massey. Abstain: None. Motion carried.

### **DISCUSSION – States Facing Doctor Shortages Ease Licensing Rules for Foreign-Trained Physicians**

Goodman noted that Creighton has a Family Medicine Residency with a rural track training program. Many of the residents in the program that are graduates of foreign-trained programs find that the three plus years in the Creighton program are invaluable. The transformation in terms of culture, communication and skill set is very important. 41% of the graduates stay and work in Nebraska and Western Iowa. He believes that the residency training programs here in Nebraska are very important.

Zeger noted that exposure to rural training programs is the best opportunity to improve the shortage along with state funding for the rural areas is important. There is rural across the U.S. not only in North Platte, Norfolk, Kearney but also in Iowa, South Dakota, Utah. Statistics show that with exposure to these areas physicians return to practice in these areas.

Adam noted that the differences in culture, practices and resources can be significantly different so having a guided onboarding or facilitating those providers coming to rural areas is important, it sets them up for a win.

Adam commented that this is an important topic for the Board and if the public has any thoughts or considerations that they would like the Board to review or be aware of in terms that the public thinks that the Board is hindering or thoughts to help grow it the Board would welcome those thoughts.

### **PUBLIC COMMENTS**

There were no public comments currently.

### **BOARD MEETING SCHEDULE**

The next meeting is scheduled for April 18, 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 11:05

Respectfully submitted,

\*signature available upon request\*

Mark Goodman, MD, Secretary  
Board of Medicine and Surgery