

**NEBRASKA BOARD OF MEDICINE AND SURGERY**

**MEETING MINUTES**

**May 8, 2026**

**ROLL CALL**

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Wesley Zeger, DO, at 9:03 a.m. on May 8, 2026, 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:

Wesley Zeger, DO, Chairperson  
Mark Goodman, MD, Vice-Chairperson via WebEx  
Rachel Blake, MD  
Jodanne Hedrick, DO via WebEx  
Brian Keegan, MD via WebEx  
Adam Kuenning, JD, LLM  
John Massey, MD

Absent: Jeffrey Howorth, Secretary

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; Randy Clark and Hayle Alvarado, Investigators with the Investigation Unit; Tricia Allen, Program Manager with the Investigation Unit; Ellie Rohr, DHHS Department Attorney and Jeanette Peterson, RN, BSN with Compliance Monitoring via WebEx.

Zeger 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 April 29, 2026 and revised on May 4, 2026.

**REVIEW OF AGENDA**

Kuenning moved, seconded by Goodman, 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, Massey and Zeger. Voting nay: None. Absent: Howorth. Abstain: None. Motion carried.

**ADOPTION OF THE APPLICATION(S) CONSENT AGENDA**

There were no applications for review on the Consent Agenda for this meeting.

**LEGISLATION UPDATES**

Amy Reynoldson, Executive Vice President and Eric Sutton, JD, Director of Health Policy via WebEx with the NMA (Nebraska Medical Association) were present to discuss and provide updates to the Board for the 109<sup>th</sup> Legislature.

Rural Health Care Transformation Program – the NMA is working with the DHHS on establishing funding for the Recruitment Initiative and the Retention Initiative

Amy also shared the following chart on the NMA's recent Legislative impacts – notably LB527 & LB77 both from 2025:

## YOUR NMA MEMBERSHIP. REAL IMPACT.

Why membership matters: When physicians come together through the Nebraska Medical Association, it creates a unified voice that shapes policy decisions affecting patient care and the practice of medicine. **These recent outcomes reflect what our collective advocacy makes possible—and what is at stake without it.**

### NMA LEGISLATIVE WINS

<b>INCREASING MEDICAID REIMBURSEMENT AND ACCESS TO CARE</b>	NMA's LB527 (2025) created \$130 million in dedicated funding for broad-based 20-35%+ increases to Medicaid reimbursement for physicians, the most significant investment in Medicaid physician reimbursement in decades, with an extra focus on maternal, primary, and rural care.
<b>PRESERVING NEBRASKA'S LIABILITY CAP</b>	NMA has stopped multiple recent efforts to topple Nebraska's liability cap, including LB351 (2023), LB160 (2021), and LB1133 (2020). NMA's efforts have preserved Nebraska's \$2.25 million liability cap, preventing proposals that would have eliminated the cap and required physicians to carry \$20 million in coverage. These successes avoided unsustainable cost increases and instability that could have limited physician availability and patient access to care.
<b>REFORMING PRIOR AUTHORIZATION</b>	NMA's LB77 (2025) addressed major prior authorization challenges, requiring adverse determinations to be made by a physician, opportunity for peer-to-peer, appeals to be reviewed by a physician of the same or similar specialty, and minimum response times for urgent and non-urgent requests. By streamlining the process and reducing unnecessary delays, the law reduces administrative burden on practices and helps patients get the care they need.
<b>PROTECTING NEWBORN SCREENING</b>	Through sustained opposition, NMA stopped LB1060 (2024) and LB310 (2025), proposals that would have weakened Nebraska's newborn screening program. The program identifies serious conditions that may not be visible at birth but can have significant long-term consequences without early intervention. Saving the newborn screening program means better outcomes for infants across the state.
<b>PREVENTING UNSAFE SCOPE EXPANSION</b>	Each year, scope of practice proposals are introduced that would expand non-physician authority to perform increasingly complex procedures without aligned training. NMA's work in this arena is critical to patient safety. Recent examples include NMA's successful defeat of LB216 (2023), which would've authorized optometrists to perform laser procedures despite minimal surgical training and inexperience managing complications, and NMA's defeat of LB392 (2021) which would've authorized psychologists to prescribe powerful psychotropic medications.

<p><b>SUSTAINING THE EXCESS LIABILITY FUND</b></p>	<p>NMA's LB68 (2023) increased revenue to the Excess Liability Fund, which had decreased by more than \$8.5 million. NMA's work stabilized the Fund by increasing revenue and decreasing risk, ensuring the Fund is viable and available to support physicians for decades to come. This stability keeps liability coverage affordable and reinforces Nebraska as a strong environment for physician practice.</p>
<p><b>UPHOLDING SAFE STANDARDS FOR MATERNAL CARE</b></p>	<p>NMA led opposition to LB374 (2025), LB676 (2025), and LB1234 (2026), all of which would have authorized direct-entry Certified Professional Midwives (CPMs), despite their lack of medical training, and allowed an unrestricted scope of practice, including home births. Without NMA's advocacy, there would have been no coordinated effort to stop this grave risk to Nebraska mothers and infants.</p>
<p><b>ESTABLISHING CONFIDENTIAL ACCESS TO PHYSICIAN WELLNESS</b></p>	<p>NMA's LB286 (2023) allows physicians to use the LifeBridge Nebraska coaching services without fear of stigma or other repercussions by providing that participation in the program is confidential and not subject to discovery, subpoena, or any reporting requirement. These safeguards remove a key barrier to care and make it possible for physicians to seek support without fear of professional consequences.</p>
<p><b>SECURING REIMBURSEMENT FOR TRANSLATION</b></p>	<p>NMA's work on LB62 (2023) secured Medicaid coverage and reimbursement to providers for all necessary translation and interpretation services. The law allows physicians to claim reimbursement for the translation and interpretation services they arrange directly for patients, improving efficiency and reducing barriers to care for patients with limited language or hearing proficiency.</p>
<p><b>EXPANDING ACCESS TO CANCER SCREENING AND TREATMENT</b></p>	<p>NMA has played a critical role in expanding access to cancer screening and treatment by closing coverage gaps that can delay or disrupt care. Recent successes include LB829 (2024), which ensures patients can receive complete colorectal cancer screenings, including polyp removal and biopsy, without additional cost-sharing or administrative delays, and LB885 (2024), which expands access to lung cancer screening by requiring coverage, without cost-sharing, for eligible high-risk patients.</p>
<p><b>EXTENDING POSTPARTUM MEDICAID</b></p>	<p>NMA's support of LB419 (2023) helped extend postpartum Medicaid coverage from 60 days to 12 months, closing a significant gap in care during a high-risk period for the 35% of Nebraska births covered by Medicaid.</p>
<p><b>SECURING LOAN REPAYMENT FUNDING</b></p>	<p>NMA's advocacy and stewardship of the Rural Health Professional Incentive Program has been critical to ensuring the program is sustainable and can continue to incentivize rural health practitioners and expand access to care. These successes included a \$1.5 million increase under LB778 (2020) and the addition of \$5 million in APRA funds under LB1007 (2022). This allowed all providers on an existing waiting list to be funded and doubled the number of current participants.</p>

## **REGULATIONS UPDATE**

Currently there are no updates for the Board.

## **APPROVAL OF MINUTES OF THE MEETING**

Kuenning moved, seconded by Massey to approve April 10, 2026, meeting minutes as written. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: Howorth. Abstain: None. Motion carried.

## **PUBLIC COMMENTS**

There were no public comments at this time of the meeting.

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

Kuenning moved, seconded by Blake, to go to closed session at 9:23 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, Massey and Zeger. Voting nay: None. Absent: Howorth. Abstain: None. Motion carried.

Board Break 10:32 a.m.  
Board Returned 10:48 a.m.

The Board members returned to Open Session at 10:48 a.m.

## **APPLICATION REVIEW – OPEN SESSION**

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

There were no applications for review for this meeting.

## **EMAIL BALLOTS SINCE LAST MEETING**

An Email Ballot was sent to the Board Members on April 16, 2026, requesting approval of the draft for the Nebraska Board of Medicine and Surgery Newsletter for May 2026. The Email Ballot was approved

## **DISCUSSION(S)**

### A. Low-Level Laser Therapy also called Red Light Therapy

It is the opinion of the Board that low-level laser therapy is a therapeutic intervention that goes deeper than the dermis, therefore it represents the practice of medicine and surgery as defined by State Statutes. The practice of medicine and surgery requires the appropriate scope, education and training with informed consent as appropriate.

### B. Therapeutic Botox Injections for Pediatric Spasticity

The Department does not currently have an approved course that it recommends. The Board would recommend researching for a course that offers continuing medical education credits with application specific. The Board also suggests that prior to any procedures that your employer and supervisors have been informed.

### C. Nurse Practitioners and Physician Assistants Treating Pain Management

It is the opinion of the Board that PA's practice pain management within their scope of practice and training and their supervising physician needs to have the appropriate scope of practice.

The Board cannot comment on NP's; therefore, the Board of Nursing would need to be addressed for comment.

D. AOA (American Osteopathic Association) Letter of Concern Regarding Patient Safety Issues

The Board acknowledges receipt of the letter.

**FSMB (FEDERATION OF STATE MEDICAL BOARDS) ANNUAL MEETING**

The FSMB meeting was held April 30 – May 2, 2026, in Baltimore, MD. Dr. Hedrick and Dr. Blake attended the meeting representing the Nebraska Board. Dr. Hedrick also represented the Board as their voting delegate. Dr. Blake said that it was an excellent conference with numerous informative sessions. One of the sessions was regarding AI (Artificial Intelligence) and its role and regulations for medicine and surgery. The FSMB will continue to share guidelines on AI as appropriate.

The 2027 FSMB Annual Meeting will be Oklahoma City, OK.

**PUBLIC COMMENTS**

There were no public comments at this time of the meeting.

**BOARD MEETING SCHEDULE**

The next meeting is scheduled for June 12, 2026, in the Husker Conference Room at the Hampton Inn & Suites. To see a complete list of the projected schedule for the 2026 schedule, visit the DHHS website:  
<https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

**ADJOURNMENT**

There being no further business, Zeger, Chairperson adjourned the meeting at 10:55 a.m.

Respectfully submitted,

\*signature available upon request\*

Mark Goodman, MD, Vice-Chairperson  
Board of Medicine and Surgery