

# NEBRASKA BOARD OF NURSING

## MINUTES OF THE MEETING

July 10, 2025

### CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Brenda Smidt, Board Vice-President, at 8:30 a.m., July 10, 2025, at the Best Western Plus Conference Room, 2201 Wildcat Circle, Lincoln NE 68521. Copies of the agenda were emailed to the Board members and to interested parties on June 30, 2025, posted in the east entryway of the Nebraska State Office Building on June 30, 2025, and posted on the Department of Health & Human Services website on June 30, 2025. Delahoyde announced that a copy of the Open Meetings Act was available in the room.

### ROLL CALL

The following board members were present and answered roll call:

- Mary Guthrie, *Public Member*
- Kathy Harrison, RN
- Clay Jordan, RN
- Angela Kula, LPN, *Board Secretary*
- Patricia Motl, RN
- Eric Rogat, RN
- Kristin Ruiz, RN
- Jules Russ, *Public Member*
- Brenda Smidt, RN, *Board Vice-President*

The following Board members were absent: Theresa Delahoyde, RN, *Board President*, and Kandis Lefler, LPN.

One Board position was vacant.

The following staff members from the Department and the Attorney General's Office were present during all or part of the meeting:

- Ann Oertwich, RN, *Executive Director*
- Jacci Reznicek, RN, *Nursing Education Consultant*
- Ginger Rogers, APRN-NP, *Nursing Practice Consultant*
- Sherri Joyner, *Health Licensing Coordinator*
- Marley Sandberg, *DHHS Legal*
- Mindy Lester, *Assistant Attorney General*
- Abigail Nissen, *Assistant Attorney General*
- Brittany Bigham, RN, *Investigator*
- Susan Held, RN, *Investigator*
- Patricia Lemke, RN, *Investigator*
- Mendy Mahar-Clark, *Investigator*

A quorum was present, and the meeting convened.

### ADOPTION OF THE AGENDA

**MOTION:** Motl made the motion, seconded by Rogat, to adopt the agenda for the July 10, 2025, Board of Nursing meeting.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None. Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

These minutes were approved by the Board  
of Nursing on August 7, 2025.

**APPROVAL OF THE MINUTES**

**MOTION:** Motl made the motion, seconded by Rogat, to approve the consent agenda.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

**CLOSED SESSION**

**MOTION:** Kula made the motion, seconded by Motl, for the Board to go into closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

Smidt announced that the Board was in closed session for the purpose of reviewing and discussing investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals.

8:34 a.m.      *Meeting went into closed session.*  
9:03 a.m.      *Rogat and Held left the meeting.*  
9:04 a.m.      *Rogat returned to the meeting.*  
9:06 a.m.      *Held returned to the meeting.*  
9:25 a.m.      *Ruiz left the meeting.*  
9:27 a.m.      *Ruiz returned to the meeting.*  
9:43 a.m.      *Meeting returned to open session.*

**LICENSURE RECOMMENDATIONS****LINDSEY R. NICKOLITE - RN APPLICATION**

**MOTION:** Motl made the motion, seconded by Rogat, to recommend issuing Lindsay Nickolite an RN license under the probation terms and conditions currently in place on her LPN license.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

**BRANDI N. SIMONSEN - RN APPLICATION**

**MOTION:** Ruiz made the motion, seconded by Jordan, to recommend issuing Brandi Simonsen an RN license on probation for two years with the following terms and conditions: obtain and evaluation from the Nebraska Licensee Assistance Program within 30 days and follow all treatment recommendations; abstain from alcohol; abstain from controlled substances and other prescription drugs unless prescribed by the treating practitioner; verification from treating practitioner of all prescription medications; report all prescription medications taken; submit to random body fluid screens; advise Department of any professional counseling and submit reports; comply with treatment recommendations including any recommendations for attendance at support group meetings and sponsor; active practice for 2,080 hours; provide notice of disciplinary proceedings to employer and other states where licensed; provide quarterly employer reports; shall not provide nursing services for staffing agencies or in home health care; provide written notice to Department of any employment, address or phone changes within seven (7) days; comply with all reports, notices or other documentation from the Department; promptly respond to Department regarding compliance during probation; obey all state and federal laws, rules and regulations regarding practice of nursing and must report any violations of the above to Department within seven days; pay any costs associated with ensuring compliance, and appear at any meetings of the Board of Nursing when requested. The

recommendation for probation is based upon a misdemeanor convictions rationally related to the profession and a diagnosis of a substance use disorder.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

### **DEBORAH K. BRATTEN - LPN REINSTATEMENT**

**MOTION:** Ruiz made the motion, seconded by Harrison, to recommend reinstating an unrestricted RN license to Deborah Bratten.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

### **JASON A. KRIST – RN REINSTATEMENT**

**MOTION:** Jordan made the motion, seconded by Harrison, to table Jason Krist's reinstatement application in order to obtain additional information.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

### **PRACTICE COMMITTEE**

The Practice Committee reported that the revised *Safe Practice: Fitness to Practice* Advisory Opinion was not yet ready for Board approval. They will bring the *Fitness to Practice* advisory opinion back to the Board at a later date.

**MOTION:** The Practice Committee moved, seconded by Jordan, that the Board approve the revised *Team-Based Nursing Care Services* Advisory Opinion.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Motl, Rogat, Ruiz, Russ, and Smidt. Voting No: None.  
Abstain: None. Absent: Delahoyde and Lefler. Motion carried.

### **JOINT BOARD COMMITTEE ON MEDICAL SPAS**

Rogers reported on the workgroup that was recently started to study the role of medical spas in Nebraska. Participants include representatives from the Board of Medicine, the Board of Pharmacy, the Board of Nursing, and the APRN Board. Rogers said the group is currently reviewing various statements, definitions, and statutes regarding compounding.

### **NCSBN UPDATES**

Delahoyde, Motl, Oertwich, Reznicek, Rogat, and Smidt plan to attend the National Council of State Boards of Nursing Annual Meeting this August. Delahoyde and Smidt will serve as delegates for the Nebraska Board of Nursing, while Reznicek and Rogat will likely serve as delegates for the Nebraska APRN Board.

### **CENTER FOR NURSING UPDATES**

Oertwich reported that the Governor has not appointed new members to fill vacancies on the Center for Nursing Board. Terms for current members will expire soon. Although the Center for Nursing Board is not able to meet due to lack of quorum, the Center is still gathering and disseminating data on the nursing workforce. Oertwich distributed a draft budget for the Center for Nursing for the current fiscal year so that it can keep its statistical consultant. The budget also includes some money for meeting costs just in case the board would be able to meet. Oertwich reported that there is a possibility that the Center for Nursing

Foundation might be able to become active again. Although the Center's Board needs to make appointments to the Foundation, once appointed the person can stay on the Foundation until they resign.

**MOTION:** Kula made the motion, seconded by Harrison, to approve the 2025-2026 budget for the Nebraska Center for Nursing.

Voting Yes: Guthrie, Harrison, Jordan, Kula, Mottl, Rogat, Ruiz, and Smidt. Voting No: None. Abstain: Russ. Absent: Delahoyde and Lefler. Motion carried.

### **TRANSFER OF APRN BOARD DUTIES TO BOARD OF NURSING**

With the passage of LB 346, the duties of the APRN Board will be transferred to the Board of Nursing starting July 1, 2025. The Board of Nursing will also add three new APRN positions. Oertwich reported that the coordinator for the Board of Health plans to open the application process for the new members in January 2026.

### **REGULATIONS FOR BASIC NURSING PROGRAMS**

Oertwich reported that revisions to Chapter 97, the Regulation for Basic Nursing Program, are still at the Governor's Office awaiting final approval.

### **LPN 2025 RENEWALS**

LPN renewals should "go live" sometime in August. Joyner and Reznicek reported on the new requirement that nurses be enrolled in Nursys e-Notify in order to renew in Nebraska. Detailed instructions for enrolling in e-Notify will be included in the next edition of Nursing News and will also be posted to the DHHS Nursing Licensure webpage. Joyner noted that most nurses will likely find the enrollment process straightforward. Staff are aware, however, of a small number of licensees who do not use email or the internet regularly and who might need additional assistance. Reznicek noted that it was important that nurses use their personal email address, rather than their employer's email address, when they register.

### **COMMUNICATION**

Nursing News – Oertwich reported that content for the August edition of Nursing News is due at the publisher on July 17<sup>th</sup>. Hard copies of the August edition will be mailed to all Nebraska-licensed nurses rather than being distributing primarily by email. In addition to information about LPN renewals, the edition may include an article about NCSBN ID numbers.

Staff Updates – Oertwich reported that Nursing Section is in a good position regarding staffing.

### **PUBLIC COMMENT**

The floor was opened to comments from the public. No comments were received.

### **CONCLUSION**

The meeting adjourned at 10:45 a.m.

Respectfully submitted,



Sherri Joyner  
Health Licensing Coordinator