

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES

August 9, 2024

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Rachel Blake, at 9:04 a.m. on August 9, 2024, 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:

Rachel Blake, MD, Chairperson
Adam Kuenning, JD, LLM, Vice-Chairperson (arrived at 9:24 a.m.)
Wesley Zeger, DO, Secretary
Jodanne Hedrick, DO
Jeffrey Howorth
Brian Keegan, MD
John Massey, MD via WebEx

Absent: Mark Goodman, 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; Carla Cue, Trevor Klaassen, and Mark Meyerson, Investigators with the Investigation Unit; Anna Harrison, DHHS Compliance Monitor for Licensing and Suzanna Glover-Ettrich, Department Attorney via WebEx

Dr. Blake 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 July 24, 2024.

REVIEW OF AGENDA

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

Additions, Modification, Reordering

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

Tilley, Michael, MD – Physician Initial license application
Zimmerman, Ethan, DO – Physician Initial license application
Barber, Joseph, PA – Physician Assistant Initial license application
Chee, Solomon – Temporary Perfusion Initial license application

2024 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 Legislature Sessions.

Paul Henderson noted that there are 81 Bills and 24 Resolutions for this special session mostly regarding property tax relief.

There are some medical services (skin care, weight loss and hair removal) that are still in question if they will be tax exempt.

NMA is working on their agenda for the 2025 legislative session.

REGULATIONS UPDATE

Nothing for discussion to date.

APPROVAL OF MINUTES OF THE MEETING

Howorth moved, seconded by Hedrick to approve the minutes for June 28, 2024, as presented. Voting aye: Hedrick, Howorth, Keegan, Massey and Zeger. Voting nay: None. Absent: Goodman and Kuenning. Abstain: Blake. Motion carried.

PRESENTATION: Utilization of International Physicians to Help Address the Shortage of Doctors in Rural Nebraska Areas

Speaker: Alain Alonso Remedios, APRN-C, Grand Island, NE

The current status of the Nebraska Healthcare workforce has a growth in some health professions, however there is a decline in primary care physicians. There is a concentration of healthcare workers in metropolitan areas with significant shortages in the rural areas. 83% of practitioners are in the urban areas. There is also the issue of the aging workforce with many practitioners nearing retirement.

Strategic Recommendations:

- Increase resources for healthcare education and training
- Expand incentive programs targeting rural and underserved populations
- Enhance scholarships and loan repayment programs
- Increase residency programs in underserved areas
- Expand telehealth infrastructure
- Utilization of Foreign-Trained Doctors (IMGs)
 - Introduction of provisional licensing for IMGs
 - Reduction of residency requirements for IMGs
 - Targeted recruitment programs for rural areas
 - Incentives for loan repayment or scholarships for training cost of the IMGs
 - Use telehealth to bridge IMGs care in rural areas

Benefits of Integrating Foreign-Trained Doctors (IMGs)

- Alleviates workforce shortages
- Provides experienced and skilled practitioners
- Enhances diversity in healthcare
- Improves access to care in rural and underserved areas
- Strengthens healthcare system resilience

Other states (Florida, Tennessee, Arizona, Washington, Colorado) have adopted programs utilizing the IMGs.

Suggested Fellowship vs Medical Residency:

- Apply only IMGs
- Required training in another country equivalent to US residency program
- Accelerated program focus on introduction to American health systems and reinforcing skills
- Apply for a provisional license to practice in a rural area of Nebraska for 2 years
- After the rural service they can apply for a full license

Advantages for the Fellowship training:

- Nebraska's University/Hospital/Medical Center will offer a new service (more income for the institution)
- Will attract people to the state, young people, prepared with their families (more tax for the government, more workforce for the state)
- They will serve in Rural communities for at least 2 years (minimum)
- As it is a unique program in the country, we can select among the best IMGs

Nebraska faces significant challenges in its healthcare workforce, particularly in rural areas. By adopting policies that integrate foreign-trained doctors and implementing strategic recommendations IMGs can address these shortages and improve healthcare access for all residents.

The Board would like to "Thank" Mr. Alonso Remedios for bringing this issue to the Board's attention. They greatly appreciate the input and education regarding this significant topic.

PRACTICE QUESTION:

Will the Board of Medicine and Surgery approve the use of the existing Temporary Physician Visiting Faculty Permit (TVFP) for experienced, foreign-trained physicians serving as faculty members at UNMC, if all other conditions and qualifications are met to the satisfaction of Nebraska DHHS and the Board of Medicine and Surgery?

Speaker: Steven Lisco, MD, FCCM, FCCP
Senior Associate Dean for Clinical Affairs, UNMC College of Medicine
Chief Academic Officer, Nebraska Medicine

Proposal – Hiring Experienced Foreign-Trained Physicians:

Nebraska Medicine is seeking approval from the Board of Medicine and Surgery to allow experienced physicians who do not otherwise meet the qualifications for permanent licensure to practice medicine under the Visiting Faculty Permit for one year, with the opportunity for renewal.

As a response to significant physician shortage academic medical centers in other states (IA, TN, WI, among others) are hiring experienced, foreign trained physicians to practice using a temporary/special license. While foreign-trained physicians may pursue permanent licensure in Nebraska, the process and time needed to pursue such requirements are a barrier to initial recruitment.

Under this proposal, physicians would:

- Serve as a member of the faculty at UNMC
- Practice medicine as a part of graduate medical education or an academic or research program
- Have completed at least two years of postgraduate education in any jurisdiction
- Have practiced for at least five years after postgraduate education
- Demonstrate English language proficiency
- Demonstrate U.S. citizenship or lawful presence

Impact would be limited to academic medical centers in Nebraska, which are uniquely suited to assess and support provider competency.

As required by state law, UNMC will request the issuance of a visiting faculty permit for the physician involved to serve as a member of the faculty and will outline the faculty duties to be performed pursuant to the permit, as required by the application. Such duties will be identical with clinical faculty physicians fulfilling the role of “core faculty” working within a UNMC residency and/or fellowship accredited by the Accreditation Council for Graduate Medical Education (ACGME), identical to “research faculty” working as a physician scientist in a clinical department at the UNMC College of Medicine, or both.

As defined by the ACGME, physicians working as core faculty members have a significant role in the education and supervision of residents and must devote a substantial portion of their entire effort to resident education and / or administration, and as a component of their activities, teach, evaluate, and provide formative feedback to residents. They support program leadership in developing, implementing, and assessing curriculum, mentoring residents, and assessing resident’s progress toward achievement of competence in and the autonomous practice of the specialty. Core faculty members provide clinical and bed-side care while teaching and supervising residents working with UNMC clinical affiliated locations such as Nebraska Medicine. They also participate in non-clinical activities related to resident education and program administration.

UNMC will provide an attestation by the Dean of College of Medicine that applicant has been accepted as a member of the faculty at the medical school to perform duties as outlined and that said duties are to teach students of medicine, to conduct research or both. UNMC and Nebraska Medicine will assist the visiting faculty member in qualifying for permanent licensure if the physician is to remain in Nebraska for the long term.

Amy Reynoldson, Executive Vice President, with the NMA (Nebraska Medical Association) commented that she has had communication with Nebraska Medicine/UNMC and that the NMA is supportive of this proposal.

The Board would like to “Thank” Dr. Lisco for his presentation and discussion.

It is the opinion of the Board that when a Temporary Visiting Faculty Permit (TVFP) is presented to the Board for consideration and recommendation that they will evaluate the TVFP application on a case-by-case basis.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Kuenning moved, seconded by Hedrick, to go into closed session at 9:48 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, Hedrick, Howorth, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: Goodman. Abstain: None. Motion carried.

Board Break 9:48 a.m.
Board Reconvened 10:00 a.m.

Board Break 11:04 a.m.
Board Reconvened 11:15 a.m.

The Board members returned to Open Session at 12:03 p.m.

APPLICATION REVIEW – OPEN SESSION

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Physician Initial Application(s) (2)

TILLEY, MICHAEL, MD – application for Physician Initial license to practice Medicine and Surgery. Kuenning moved, seconded by Howorth, to recommend approval of the application for Initial license to practice Medicine and Surgery with a one (1) year probation subject to compliance with the Kansas PHP and the usual and standard terms and conditions. Basis for the probation is: the monitoring and assistance agreement with the KMS-PHP and action in another state. Voting aye: Blake, Hedrick, Howorth, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Goodman and Massey. Abstain: None. Motion carried.

ZIMMERMAN, ETHAN, DO – application for Physician Initial License to practice Osteopathic Medicine and Surgery. Kuenning moved, seconded by Howorth, to recommend approval of the application for the Initial license to practice Osteopathic Medicine and Surgery. Voting aye: Blake, Hedrick, Howorth, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Goodman and Massey. Abstain: None. Motion carried.

Physician Assistant Initial Application(s) (1)

BARBER, JOSEPH, PA – application for Physician Assistant Initial license to practice Medicine and Surgery as a Physician Assistant. Kuenning moved, seconded by Hedrick, to recommend denial of the application for Initial license to practice Medicine and Surgery as a Physician Assistant. Basis for the denial is prior discipline in another state and unprofessional conduct. Voting aye: Blake, Hedrick, Howorth, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Goodman and Massey. Abstain: None. Motion carried.

Temporary Perfusion Initial Application(s) (1)

CHEE, SOLOMON – application for Temporary Perfusion Initial license. Kuenning moved, seconded by Howorth, to recommend approval of the application for Temporary Perfusion Initial license. Voting aye: Blake, Hedrick, Howorth, Keegan, Kuenning and Zeger. Voting nay: None. Absent: Goodman and Massey. Abstain: None. Motion carried.

DEPARTMENT OF VETERANS AFFAIRS PROPOSED NATIONAL STANDARDS FOR CLINICAL PERFUSIONISTS

The Board acknowledged receipt of the proposed standards with no further comments.

PHARMACEUTICAL CARE AGREEMENTS

The Board acknowledged receipt of the Pharmaceutical Care Agreements

PUBLIC COMMENTS

There were no public comments currently.

BOARD MEETING SCHEDULE

The next meeting is scheduled for September 13, 2024, in the Husker Conference Room at the Hampton Inn & Suites. To see a complete list of the projected schedule for the 2024 schedule, visit the DHHS website: <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

There being no further business, Dr. Blake, Chairperson adjourned the meeting at 12:07 p.m.

Respectfully submitted,

signature available upon request

Wesley Zeger, DO, Secretary
Board of Medicine and Surgery