

NEBRASKA BOARD OF NURSING

MINUTES OF THE MEETING

August 13, 2026

CALL TO ORDER

The meeting of the Nebraska Board of Nursing was called to order by Eric Rogat, Board Vice-President, at 8:30 a.m., August 13, 2026, at the Nebraska Department of Water, Energy, and Environment's Hearing Office, 245 Fallbrook Blvd., Lincoln NE 68521. Copies of the agenda were emailed to the Board members, emailed to interested parties, posted in the east entryway of the Nebraska State Office Building, and posted on the Department of Health & Human Services website on July 31, 2026. Rogat 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:

- Holly Chandler, APRN-CRNA
- Gina Crudden, APRN-CNS
- Theresa Delahoyde, RN
- Kathy Harrison, RN, *Board Secretary*
- Angela Kula, LPN
- Kandis Lefler, LPN
- Elizabeth Mollard, APRN-CNM
- Patricia Motl, RN
- Eric Rogat, RN, *Board Vice-President*
- Kristin Ruiz, RN
- Jules Russ, *Public Member*
- Indra Sukhram, APRN-NP

The following board member was absent: Brenda Smidt, RN, *Board President*.

Two board positions were 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*
- April Minster, RN, *Nursing Education Consultant*
- Danielle Dohrmann, RN, *Nursing Practice Consultant*
- Sherri Joyner, *Health Licensing Coordinator*
- Jeanette Peterson, *DHHS Compliance Monitor* (attended virtually)
- Mindy Lester, *Assistant Attorney General*
- Abigail Nissen, *Assistant Attorney General*
- Jeanne Burke, *Assistant Attorney General*
- Elli Rohr, *Attorney, DHHS Legal*.
- Amy Blinston, *Licensure Unit Program Manager*
- Tricia Allen, *Investigations Program Manager*
- Brittany Bigham, *RN Investigator*
- Jessica Bowman, RN, *Investigator*
- Veronica Briggs, RN, *Investigator*
- Andrea Cramer, RN, *Investigator*
- Susan Held, RN, *Investigator*
- Mendy Mahar-Clark, *Investigator*

ADOPTION OF THE AGENDA

MOTION: Chandler made the motion, seconded by Mollard, to adopt the agenda for the August 13, 2026, Board of Nursing meeting.

These minutes were approved by the Board of Nursing on September 10, 2026.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

APPROVAL OF THE MINUTES

MOTION: Ruiz made the motion, seconded by Harrison, to approve the consent agenda.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

CLOSED SESSION

MOTION: Kula made the motion, seconded by Delahoyde, 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: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

Rogat 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.

8:36 a.m. Meeting went into closed session.
 9:02 a.m. Ruiz left the meeting.
 9:04 a.m. Ruiz returned to the meeting.
 9:25 a.m. Kula left the meeting.
 9:29 a.m. Kula returned to the meeting.
 9:53 a.m. Meeting went into recess.
 10:06 a.m. Meeting reconvened.
 10:43 a.m. Ruiz left the meeting.
 10:49 a.m. Ruiz returned to the meeting.
 11:34 a.m. Meeting returned to open session. Meeting went into recess.
 11:46 a.m. Meeting reconvened.

LICENSURE RECOMMENDATIONS

NEHEMIAH TALBOTT – RN and APRN-CRNA APPLICANT

MOTION: Chandler made the motion, seconded by Delahoyde, to recommend denying Nehemiah Talbott's applications for RN and APRN-CRNA licenses based on substance use disorders, misdemeanor convictions, and insufficient evidence of fitness to practice.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

BRITTANY L. NEWTON – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Ruiz made the motion, seconded by Harrison, to recommend reinstating Brittany Newton's RN license under the probation terms and conditions in the Order dated July 22, 2019, with the additional requirement that she maintain compliance with Drug Court requirements. The recommendation for probation is based on criminal convictions, a diagnosis of a substance use disorder, and failure to complete previous probation term. The recommendation for reinstatement is based on applicant's current participation in Drug

Court, compliance with treatment recommendations, active involvement in the substance abuse/addiction recovery process reported period of sobriety of eighteen months, documented attendance at support groups, and positive letters of reference from co-workers and supervisors.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

CLAY L. SOHL – RN REINSTATEMENT FROM DISCIPLINE

MOTION: Mollard made the motion, seconded by Motl, to recommend reinstating Clay Sohl's RN license on probation for three years with the following terms and conditions: 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 recommendations for attendance at support group meetings and sponsor; have no access to controlled substances in the course of nursing employment for one (1) year, followed by access to controlled substances under direct supervision for one (1) year; active practice for 3120 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; 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 diagnosis of a substance use disorder and history of discipline.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

EDUCATION COMMITTEE

MOTION: The Education Committee moved, seconded by Delahoyde, that the Board approve the final curriculum plans of study for PN full-time, PN part-time, ADN full-time, ADN part-time, LPN to ADN full-time, LPN to ADN part-time, and the following course syllabi/course information documents with recommended revisions from Southeast Community College: NURS 1500 Professional Nursing, NURS 1510 Essentials of Patient Care 2, NURS 1530 Lifecycle Nursing Care, NURS 1550 Nursing Lab 2, and NURS 1560 Nursing Clinical 2

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Russ, and Sukhram. Voting No: None. Abstain: Ruiz. Absent: Smidt. Motion carried.

MOTION: The Education Committee moved, seconded by Harrison, that the Board approve Nebraska Methodist College's revised curriculum plan with an anticipated start Fall 2027.

Voting Yes: Chandler, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: Crudden. Absent: Smidt. Motion carried.

MOTION: The Education Committee moved, seconded by Harrison, that the Board approve adoption of the *Approval of Out-of-State Nursing Education Programs* Advisory Opinion.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: none. Absent: Smidt. Motion carried.

NCLEX Reports. Minster reviewed NCLEX pass rates for graduates of Nebraska nursing programs up through the second quarter of 2026. Some Nebraska programs did have pass rates below the national average. In some instances, below average pass rates seem to be correlated with high rates of faculty and/or director turnover.

PRACTICE COMMITTEE

Motl reported that revised versions of the *Safe Practice: Fitness to Practice* Advisory Opinion and *Safe Practice: Nursing Roles and Assignments* Advisory Opinion will be brought to the Board in September.

NCSBN UPDATES

Rogat and Delahoyde will serve as the Board's voting delegates at the National Council of State Boards of Nursing's Annual Meeting, to be held August 19-21, 2026. Motl reported that NCSBN's collaboration platform, HIVE, has been replaced with The Loop. An orientation to the new platform will be held in late August.

BOARD OFFICER POLICY

Joyner described the Board's written policy on officer roles, terms, responsibilities, and the process for elections, which was originally drafted by Delahoyde. According to the policy, nominations for the Board's three officer positions are made at the Board's November meeting, with elections held in December. It is also expected that assignments to the Board's two committees will be made this year in December. In previous years, all members were assigned to either the Education Committee or Practice Committee based on a combination of their Board role and committee vacancies. That arrangement will no longer work now that three APRN positions have been added to the Board, and the number of members has increased to fifteen. Joyner noted that the number of members assigned to a committee must be less than the board's quorum. For the Board of Nursing a quorum is now eight members.

Members were provided with proposed changes to the responsibilities for each Committee Chair and the addition of language regarding the roles of the Education Consultant, Practice Consultant, and Executive Director with each committee.

MOTION: Delahoyde made the motion, seconded by Chandler, to approve the revisions to the Board's Officer Policy.

Voting Yes: Chandler, Crudden, Delahoyde, Harrison, Kula, Lefler, Mollard, Motl, Rogat, Ruiz, Russ, and Sukhram. Voting No: None. Abstain: None. Absent: Smidt. Motion carried.

APRN ITEMS

172 NAC 98 – Oertwich reported that the Licensure Unit's Nursing Office is collaborating with the DHHS Office of Radiological Health to draft education and training requirements for Nurse Practitioners who wish to utilize fluoroscopy. In addition to adding the fluoroscopy requirements to the Regulations Governing the Practice of Advanced Practice Registered Nursing (172 NAC 98), other language in the regulations will need to be revised to reflect the elimination of the APRN Board. Drafting the proposed changes in just one step in the process. Oertwich referred members to the DHHS website for a list of the twelve-step process involved in approving revisions to regulations.

Certified Nurse Midwives Credentialing Review – Mollard provided a brief overview of the Credentialing Review process, also called a 407 Review, which groups undergo when requesting a new license type or requesting a change in the scope of practice for a licensed profession. The Nebraska Certified Nurse-

Midwives Association is requesting full practice authority for APRN-CNMs in Nebraska and is requesting authority to attend home births for low-risk individuals. Mollard noted that Nebraska is the only state where it is a felony for Certified Nurse Midwives to attend home births. The Nebraska Certified Nurse-Midwives Association worked with the Nebraska Medical Association (NMA) to find a proposal that would work for various stakeholders. They have received letters of support for their Credentialing Review application from a variety of organizations, including the NMA. In the next step of the process, their application will be reviewed by the Technical Review Committee. They hope to have the Credentialing Review completed before the next legislative session starts.

Chandler asked about the difference between a midwife and a Certified Nurse Midwife. Mollard said that in the U.S. anyone can call themselves a midwife. Approximately thirty states have a legal category for “certified professional midwife” for persons who have completed a midwifery certification program. States with the professional midwife category generally also had laws allowing lay midwives to practice, so the certified professional midwife category was considered an advancement.

Mollard provided various statistics regarding APRN-Certified Nurse Midwives. In 25 of 51 U.S. jurisdictions, APRN-Certified Nurse Midwives have full practice authority. One half of Nebraska counties can be categorized as “maternity care deserts.” In 2025, APRN-CNMS attended 2,613 births in Nebraska. From 2017-2024 there has been a 31.6% increase in CNM attended birth. The average distance between an APRN-CNM and the CNM’s supervising physician is 279 miles. Mollard also noted that many APRN-CNMs must pay a fee in order to retain a supervising physician.

APRN-Certified Nurse Midwife Role – Mollard gave a presentation on the requirements for becoming an APRN-Certified Nurse. To be admitted to a CNM educational program, the applicant must have a bachelor’s degree, an RN license, and nursing experience. The average CNM student has eight years of registered nursing experience.

RN & APRN RENEWALS

Joyner reported that beta testing is currently being conducted for RN and APRN renewals. Renewals are expected to “go live” within two weeks. This will be the first year that enrollment in Nursys e-Notify will be a renewal requirement for RNs and APRNs. Joyner reported that when LPNs renewed in 2025, the e-Notify requirement created fewer problems than expected.

COMMUNICATION

2027 Meeting Schedule – The Board’s 2027 meeting dates have been scheduled for January 14th, February 11th, March 18th, April 8th, May 13th, June 10th, July 8th, August 12th, September 9th, October 14th, November 4th, and December 9th. Except for the March and November meetings, all dates are on the second Thursday of the month. The March meeting is scheduled for the third Thursday of the month due to a conflict with NCSBN’s MidYear meeting, and the November meeting is scheduled for the first Thursday of the month due to a conflict with Veterans Day.

Nursing News – Oertwich reported that hard copies of the fall edition of *Nursing News* are currently being mailed out. She also reported that she is looking into potential alternative publishers due to the high number of nurses who report not receiving the electronic version of the newsletter.

Staff Updates – Oertwich reported that the Licensure Unit’s Nursing Section is fully staff, and things are going well. She noted that the Governor’s recent memo regarding staffing has added extra steps to the hiring process, but it has not made it impossible to bring on new staff.

PUBLIC COMMENT

No comments were received.

CONCLUSION

The meeting adjourned at 12:25 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sherri Joyner".

Sherri Joyner
Health Licensing Coordinator