

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES September 13, 2024

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Rachel Blake, at 9:02 a.m. on September 13, 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
Mark Goodman, MD
Jodanne Hedrick, DO
Jeffrey Howorth
Brian Keegan, MD
John Massey, MD

Absent: Wesley Zeger, DO, 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; Milissa Johnson-Wiles, Assistant Attorney General; Kathleen Krueger, Jeff Newman, and Mark Meyerson, Investigators with the Investigation Unit; Anna Harrison, DHHS Compliance Monitor for Licensing via WebEx; Suzanna Glover-Ettrich, Department Attorney via WebEx and Annika Gleason-Schoch, 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 August 28, 2024 and revision posted September 9, 2024.

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

Additions, Modification, Reordering

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

Osmani, Basith, MBBS – Physician Initial license application
Xia, Changqing, MBBS – Physician Initial license application
O'Rourke, James, MD – Reinstatement application (Re-entry proposed program approval)
Murphy, James Francis, Jr. DO – Reinstatement after Revocation Discipline
Ryan, Keith, MD – Reinstatement after Suspension Discipline

2024 LEGISLATION UPDATES

No updates were discussed by the Board.

REGULATIONS UPDATE

Nothing for discussion to date.

APPROVAL OF MINUTES OF THE MEETING

Heidrick moved, seconded by Keegan to approve the minutes for August 9, 2024, as presented. Voting aye: Blake, Hedrick, Howorth, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Goodman. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Goodman moved, seconded by Hedrick, to go into closed session at 9:04 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, Howorth, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: None. Motion carried.

Board Break 10:25 a.m.
Board Reconvened 10:35 a.m.

The Board members returned to Open Session at 10:53 p.m.

APPLICATION REVIEW – OPEN SESSION

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Physician Initial Application(s) (2)

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

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

Physician Reinstatement – Reentry Proposed Program Approval Application(s) (1)

O'ROURKE, JAMES, MD – application for approval of the proposed program to practice Medicine and Surgery with a Reentry license. Keegan moved, seconded by Howorth, to recommend approval of the proposed program for the Reentry license to practice Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Howorth, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: None. Motion carried.

Physician and Osteopathic Physician Reinstatement after Discipline Application(s) (2)

MURPHY, JAMES FRANCIS, JR, DO – application for Osteopathic Physician Reinstatement after Revocation to practice Medicine and Surgery. Hedrick moved, seconded by Howorth to recommend denial of the reinstatement after revocation application to practice Medicine and Surgery. Basis for the denial is prior disciplinary action and prior conviction history. Voting aye: Blake, Goodman, Hedrick, Howorth, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: None. Motion carried.

RYAN, KEITH, MD – application for Physician Reinstatement after Suspension to practice Medicine and Surgery. Kuenning moved, seconded by Howorth to recommend approval for Reinstatement to practice Medicine and Surgery with a three (3) year probation. Voting aye: Blake, Goodman, Hedrick, Howorth, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: None. Motion carried.

PHARMACEUTICAL CARE AGREEMENTS

The Board acknowledged receipt of the Pharmaceutical Care Agreements (PCA's). However, the Public is reminded that the Board does not approve these PCA's. All participants to these agreements are reminded to comply with their scope of practice.

DELEGATION OF NEW IMLC (INTERSTATE MEDICAL LICENSURE COMPACT) COMMISSIONER

Keegan moved, seconded by Massey to nominate Dr. Zeger as the IMLC Commissioner for the Nebraska Board of Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Howorth, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: None. Motion carried.

PUBLIC COMMENTS

There were no public comments currently.

BOARD MEETING SCHEDULE

The next meeting is scheduled for October 25, 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 11:00 a.m.

Respectfully submitted,

signature available upon request

Adam Kuenning, Vice- Chairperson
Board of Medicine and Surgery