

NEBRASKA BOARD OF MEDICINE AND SURGERY

**MEETING MINUTES
December 12, 2025**

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Adam Kuenning, at 9:15 a.m. on December 12, 2025, 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:

Adam Kuenning, JD, LLM, Chairperson
Mark Goodman, MD, Secretary
Rachel Blake, MD
Jodanne Hedrick, DO
Jeffrey Howorth
Brian Keegan, MD via WebEx
John Massey, MD

Absent: Wesley Zeger, DO, Vice-Chairperson

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; Mark Meyerson, Investigator with the Investigation Unit; Ellie Rohr, DHHS Department Attorney and Jeanette Peterson, DHHS Compliance Monitoring.

Kuenning 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 November 24, 2025.

Announcement: Jeffrey Howorth has filled the Public Member vacancy on the Board. The Board welcomes his addition.

REVIEW OF AGENDA

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

ADOPTION OF THE APPLICATION(S) CONSENT AGENDA

Massey moved, seconded by Hedrick, to have the following applications removed from the Application Review Consent Agenda:

Balogun, Abiodun, MD – Initial Physician application
Byrne, Thomas, MD - Initial Physician application
Freilich, Robert, MD - Initial Physician application
Layeequr Rahman, Rakhshanda - Initial Physician application
Hajj, Kathryn, MD - Reinstatement Physician application
Kim, Hwi Young, MD – Temporary Visiting Faculty Permit application

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

2025 LEGISLATION UPDATES

Paul Henderson, Vice President, Advocacy & Regulation, In-House Counsel with the NMA (Nebraska Medical Association) was present to discuss and provide updates to the Board for the 109th Legislature.

Anticipated legislation coming from different groups for the new session:

Alternate licensure pathways for internationally trained physicians. Eighteen other states have passed legislation with varying pathways to licensure. The NMA has discussed this issue and has many concerns and not a lot of positive feedback. The NMA will keep the Board up to date with any legislation presented.

The PSCF (Patient Safety Cash Fund) fee legislation will sunset as of January 1, 2026, unless it is extended.

<https://nebraskalegislature.gov/laws/statutes.php?statute=71-8722>

NMA is not expecting to see any legislation to be introduced regarding vaccine elimination.

Free Standing Birth Centers – the NMA position is that they are good, and they provide cost savings in urban areas, but should not be seen as a solution for rural areas due to safety with transport times.

LB 77 - Adopt the Ensuring Transparency in Prior Authorization Act and provide for insurance and Medicaid coverage of biomarker testing – this bill was passed and will be effective January 1, 2026

<https://nebraskalegislature.gov/FloorDocs/109/PDF/Slip/LB77.pdf>

REGULATIONS UPDATE

Currently there are no updates for the Board.

APPROVAL OF MINUTES OF THE MEETING

Goodman noted two changes to the minutes of the meeting from October on page 3. The minutes stated that Dr. Goodman made the motion to go into Closed session when it was Dr. Zeger who made the motion. Also Dr. Massey recused himself at 10:34 a.m. and returned at 10:47 a.m. So those corrections will be updated in the minutes.

Goodman moved, seconded by Hedrick to approve October 24, 2025, minutes with the noted corrections. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

PUBLIC COMMENTS

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

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Goodman moved, seconded by Hedrick, to go to closed session at 9:35 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 at 10:31 a.m.
Board Returned at 10:55 a.m.

The Board members returned to Open Session at 10:56 a.m.

APPLICATION REVIEW – OPEN SESSION

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Physician Initial Application(s) (4)

BALOGUN, ABIODUN, MD – application for initial physician license to practice Medicine and Surgery. Hedrick moved, seconded by Goodman to recommend approval to license to practice Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

BYRNE, THOMAS, MD – application for initial physician license to practice Medicine and Surgery. Goodman moved, seconded by Blake, to table the application for additional information. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

FREILICH, ROBERT, MD – application for initial physician license to practice Medicine and Surgery. Hedrick moved, seconded by Goodman to recommend denying the application to practice Medicine and Surgery. Basis for the denial is prior unprofessional conduct. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

LAYEEQUR RAHMAN, RAKHSHANDA, MD – application for initial physician license to practice Medicine and Surgery. Hedrick moved, seconded by Goodman to recommend approval to license to practice Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

Physician Reinstatement Application(s) (1)

HAJJ, KATHRYN, MD – application for reinstatement of her license to practice Medicine and Surgery. Goodman moved, seconded by Blake to recommend offering a re-entry license to practice Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

Temporary Visiting Faculty Permit Application(s) (1)

KIM, HWI YOUNG, MD – application for Temporary Visiting Faculty Permit to practice Medicine and Surgery. Hedrick moved, seconded by Blake to recommend approval to issue the application. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning and Massey. Voting nay: None. Absent: Zeger. Abstain: Howorth. Motion carried.

PHARMACEUTICAL CARE AGREEMENT(S)

The Board acknowledges receipt of the Pharmaceutical Care Agreements.

PRACTICE QUESTION(S)

A. Is a license needed to operate the following devices and if so what kind of license?

- Slim Sphere Roller Therapy- Body Sculpt Machine
- Professional Perfect Shape Neo
- 10D Master Laser Body Slimming Machine
- Advanced Pain Relief Professional Tecar Therapy Diathermy Machine

The Board's opinion is that these procedures have deep to the skin effects, therefore they would be the practice of medicine and surgery, and to perform these procedures it would be necessary to be licensed as a Physician.

PUBLIC COMMENTS

Siobhan Kozisek, Esthetics Representative for the Board of Cosmetology, is present and would like to state agreement with the Board's opinion on the Practice Question addressed today. The Cosmetology Board also has the opinion that these devices are not in the scope of practice other than for licensed physicians. Ms. Kozisek would like to suggest the review of the **Cosmetology, Esthetics, & Body Art Advisory Opinions**:
<https://dhhs.ne.gov/licensure/Pages/Cosmetology-Esthetics-and-Body-Art-Advisory-Opinions.aspx>

FSMB (FEDERATION OF STATE MEDICAL BOARDS) ANNUAL CONFERENCE

The FSMB annual conference AM26! is scheduled for April 30-May 2, 2026, in Baltimore, MD.

Dr. Massey and Dr. Hedrick are interested in attending the conference. Dr. Blake will need to consult her schedule to see if she is available.

Anyone interested in the conference please visit the FSMB website for further information:
<https://web.cvent.com/event/7ab31fc0-f719-4065-810b-1a391e8914eb/summary>

BOARD MEETING SCHEDULE

The next meeting is scheduled for January 9, 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, Kuenning, Chairperson adjourned the meeting at 11:10 a.m.

Respectfully submitted,

signature available upon request

Mark Goodman, MD, Secretary
Board of Medicine and Surgery