

Minutes of the January 24, 2023
Board of Athletic Training Video Conference Meeting

1. ROLL CALL

Jessica Roberts, Chairperson, called the meeting of the Board of Athletic Training to order at 9:00 a.m. on Tuesday, January 24, 2023, via Webex and in person in Conference Room 3H, at the Nebraska State Office Building located at 301 Centennial Mall South, Lincoln, Nebraska. 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 in the Licensure Unit on January 17, 2023.

Roberts announced that this is an open meeting, and the Open Meetings Act is posted.

Members Present: The following members answered roll call:

Jessica Roberts, Chairperson (via Webex)
Rebecca Docter, Secretary (via Webex)
Mike Nicola, Vice-Chairperson (via Webex)

Members Absent:

Vanetta Early, Member

Others Present:

Suzanna Glover-Ettrich, DHHS Attorney (via Webex)
T.J. O'Neill, Assistant Attorney General
Jeanne Burke, Assistant Attorney General
Claire Covert-ByBee, Program Manager
Amy Blinston, Health Licensing Coordinator

2. ADOPTION OF AGENDA

MOTION: Nicola, moved, seconded by Docter, to adopt the agenda. Voting aye: Docter, Nicola, and Roberts. Voting nay: None. Motion carried.

3. REAFFIRMATION OF MAIL BALLOT

Covert-ByBee stated that the minutes from the November 29, 2022, Board Meeting were adopted by mail ballot on 12.12.2022. Nicola, Docter, Early, and Roberts voted to approve the minutes as written.

4. INVESTIGATIONAL AND CONFIDENTIAL REPORTS -CLOSED SESSION

MOTION: Nicola, moved, seconded by Roberts to move into closed session at 9:05 a.m. to discuss confidential information and to protect the reputation of individuals named or referenced in such discussions. Voting aye: Docter, Nicola, and Roberts. Voting nay: None. Motion carried.

5. BOARD RECOMMENDATIONS

The Board returned to open session at 9:17 a.m. and did not make any recommendations.

6. UPDATE ON NEW LICENSURE DATABASE

Covert-ByBee advised the Department is exploring adopting the expanded licensure database product offered by the existing vendor. The Department is awaiting final contract approval to proceed.

7. ELECTION OF OFFICERS

MOTION: After discussion, Docter, moved, seconded by Nicola, to retain current officer positions: Roberts- Chair, Nicola- Vice-Chair and Investigative Consultant, and Docter as Secretary. Voting aye: Docter, Nicola, and Roberts. Voting nay: None. Motion carried.

8. VOTING FOR DELEGATES FOR NATIONAL BOARDS/MEETINGS

Roberts, Nicola, and Docter indicated they would not be attending the national conference.

9. CONVICTION REVIEW GUIDELINES

MOTION: After discussion, Nicola moved, seconded by Docter to add to the conviction review guidelines "Did the applicant report all convictions" as a factor to consider during review. Voting aye: Docter, Nicola, and Roberts. Voting nay: None. Motion carried.

10. PER DIEM DISCUSSION

MOTION: After discussion, Docter moved, seconded by Nicola to keep the current per diem amount of \$50.00 for the day of the meeting. Voting aye: Docter, Nicola, and Roberts. Voting nay: None. Motion carried.

11. NOTICE OF MEETING PUBLICATION

Covert-ByBee advised that the meetings for this Board are currently posted on the DHHS – Licensure Board Meeting Agenda page, physically posted on the Board Meeting Agenda billboard outside of the Licensure Unit and disseminated to a list of stakeholders and interested parties. The Department requested that the Board continue with this process.

MOTION: After discussion, Nicola moved, seconded by Docter, to keep the current methods of meeting notification. Voting aye: Docter, Nicola, and Roberts. Voting nay: None. Motion carried.

12. REGULATION DRAFTING- DRY NEEDLING AND EMERGENCY MEDICATIONS

The Board discussed requirements for an athletic trainer to perform dry needling.

00X. DRY NEEDLING. An athletic trainer may perform dry needling only in accordance with the level of education and training successfully completed. Education and training must have been approved by the National Athletic Trainers Association Board of Certification (NATABOC) and includes clinical instruction and application on the performance of dry needling.

The Board also discussed use of emergency medication by an athletic trainer. The recommended language is as follows:

00X. USE OF EMERGENCY MEDICATION. The athletic trainer shall be responsible for safe storage of emergency drugs which shall be in accordance with the manufacturer's instructions. The athletic trainer shall administer emergency drugs as directed in a written protocol developed with the prescriber issuing the prescription authorizing possession of the drug. The protocol shall describe:

00X.01 Appropriate route of administration.

00X.02 Appropriate dose of administration.

00X.03 Any other information deemed necessary by the athletic trainer or the prescriber for emergency management of the patient.

13. LEGISLATIVE UPDATE

Covert-ByBee presented the Board with information regarding the following legislative bills and resolutions: LB16, LB22, LB291, LB402, LB422, LB588, LB626, LB634, LB810, LB78, LB256, LB280, LB271, LB335, LB430, LB 345, LB513, LB521, LB637, LB795, LR18 and LR 19. These bills and resolutions may be viewed on the Nebraska Legislature website:

<https://nebraskalegislature.gov>.

14. LICENSURE AND EXECUTIVE ORDER 22-08

Covert-ByBee indicated EO 22-08 extends certain specific provision set forth in previous Executive Orders, and really has no impact on Athletic Trainers. The EO expires June 30, 2023.

15. LICENSURE APPLICATION PROCESSING REPORT

The Application Processing Report (APR) was provided for informational purposes only.

16. TOPICS FOR NEXT MEETING

Executive Orders, APR, Legislative Update, Licensure Database Update, and Regulation Drafting.

These minutes were approved by the Board of Athletic Training via mail ballot 1.31.2023

17. ADJOURNMENT

There being no further business, the meeting adjourned at 11:28 a.m.

Respectfully submitted,

Rebecca Docter, Secretary