

NEBRASKA BOARD OF MEDICINE AND SURGERY

MEETING MINUTES

December 6, 2024

ROLL CALL

The meeting of the Board of Medicine and Surgery was called to order by Chairperson, Rachel Blake, at 9:00 a.m. on December 6, 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
Wesley Zeger, DO, Secretary
Mark Goodman, MD
Jodanne Hedrick, DO
Brian Keegan, MD
John Massey, MD
Public Member Position – Vacant

Absent: None

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; Kathleen Krueger, Carla Cue, Jeff Newman and Mark Meyerson, Investigators with the Investigation Unit; Anna Harrison, DHHS Compliance Monitor for Licensing and Danielle Sund, Department Attorney.

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 November 20, 2024.

REVIEW OF AGENDA

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

Additions, Modification, Reordering

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

Graham, Joseph Eugene, Jr., MD – Physician Initial license application
Hedayati, Amir, MD – Physician Initial license application
Hurtado, Alfredo, MD – Physician Initial license application
Robison, Paul Douglas, MD – Physician Initial license application
Bogard, Matthew Dennis, MD – Reinstatement after Suspension Discipline

PRESENTATION OF AWARDS AND APPRECIATION FOR RETIRING PUBLIC BOARD MEMBER JEFFREY HOWORTH

Dr. Goodman presented Jeff with the Department of Health and Human Services, Division of Public Health “Certificate of Appreciation” Award for his outstanding performance and lasting contributions to the citizens of the State of Nebraska for his service to the Medicine and Surgery Board from March 21, 2011, to November 30, 2024.

Dr. Massey presented Jeff with the “Distinguished Award” from the Board of Medicine and Surgery representing his tireless efforts for serving thirteen (13) years as a Public Member on the Board of Medicine and Surgery. His insight and knowledge have been appreciated and will be greatly missed.

Dr. Blake presented Jeff with the “Admiral in the Great Navy of the State of Nebraska” Award from Governor Jim Pillen. As an “Admiral” Jeff can become a member and join his fellow Admirals in the “Nebraska Admirals Association” to promote the “Good Life” through scholarships and hospitality. For more information on the Association visit: <http://www.nebraskaadmirals.org>

PRESENTATION BEFORE THE BOARD

Matthew Bogard, MD and his Attorney, Erin Pemberton made a presentation to the Board regarding his Reinstatement after Discipline 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 indicated that the NMA will be following the implementation of the new Medical Cannabis law that will be effective December 12, 2024. It requires the written recommendation of a health care practitioner. There certainly will be many questions as to the specifications of the new law that will need to be addressed.

Credentialing Review (407) Occupational Therapy – the next Technical Committee meeting will be held December 11, 2024. To see the Agenda and the Minutes go to:
[https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-\(407\)-Occupational-Therapy.aspx](https://dhhs.ne.gov/licensure/Pages/Credentialing-Review-(407)-Occupational-Therapy.aspx)

REGULATIONS UPDATE

Kuenning moved, seconded by Zeger to approve the draft Regulations Title 172, Chapter 90 for Licensure and Supervision of Physician Assistant as presented. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Kuenning moved, seconded by Hedrick to approve the draft Regulations Title 172, Chapter 89 for Acupuncture as presented. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Kuenning moved, seconded by Hedrick to approve the draft Regulations Title 172, Chapter 91 for Perfusion as presented. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Kuenning moved, seconded by Hedrick to approve the draft Regulations Title 172, Chapter 87 for Surgical First Assistant as presented. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

APPROVAL OF MINUTES OF THE MEETING

Massey moved, seconded by Zeger to approve the minutes for October 25, 2024, as presented. Voting aye: Blake, Hedrick, Keegan, Massey and Zeger. Voting nay: None. Absent: None. Abstain: Goodman and Kuenning. Motion carried.

INVESTIGATIONAL REPORTS, DISCIPLINARY REPORTS, APPLICATION REVIEW – CLOSED SESSION

Goodman moved, seconded by Zeger, to go into closed session at 9:31 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, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Board Break 10:08 a.m.
Board Reconvened 10:20 a.m.

Kuenning Recused 10:24 a.m.
Kuenning Returned 10:30 a.m.

The Board members returned to Open Session at 10:34 a.m.

Anna Harrison left the meeting at 10:35 a.m.

APPLICATION REVIEW – OPEN SESSION

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AND REGISTRATION

Physician Initial Application(s) (4)

GRAHAM, JOSEPH EUGENE, JR, MD – application for Physician Initial license to practice Medicine and Surgery. Goodman moved, seconded by Kuenning, to recommend approval of the application for Initial license to practice Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

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

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

ROBISON, PAUL DOUGLAS, MD – application for Physician Initial license to practice Medicine and Surgery. Kuenning moved, seconded by Goodman, to recommend offering the Reentry option for a period of one year after approval of the Board of a proposed plan to practice Medicine and Surgery. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Physician and Osteopathic Physician Reinstatement after Discipline Application(s) (1)

BOGARD, MATTHEW DENNIS, MD – application for Physician Reinstatement after Suspension to practice Medicine and Surgery. Hedrick moved, seconded by Goodman to recommend approval of the reinstatement after suspension application to practice Medicine and Surgery. Basis for the approval is sufficient evidence to support successful completion of the suspension period. Voting aye: Blake, Goodman, Hedrick, Keegan, Kuenning, Massey and Zeger. Voting nay: None. Absent: None. Abstain: None. Motion carried.

PHARMACEUTICAL CARE AGREEMENT(S)

The Board acknowledges receipt of the Pharmaceutical Care Agreements.

AMERICAN BOARD OF CARDIOVASCULAR PERFUSION (ABCP) POSITION STATEMENT

The Board acknowledges receipt of the Position Statement and Thanks the ABCP Board for the information.

2023 PEDIATRIC & ADULT BRAIN DEATH/DEATH BY NEUROLOGIC CRITERIA CONSENSUS GUIDELINE

The Board acknowledges receipt of the guidelines.

PUBLIC COMMENTS

There were no public comments currently.

BOARD MEETING SCHEDULE

The next meeting is scheduled for January 17, 2025, in the Husker Conference Room at the Hampton Inn & Suites. To see a complete list of the projected schedule for the 2025 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 10:40 a.m.

Respectfully submitted,

signature available upon request

Wesley Zeger, DO, Secretary
Board of Medicine and Surgery