

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office

Health and Human Services Committee  
March 27, 2012

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[CONFIRMATION]

The Committee on Health and Human Services met at 1:00 p.m. on Tuesday, March 27, 2012, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments. Senators present: Kathy Campbell, Chairperson; Mike Gloor, Vice Chairperson; Dave Bloomfield; Tanya Cook; Gwen Howard; Bob Krist; and R. Paul Lambert. Senators absent: None.

SENATOR CAMPBELL: We will go ahead and convene the public hearing for the Health and Human Services Committee. Today we are considering the gubernatorial appointments to the Stem Cell Research Advisory Committee, and the clerk I think also provided you with the statute, or perhaps you did, sir,... [CONFIRMATION]

JOSEPH ACIERNO: I did not, but somebody has it. [CONFIRMATION]

SENATOR CAMPBELL: ...to tell us a little bit about what is required here.  
[CONFIRMATION]

JOSEPH ACIERNO: Right. [CONFIRMATION]

SENATOR CAMPBELL: And you'll have to help me because...for the record, you should probably spell and pronounce your last name. [CONFIRMATION]

JOSEPH ACIERNO: (Exhibit 1) I will. It's always a...it's pronounced so many different ways, since I've been this big, so. First name is Joseph, J-o-s-e-p-h...I go by Joe though; Acierno, A-c-i-e-r-n-o. And I'm the Deputy Chief Medical Officer for the Division of Public Health. And what I can do is I don't know whether...this just came out, the start of the week, the Annual Report of the Nebraska Stem Cell Research. Do you have it?  
[CONFIRMATION]

SENATOR CAMPBELL: That would be great. [CONFIRMATION]

JOSEPH ACIERNO: I thought I would bring copies, multiple. [CONFIRMATION]

SENATOR CAMPBELL: That would be great, because we've been kind of looking for it.  
[CONFIRMATION]

JOSEPH ACIERNO: Yeah. And so that has come over. Just a little bit of background on the act: In 2008, the Stem Cell Research Act was passed by this Legislature, and it's now located, Nebraska Revised Statute 71-8801 through 8806, so it's fairly short. As part of the act, the Stem Cell Research Advisory Committee was created, and that consists of the dean of both Creighton University's Medical School and the University of Nebraska, and four scientists from outside of Nebraska who also have funding from the

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National Institutes of Health. Those appointments are made by the Chief Medical Officer from the Division of Public Health, so in this case it was Joann Schaefer. The appointments are to be approved by you. Pursuant to this statute, the committee has established a grant process that will award grants to Nebraska institutions or researchers for the purpose of conducting nonembryonic stem cell research. And you can see in the report a little bit, under the eligibility requirements, some of what they have done in creating the criteria for submission of any application. This committee meets two times per year. The first meeting of the fiscal year is telephonic, and what they discuss at that point is the new requests for applications that's going to be released, so they can get grants and that normally takes place in I'd call it the late winter, somewhere in that time frame. The second meeting is...they come to the state of Nebraska, normally in the spring after they've received the RFAs, where the scientists discuss each grant proposal project and objectively score the projects. As a matter of fact, they get the information before; they look at them and they score them out. They all get together in Nebraska and go over them again and have interaction with each other. The awards are determined at that time and announced at the time of that meeting. They also give feedback to those applications that did not get funded and what shortcomings may have been. The work conducted by the researchers has been summarized and provided in the Annual Report, what's been going on, to date. This committee has developed an excellent working relationship with each other and with the department. They really have been responsible for building a solid foundation for the program as evidenced by the report, and they have a high level of respect for each other's expertise and opinions. These are very well-trained people and we'll go over those folks now. The scientists for your consideration are the following, and the first one is Bradley Keller, M.D. Dr. Keller is a graduate of...undergraduate from the University of Pennsylvania. He received his medical degree from Penn State University and did postgraduate work in pediatrics and pediatric cardiology. And, at this time, he has multiple appointments with the University of Pittsburgh as a professor in the Department of Pediatrics; Carnegie Mellon University, he's an adjunct professor, Department of Biomedical Engineering; and the University of Louisville, professor, Department of Pediatrics, Division of Pediatric Cardiology. The next one in the group is Dr. Dennis Roop. Dr. Roop is a Ph.D. He's a professor of dermatology. He's the Charles C. Gates chair of Regenerative Medicine and Stem Cell Biology; and the director of the Center for Regenerative Medicine and Stem Cell Biology, the University of Colorado Denver Health Sciences Center. He received a bachelor of arts degree in biology. He also has a master's in microbiology and a Ph.D. in microbiology from the University of Tennessee, Knoxville. His academic appointments include adjunct professor, Department of Molecular and Cellular Biology and Dermatology at the Baylor College of Medicine in Houston; professor, Department of Dermatology, University of Colorado Denver; and as I mentioned, he's the Charles C. Gates chair, Regenerative Medicine and Stem Cell Biology at the University of Colorado Denver. He's also coleader, Cancer Cell Biology Program at the University of Colorado Cancer Center. So he's...actually it's hard to get out all those titles. The next one for your consideration is going to be Gerald

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Spangrude--Dr. Gerald Spangrude. He is also a Ph.D. He has a bachelor of science from the University of Montana, and he has a Ph.D. in experimental pathology from the University of Utah, Salt Lake City. He's done postdoctoral fellowships, one at Stanford University and another one in Australia funded by a fellowship from the Leukemia Society of America. He is presently a professor, Department of Medicine, Division of Hematology at the University of Utah, Salt Lake City, Utah, with adjunct appointment in pathology. As far as administrative experience, he is director of the Stem Cell Biology Section, Blood and Marrow Transplant Program, at the University of Utah. And finally, the fourth one is Rebecca Morris. She has a bachelor of science in biology and a Ph.D. in biology. She received her Ph.D. from Syracuse University, Syracuse, New York; did postdoctoral training fellowship in the Biology Division at the Oak Ridge National Laboratory, Oak Ridge, Tennessee. She is presently professor and section leader, Laboratory of Stem Cells and Cancer at The Hormel Institute at the University of Minnesota. So we respectfully request that you consider and approve each scientist for another three-year term. And I'd be happy to answer questions about anything and how this program has been working at this point, but that's the background. The report...I will say this with the report: It is...it gets a little heavy into the science at the end, what's going on in the funded grants, but I think what you can take away from some of it is that there is progress being made. It talks about, on page 4, the "Progress Report of Funded Grants," and how much money has been leveraged, the number of articles and chapters that have been published, the research positions that have been created, and the types of areas of medicine they've been working with, and it varies from blindness and hearing loss, breast cancer, Parkinson's disease. This is a very young, relatively young area of medicine, and quite a bit of research is being done in stem cells. And so the sky is kind of the limit in it, and we're really at the beginning stage of it here in this state through this program. So I think there's been great progress made. And these folks, I will tell you, are professional. They are...they know some...they talk science and you have to listen. They're on their game, and so I have a great deal of respect for them. I've met all of them, interacted with them, and I think they are worthy of serving another term. [CONFIRMATION]

SENATOR CAMPBELL: Before I go to questions, I just want to clarify for the record and for the senators that have joined us, you have the Annual Report that is there. The clerk has also given you the statute reference that Dr. Acierno talked about, and these are grants in terms of nonembryonic stem cell... [CONFIRMATION]

JOSEPH ACIERNO: This is not embryonic. This is adult or somatic cells, so there is nothing...the law does not allow any embryological research. [CONFIRMATION]

SENATOR CAMPBELL: Okay. [CONFIRMATION]

JOSEPH ACIERNO: So none of this deals...any of the research projects that are outlined are not dealing with embryonic cells. [CONFIRMATION]

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SENATOR CAMPBELL: Okay. Senator Gloor. [CONFIRMATION]

SENATOR GLOOR: Thank you, Senator Campbell, Dr. Acierno. When I first read through these the other day, I remember thinking, boy, these really are researchers and scientists. In one case, Dr. Keller, how he works in even some clinical, I'm guessing, given his faculty position in pediatrics, he works in some clinical time. How did we find them? I mean the stipend can't be enough in and of itself (laugh). [CONFIRMATION]

JOSEPH ACIERNO: How did we find them? Well, the statute lays out. What originally happened, and I was part of that process from the beginning, what is supposed to happen is the deans of the medical schools, each dean is supposed to submit three names through the department. It's up to the deans of the medical schools, and then Joann Schaefer then picks, basically, two from the Creighton group and two from the University of Nebraska group. I really can't tell you how they came up with these folks; but I believe it's a network of researchers, and they know who's quality and who's...you know, who's really on their game in all of this, and these were the names that were submitted to us. So other than that, I don't claim to know how the dean of Creighton University at the time came up with some of the names. [CONFIRMATION]

SENATOR GLOOR: Do other states have similar boards like this? [CONFIRMATION]

JOSEPH ACIERNO: I don't know. I don't know. We could look into that for you, but I really don't know the extent of it. [CONFIRMATION]

SENATOR GLOOR: That's okay. I'm just...you know, it's hard not to be impressed when you look at the resumes on these folks. But I thought, gee, good for us for getting this quality of person, but. [CONFIRMATION]

JOSEPH ACIERNO: Right. And I gave you just a snapshot of these folks. Most of their CVs or resumes are about 20-50 pages, so... [CONFIRMATION]

SENATOR CAMPBELL: And we have... [CONFIRMATION]

JOSEPH ACIERNO: ...and you have those. So I didn't know if you had them... [CONFIRMATION]

SENATOR CAMPBELL: We do. [CONFIRMATION]

JOSEPH ACIERNO: ...so I thought I'd give you a snapshot of their background, but they're very talented. [CONFIRMATION]

SENATOR CAMPBELL: Dr. Acierno, help me out. I should know this, but if I get asked

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on the floor, it's adult or somonic (phonetic)? [CONFIRMATION]

JOSEPH ACIERNO: Somatic. [CONFIRMATION]

SENATOR CAMPBELL: Somatic. [CONFIRMATION]

JOSEPH ACIERNO: Yeah. Those terms can...are used somewhat interchangeably, but the word "adult" is a better way to look at it. [CONFIRMATION]

SENATOR CAMPBELL: Oh, okay. [CONFIRMATION]

JOSEPH ACIERNO: It's from a tissue...you know, let's say from, we'll just use the heart as an example, something that's already grown up into something,... [CONFIRMATION]

SENATOR CAMPBELL: Okay. [CONFIRMATION]

JOSEPH ACIERNO: ...and then there could be a stem cell associated with that cell line that creates heart tissue, versus embryonic is coming, as we all come from a couple of cells, and things have potential to be many. No research is being done on that at that level. It's being done at the level of we have cell structure and now we're looking at those cells, those early precursor cells that can now be used to grow for potential treatments and research and things like that. It's the easiest way to explain it. [CONFIRMATION]

SENATOR CAMPBELL: And the money from the grants comes from...? [CONFIRMATION]

JOSEPH ACIERNO: I guess I'm... [CONFIRMATION]

SENATOR CAMPBELL: They're awarding... [CONFIRMATION]

JOSEPH ACIERNO: Right, they're awarding...the Legislature appropriates the money to them. [CONFIRMATION]

SENATOR CAMPBELL: Okay. Is that out of the Cash Reserve Fund? Does anybody know that? Michelle, do you want to check that? We better know that before we go to the floor, where the money comes from, where it's appropriated, and the total amount. Dr. Acierno, do you know what that is? [CONFIRMATION]

JOSEPH ACIERNO: It's no more than \$500,000 per year. [CONFIRMATION]

SENATOR CAMPBELL: Okay. [CONFIRMATION]

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JOSEPH ACIERNO: I'm not sure if that was the amount last year. Maybe a little bit less last fiscal year. [CONFIRMATION]

SENATOR CAMPBELL: Okay, we'll find that out. [CONFIRMATION]

JOSEPH ACIERNO: But it's up to \$500,000 per fiscal year. [CONFIRMATION]

SENATOR CAMPBELL: Okay. Up to. All right. [CONFIRMATION]

SENATOR KRIST: I think it's the Cash Fund. I think it's biomedical research. [CONFIRMATION]

SENATOR CAMPBELL: I think it is. [CONFIRMATION]

SENATOR KRIST: I think it's related to the biomedical research funds. [CONFIRMATION]

SENATOR CAMPBELL: Okay. Any other questions that the senators have about the program or these four people? I think it's really interesting that it was set up to have the two deans of the medical schools submit the scientists. It seems to me that creates a great amount of balance there. [CONFIRMATION]

JOSEPH ACIERNO: It does, and I think whoever had that idea, it was a good one. I don't know where that generated from. Honestly, I don't know. [CONFIRMATION]

SENATOR CAMPBELL: I would guess it came in the original discussion of all that. Do you remember, Senator Howard? [CONFIRMATION]

SENATOR HOWARD: I don't. I don't. [CONFIRMATION]

SENATOR CAMPBELL: I don't expect a lot of questions on the floor, but we'll try to...you know, if there's anything... [CONFIRMATION]

SENATOR HOWARD: Better to be ready. [CONFIRMATION]

SENATOR CAMPBELL: Better to be ready. [CONFIRMATION]

JOSEPH ACIERNO: Right. If you have questions, just give us a call. [CONFIRMATION]

SENATOR CAMPBELL: Okay. Anything else? Thank you, Dr. Acierno, for coming over. [CONFIRMATION]

JOSEPH ACIERNO: Sure. No problem. [CONFIRMATION]

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SENATOR CAMPBELL: That's exactly what we were looking for, because we just knew that these four people weren't going to come. Dr. Schaefer thought that their meeting might coincide with the Legislature, and we kind of held off; but we found out that, no, it would not. And so it just seems much more logical that we hear from the department, because this is a little different Governor appointment than our typical Governor appointees, so we thought, well, maybe we could handle it a little differently.  
[CONFIRMATION]

JOSEPH ACIERNO: And it is interesting because it's...I guess it depends on how you view it, but it's...by statute it's an appointment from the Chief Medical Officer, so it's kind of a... [CONFIRMATION]

SENATOR CAMPBELL: It's a different animal. [CONFIRMATION]

JOSEPH ACIERNO: Yeah, it's just a little different. [CONFIRMATION]

SENATOR GLOOR: (Inaudible) stem cell. [CONFIRMATION]

SENATOR CAMPBELL: Yeah. Thanks. Thank you, Dr. Acierno. [CONFIRMATION]

JOSEPH ACIERNO: Sure. Thank you. [CONFIRMATION]