

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

Health and Human Services Committee
March 22, 2016

[CONFIRMATION]

The Committee on Health and Human Services met at 12:00 p.m. on Tuesday, March 22, 2016, in Room 2102 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on gubernatorial appointments to the State Board of Health. Senators present: Kathy Campbell, Chairperson; Sara Howard, Vice Chairperson; Roy Baker; Sue Crawford; Mark Kolterman. Senators absent: Nicole Fox, and Merv Riepe.

SENATOR CAMPBELL: Thank you so much for joining us today. This makes it a lot easier for us, and hopefully for you also, since it's a reappointment. We start out each of these hearings, I'm going to tell you who is here, we'll save a little time. Senator Baker; Senator Howard; Senator Crawford; myself; and Joselyn Luedtke, who is running the phone, is the legal counsel to the committee; and Elice Hubbert is the clerk; and we have two pages today. Dr. Vander Broek, tell us a little bit about yourself. [CONFIRMATION]

DOUG VANDER BROEK: (Exhibit 1) Okay. Well, as you know, I was appointed to fill Dr. Daryl Wills's unexpired term--Dr. Wills was from Gering. And so I was appointed by Governor Ricketts to fill that unexpired term, and now I've been appointed by Governor Ricketts for my first five-year term. I've been in practice in chiropractic in Nebraska for 33 years this month, and the first 30 years I practiced in Lincoln at 70th and Van Dorn. I sold that practice a couple years ago and since that time, I do fill-in work or local tenants work for chiropractors in Nebraska. And I am also now licensed in Iowa, and have done just a little bit of that in Iowa. I also do consulting--individual consulting for individual chiropractors and their clinics. So that's what I currently do. [CONFIRMATION]

SENATOR CAMPBELL: Dr. Vander Broek, for you and your experience here, what has been the greatest surprise to you in serving on the Board of Health? [CONFIRMATION]

DOUG VANDER BROEK: Well, I don't know if it has been a surprise, but the thing that I enjoy most is the representation of all the different professions--interaction with all the different professions. I've always had a lot of cross-referral with area professionals: my brother is an internist in Iowa, sister-in-law is a family physician, I have a niece who is a physical therapist, a niece who is an occupational therapist. And I've had a lot of good referral relationships with medical specialists of all kinds in Lincoln, so the thing that I enjoy about it is the interaction with the other professionals. Our daughter is graduating from the Nebraska program from Iowa State Veterinary School in May, so we have some interest there too. [CONFIRMATION]

SENATOR CAMPBELL: Absolutely. Why did you choose to be a chiropractor?
[CONFIRMATION]

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DOUG VANDER BROEK: Well, the reason I did is because I got some help from my brother-in-law, David Katz, with low back pain and headaches. And you know, that was in my mid-20s, I had an undergrad degree in public administration. Decided to go to chiropractic college, and I had to go back for a couple more years of undergrad at UNL and finally was to be accepted into chiropractic college. So basically, the short answer is because of the help that I got from chiropractic treatment. [CONFIRMATION]

SENATOR CAMPBELL: Very interesting. Senators, do you have any questions that you want to ask? They're all rather quiet. It's been a morning of a lot of talking. Dr. Vander Broek, what do you see as issues that we should be aware of that are coming before the Board of Health? [CONFIRMATION]

DOUG VANDER BROEK: I think one issue that you may have heard of is the issue with the physical therapists doing dry needling. And the concern with the Board of Health is the process by which that happens. And so at this...you know, as you know from...excuse me, at this time as you know, that issue has been moved into the Attorney General's Office, at the request of our CEO, Courtney Phillips. And so we're just awaiting a decision on that from the AG. [CONFIRMATION]

SENATOR CAMPBELL: It seems like that's taking that process a very long time. [CONFIRMATION]

DOUG VANDER BROEK: Right. The wheels have moved kind of slowly on that, and over the past five years, the Board of Health has unanimously requested, on three different occasions, that either a direct review or AG's Opinion be rendered on that issue. [CONFIRMATION]

SENATOR CAMPBELL: Any other 407s that have been discussed at the Board of Health? [CONFIRMATION]

DOUG VANDER BROEK: I just got done chairing the Technical Review Committee on whether or not the surgical technologists should be licensed, and that followed on the heels of the Technical Review Committee for the surgical first assistants. And I sat in on the Technical Review Committee hearings on the acupuncturists request for open access, and I see now that has moved forward with the LB962 by Senator Fox. [CONFIRMATION]

SENATOR CAMPBELL: Correct. We really don't have any other questions, Dr. Vander Broek. Anything else that you want to share with us? [CONFIRMATION]

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DOUG VANDER BROEK: No, just that I appreciate your time. I know these confirmation hearings are probably not the most exciting part of your day...hopefully not. But I appreciate your time and I would appreciate the support of the committee members. [CONFIRMATION]

SENATOR CAMPBELL: They may not be our most exciting part of the day, but we all realize the importance of them and people stepping forward to volunteer to serve on boards, and particularly the Board of Health. [CONFIRMATION]

DOUG VANDER BROEK: I do appreciate that. [CONFIRMATION]

SENATOR CAMPBELL: That's a major referral to the Health and Human Services Committee. Well, you have a great day, Doctor, and we will talk to you again. [CONFIRMATION]

DOUG VANDER BROEK: Thank you so much. Bye. [CONFIRMATION]

SENATOR CAMPBELL: Thank you, bye bye. All right, what now? Okay. What Joselyn is doing is texting them to call in. Good afternoon. [CONFIRMATION]

DEBRA PARSOW: Good afternoon, this is Debra Parsow. [CONFIRMATION]

SENATOR CAMPBELL: Yes. Ms. Parsow, thank you so much for calling in by phone. It makes it easier for us. Since we have only 20 minutes for lunch, we have to weasel these in. And I hope it's convenient for you. [CONFIRMATION]

DEBRA PARSOW: Oh, Senator Campbell, I so appreciate it, because it is easier for us. So I'm glad that we were able to meet halfway, so to speak. [CONFIRMATION]

SENATOR CAMPBELL: Good, good. I'm going to tell you who is here, it will save time. Senator Crawford, Senator Howard, Senator Baker, and Senator Kolterman, Elice Hubbert as the clerk, and Joselyn Luedtke as the legal counsel, and two pages, and an aide...I keep forgetting an aide to Joselyn, who is sitting in the audience. This is a reappointment. When did you first start serving on the Board of Health? [CONFIRMATION]

DEBRA PARSOW: (Exhibit 2) On the Board of Health...excuse me, I first started serving in August of 2010. Prior to that, I worked in the credentialing review pool for about three years before that. [CONFIRMATION]

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SENATOR CAMPBELL: That's why you have so much experience running 407s.
[CONFIRMATION]

DEBRA PARSOW: You know what, I learned from Janet Coleman, who worked with, of course, Dave who, of course, you know, were the birthers, so to speak, of the 407. [CONFIRMATION]

SENATOR CAMPBELL: Exactly. They were just like, sort of, the archives of all the information about it for sure. But quite honestly, I think you've done a great job in terms of heading up some of the 407s that we've had. Tell us a little bit about yourself. [CONFIRMATION]

DEBRA PARSOW: A little bit about me. Well, I am a long-term Nebraskan, I grew up here, and I am lucky enough to have graduated from the university system within our state. And I worked for a very long time, about 25 years, doing health and wellness for ConAgra Foods. And then moved to UnitedHealthcare to work in their health plan area for their company called Optum. So I actually run population health management for OptumHealth, and working with large-scale jumbo clients to help drive all of their population health strategies so that it integrates with their medical plan in promoting good behavior, good health culture, and efficacy of their medical plan for everyone involved in their medical plan. And that's what I currently do now, and I'm lucky enough to be able to work with the State Board of Health to get that picture and that understanding from that government side as well, and being able then to understand how it affects the people within our state and how we move through these credentialing reviews, and how important it is to look at every aspect. Especially how we hear about, you know, rural counties not being served, and being able to understand how each and every one of these divisions affects those folks. [CONFIRMATION]

SENATOR CAMPBELL: On the Board of Health, there are different representations. What category do you represent? [CONFIRMATION]

DEBRA PARSOW: I represent the public, so my interest is always in how is it going to be served from a public perspective, and how it's going to be paid for from a public perspective, and how it affects the taxpayers. [CONFIRMATION]

SENATOR CAMPBELL: Have you been working on any 407s lately? [CONFIRMATION]

DEBRA PARSOW: I did the psychology prescribing last year. It was...I headed (inaudible). I head the committee itself, and work with the folks who are chairing committees in how we can best serve each one of the opponents, proponents that bring a 407 forward. I love collaboration; collaboration is extremely important as we move through these credentialing reviews, because so

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often they can be contentious. And you know, you just don't see much getting done other than everybody being a little bit full of anxiety toward one another. And I much more prefer that we have a very collaborative 407 that grants a review that moves forward, because I think you get a lot more done versus finger pointing, who done it to what, who should do what and why you're creeping up on my scope. [CONFIRMATION]

SENATOR CAMPBELL: Any rumors of 407 in the works? [CONFIRMATION]

DEBRA PARSOW: Not that I know of. We have a surgical review coming up that we just finished, and I think we're on the end of that. And we have another one coming up that is a nursing review that they want to take an LPN to an LPNC. So that will be coming up the 16th. [CONFIRMATION]

SENATOR CAMPBELL: An LPNC? [CONFIRMATION]

DEBRA PARSOW: Right. So an LPN is not a certified LPN. An LPNC is a certified, and basically what it boils down to is that there is a difference with how medication is handled with the certified...licensure side. So the Board of Nursing actually brought it forward to create a consistency within the licensure. [CONFIRMATION]

SENATOR CAMPBELL: Interesting. Has there been a 407 proposed with regard to dialysis techs? [CONFIRMATION]

DEBRA PARSOW: There may have been one, probably more than four years ago, but there hasn't been one recently. Is there something specific that has been raised? [CONFIRMATION]

SENATOR CAMPBELL: No, I had an opportunity to be in an urgent care center this weekend, and when I got ready to leave the nurse said if you don't mind, I have a few questions for you. And one of the questions was whether there was a 407 on dialysis technicians and the person who is there. I had not...I mean, I had heard something much earlier in the fall, but nothing lately. [CONFIRMATION]

DEBRA PARSOW: Yes, and I don't recall anything within the last four years. And you know, we constantly get people who will call Ron or Matt and ask about it, or have an interest in bringing it forward. But then it just really never pans out because they don't have enough groundswell on which to move on it. [CONFIRMATION]

SENATOR CAMPBELL: Got it. Questions? Senator Howard. [CONFIRMATION]

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SENATOR HOWARD: I don't have a question, but just a comment. Deb, I am very proud to represent you, and I loved getting a chance to talk to you at the Board of Health luncheon. I just felt like you provided us with a lot of really good information about the 407 process, and I just want to thank you for all of your work. [CONFIRMATION]

DEBRA PARSOW: Oh, Sara, that's so nice of you. Thank you so very much. And I'm so pleased that we work so closely with you all, because I think it's so important for everyone to have an open chain of communication. [CONFIRMATION]

SENATOR CAMPBELL: Anything else, Senators? Ms. Parsow, we will let you go for the day. And again, thank you so much for your service to Nebraska, you are just doing an excellent job. [CONFIRMATION]

DEBRA PARSOW: Well, thank you. And if there's any way that I can help you all, I am at your beck and call. [CONFIRMATION]

SENATOR CAMPBELL: We know who to get information on, on credentialing, that's for sure. You have a good afternoon, and thank you. [CONFIRMATION]

DEBRA PARSOW: Thank you all for your time. [CONFIRMATION]

SENATOR CAMPBELL: Bye bye. [CONFIRMATION]

DEBRA PARSOW: Bye bye. [CONFIRMATION]

SENATOR CAMPBELL: Good afternoon. [CONFIRMATION]

JIM TREBBEIN: This is Jim Trebbein. [CONFIRMATION]

SENATOR CAMPBELL: This is Kathy Campbell, and we appreciate your doing this confirmation via phone. A lot easier for us, when we're at the end of the session. So I'm going to tell you who is here, so you kind of have a feel for who is in the room. Senator Crawford is here, Senator Kolterman, Senator Baker, and Senator Howard are here; Elice Hubbert who is the clerk; Joselyn Luedtke, who is the legal counsel; two pages; and an assistant to Joselyn, who is in the audience. But other than that, there is no other audience. We really appreciate this call, and could you pronounce...I'd love to hear you pronounce your last name for us. [CONFIRMATION]

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JIM TREBBEIN: (Exhibit 3) My last name is Trebbein, I always tell people it's like a tray of food that's been there. You know, Trebbein, (inaudible). [CONFIRMATION]

SENATOR CAMPBELL: Doesn't tres bien in French mean very good? [CONFIRMATION]

JIM TREBBEIN: It does. Very French name, but not much French blood. [CONFIRMATION]

SENATOR CAMPBELL: That's interesting. Well, we're all sort of remembering when you were with us a year ago. You must have filled an unexpired term. [CONFIRMATION]

JIM TREBBEIN: I did. The public member that was on before me has I believe moved out of the state, and so the Governor asked me to fill in. I really enjoyed the first year, it's a steep learning curve. Probably not as fast as trying to learn how to work for the Legislature, like a new legislator probably has a lot of information to digest in a short period of time. And I work mostly with health professionals and probably said my wife is a registered dietician, so I kind of understand the terms and terminology, a lot that doctors use. So I think I fit in pretty good to it. [CONFIRMATION]

SENATOR CAMPBELL: And you actually have a business, Chef2. [CONFIRMATION]

JIM TREBBEIN: Yeah, actually I have two businesses. I have Chef2 in Omaha and I have Omaha Culinary Tours that I am a part owner of each one of those. And then I'm the retired dean of the Institute for Culinary Arts at Metropolitan Community College. I retired just about a year ago. [CONFIRMATION]

SENATOR CAMPBELL: So you're not involved with Metro Community College? [CONFIRMATION]

JIM TREBBEIN: Pardon me, Senator? [CONFIRMATION]

SENATOR CAMPBELL: You're not involved at the college anymore? [CONFIRMATION]

JIM TREBBEIN: No, I retired. And I spent about 35 years there, and I figured that was long enough. I'm getting old (inaudible). So I totally enjoy retirement, but I don't have any days off. [CONFIRMATION]

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SENATOR CAMPBELL: Well, I don't know. I'm looking for the retirement on the days off, let me tell you. You know, what was I thought very interesting is while you were at the college, you established a culinary associate...or degree. I can't remember. [CONFIRMATION]

JIM TREBBEIN: What we've done is worked really hard to establish what became called the Institute for the Culinary Arts at Metropolitan Community College. And it has become pretty much known across the country. And we're able to give students a great education, a two-year bachelor's degree in culinary arts or in restaurant management, at a very reasonable price. And if the students paid for that degree outside at a private school...which most of those schools that are for culinarians are private schools, where the same level of degree we have would probably cost them \$40,000 to \$50,000, and it costs them less than \$10,000 at the college. It's a very, very credible degree and we have built a new building that opened up in 2010, and as I stated earlier, it's really great. [CONFIRMATION]

SENATOR CAMPBELL: Any of your students on Top Chef? [CONFIRMATION]

JIM TREBBEIN: Not yet. We've got some pretty good chefs, though, in different restaurants in the area. But none of them have made TV yet. [CONFIRMATION]

SENATOR CAMPBELL: Just a matter of time. [CONFIRMATION]

JIM TREBBEIN: I hope so. [CONFIRMATION]

SENATOR CAMPBELL: Questions, Senators, for any of you? [CONFIRMATION]

SENATOR HOWARD: Mr. Trebbein, this is Senator Sara Howard, and Chef2 is in my district. And last time we spoke, you weren't sure about its future. Can you tell me how things are going? [CONFIRMATION]

JIM TREBBEIN: Yes. Well, Chef2 isn't doing real good financially, and we are looking at different options where we might go to a strictly internet-based business. But we've also been approached by other businesses about selling our products in their store. We've got a great product and some wonderful oils and vinegars, and so we hope that still can maintain a strong presence in Omaha, and Midtown there especially, you know. And it looks like we will be closing the store, but we won't be not selling the product. [CONFIRMATION]

SENATOR HOWARD: Okay, I'll tell my husband, because I think he's been keeping you in business for several months now. [CONFIRMATION]

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JIM TREBBEIN: And we appreciate your husband down here too. My son, who operates the store, knows who he is. [CONFIRMATION]

SENATOR HOWARD: Oh, good. [CONFIRMATION]

SENATOR CAMPBELL: First name basis. [CONFIRMATION]

JIM TREBBEIN: We're dealing with Rick right across the street right now and it looks like they are going to carry a significant number of our products in that store. [CONFIRMATION]

SENATOR HOWARD: Oh, that's great. Thank you, Jim. [CONFIRMATION]

SENATOR CAMPBELL: Well, we're not going to keep you today, because we spent a lot of time talking to you so recently. I do want you to know how much we appreciate your willingness to serve on the Board of Health, and you bring a very unique background to the board and that perspective, and I appreciate that. [CONFIRMATION]

JIM TREBBEIN: And I really appreciate the consideration of the committee. So thank you also. [CONFIRMATION]

SENATOR CAMPBELL: Well, have a great afternoon and look for Doug Schroder. [CONFIRMATION]

JIM TREBBEIN: Yeah, thank you very much, Senators. [CONFIRMATION]

SENATOR CAMPBELL: Thank you, bye bye. [CONFIRMATION]

JIM TREBBEIN: Bye bye. [CONFIRMATION]

SENATOR CAMPBELL: And that concludes our hearing for this afternoon. [CONFIRMATION]