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Health and Human Services Committee  
January 23, 2015

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[LB23 LB90]

The Committee on Health and Human Services met at 1:30 p.m. on Friday, January 23, 2015, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB90 and LB23. Senators present: Kathy Campbell, Chairperson; Sara Howard, Vice Chairperson; Roy Baker; Tanya Cook; Sue Crawford; Mark Kolterman; and Merv Riepe. Senators absent: None.

SENATOR CAMPBELL: I think what we will do is go ahead and open the hearings this afternoon on two gubernatorial appointments to the Child Abuse Prevention Board. And, Dr. Bartee, I should have introduced myself. I'm Kathy Campbell. I serve as the Chair of the Health and Human Services Committee. And I represent District 25. I'm going to start on my far right and have senators introduce themselves so you know who is here.

TODD BARTEE: Okay.

SENATOR KOLTERMAN: My name is Mark Kolterman. I represent District 24, Seward, York, and Polk Counties.

SENATOR BAKER: Senator Roy Baker, District 30, Gage County, part of Lancaster County.

SENATOR HOWARD: Senator Sara Howard. I represent District 9 in midtown Omaha.

JOSELYN LUEDTKE: Joselyn Luedtke, committee counsel.

SENATOR COOK: I'm Senator Tanya Cook from northeast Omaha and Douglas County.

SENATOR RIEPE: I'm Merv Riepe, Legislative District 12, which is Millard and Ralston.

BRENNEN MILLER: I'm Brennen Miller. I'm committee clerk.

SENATOR CAMPBELL: This afternoon, we also have both of our pages with us. Brook, who is from Omaha, majoring in advertising and public relations and political science, I believe. And Jay, who is from Dalton, Nebraska, is at the university also and majoring in ag economics. So I think, now, Dr. Bartee, you know the lineup here. How we do this is we treat this informally in the sense that we are trying to get to know you, a little bit about your interests in serving on the Child Abuse Prevention Board. And then what we do as a committee is forward your name to the floor of the Legislature for a full vote. But this is the only action that you will have to take. We will finish out the process and then you will be notified of your formal appointment. So we very much appreciate, we want to say at the onset of this, that people step forward from all across Nebraska to serve on

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boards. It is just commendable. So, Dr. Bartee, would you tell us a little bit about yourself and your background?

TODD BARTEE: (Exhibit 1) Sure, happy to, and thank you for the introductions. I'm originally from Columbus, Nebraska, born in Grand Island and then grew up in Columbus, graduated from Columbus High there in 1989. And my father and his family are from Battle Creek, my mom and her family from the Albion/St. Ed area. And after high school I went to the university in Lincoln for a year. I then went back to Columbus and...my father got sick, went back to Columbus. I went to junior college for a couple years, played some sports there, played basketball there. My father past away. At that time I went back to the university and earned a degree in community health education and talked to my professor there. And he said, you know, if you're going to go on to graduate school, try and pick another part of the country that's different than where you are and, you know, and learn more than you can about the world. And so I went to the...I selected the University of Alabama in Tuscaloosa. And I stayed there for four years earning two degrees in similar...health education, health promotion. And I was really involved in the worksite health promotion at that time. And so when I say health education, I'm guessing a lot of you are aware, but I don't necessarily mean classroom health education, more community development, strategic planning, implementing, evaluating health programs, interventions, policies, that type of thing. And so I went to...I took my first faculty appointment at the University of Wyoming in '99. And I started to get involved in school health promotion. And it wasn't long after I was there that I started experiencing and then reading in the research, you know, that, you know, best practice is one thing. It's another to see that extend in the real world and past, you know, the laboratory conditions. And I became really interested and still am in capacity building at the individual and organizational and community levels. And part of that has to do then with sustainability and, you know, how can we assist communities in planning for the funding to end? Too many times we see that funds...you know, once the resources for a research project are taken away from a project, then it disappears. And so I've really been focused in that area, the process, if you will, in capacity building, sustainability, you know, for the last, oh, ten or so years. And it was in 2009 that I came to UNK. I was able to find a position here back in Nebraska. As much as I thought I'd learned out there working across the country on different projects, I wanted to come back to Nebraska and give back. It sounds a bit cliché, but, you know, it really is something that I've wanted to do. And certainly when I came back to UNK then it was pretty clear that, one, Nebraska is a very small community. I tend not to go to a meeting or a sporting event where I don't find somebody that I knew growing up or in college or something. And...which just on a regular basis kind of continues to reinforce that I...you know, what I do in giving back is important. And that brings me to my interest in the board. You know, obviously...to me, obviously, you know, the content area of preventing child abuse...you know, I'm not sure there's a more important one out there. You know, a lot of my work, contentwise, is in physical activity, nutrition promotion. I've also helped, I believe, the community here in Kearney see that social and emotional health is critical in

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the conversation when we talk about wellness. And that's starting to grab hold here in Kearney and I'm very thankful for that. And then also, you know, with a word on my interests, to have input into assisting communities implement best practice and try and assist them to think about that from a sustainable way, you know, how can we help fund communities to see the long-term approach is obviously something that I'm passionate about. And so the content area and the opportunity of assisting communities in this area, that falls within my, really, my...at least my area of knowledge. And whatever expertise that might include is...I think, will be very rewarding for me. [CONFIRMATION]

SENATOR CAMPBELL: Dr. Bartee, I have to tell you that our process is, when we go to the floor of the Legislature, it's my job to introduce you with remarks that go into the record. And so I'm going to ask your help to make sure. You are a professor at UNK and is it kinesiology? [CONFIRMATION]

TODD BARTEE: Yes. [CONFIRMATION]

SENATOR CAMPBELL: Did I say that right? [CONFIRMATION]

TODD BARTEE: You did. [CONFIRMATION]

SENATOR CAMPBELL: Good guess on the part of an old English major, I guess, (laughter) but wanted to make sure that it was accurate when we went to the floor. I very much appreciate your interest. And I would have to say that in the appointments that we've had to the Child Abuse Prevention Board, I would hazard to say that you probably represent a new community view of this and which should be very helpful, I would think, to the Child Abuse Prevention Board. Questions or comments from the senators that you might have for Dr. Bartee? Senator Riepe. [CONFIRMATION]

SENATOR RIEPE: Dr. Bartee, I was interested, who was the director of your program at Alabama? [CONFIRMATION]

TODD BARTEE: Jim Eddy was my mentor and advisor and the chair of my program at the time. [CONFIRMATION]

SENATOR RIEPE: Okay. I...my question there related a little bit personal...from the University of Iowa, Howard was the graduate program in health administration down there. I just...I thought maybe that was your program director. [CONFIRMATION]

TODD BARTEE: Oh, okay. Yeah. [CONFIRMATION]

SENATOR CAMPBELL: It's a good thing to know that you didn't come back just saying "roll tide," that you really came back to... (Laughter) [CONFIRMATION]

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TODD BARTEE: Well, I did know that it was a different place when at the end of the commencement, that's exactly how it finished, with a big "roll tide." (Laughter)  
[CONFIRMATION]

SENATOR CAMPBELL: I've been in Tuscaloosa, Alabama, and it's really quite a nice community, I thought. [CONFIRMATION]

TODD BARTEE: Um-hum. Yeah. It's a great college community. [CONFIRMATION]

SENATOR CAMPBELL: Senator Crawford has a question. [CONFIRMATION]

TODD BARTEE: Um-hum. [CONFIRMATION]

SENATOR CRAWFORD: Hello. A little more of a comment than a question: I just really appreciate your being willing to serve on the commission and I'm very excited to see your evaluation background. And bringing those skills to the committee is very critical. I mean, we often are asked for evidence, you know, of what...of the programs that these boards are supervising and evidence about what needs to be changed. And so I'm just very excited that you have that background that you're bringing and able to help groups and help the board think about how to present that evidence. [CONFIRMATION]

TODD BARTEE: Thank you very much for those comments. And in the conversations that I've had just so far about the board with board members that in reading...I should say, reading the annual review and the report and whatnot, that there's conversations going on and language that they...I can tell that the people around the table are interested and I'm really excited to be a part of that conversation... [CONFIRMATION]

SENATOR CRAWFORD: Right. [CONFIRMATION]

TODD BARTEE: ...when it comes to evaluation and accountability and that type of thing. [CONFIRMATION]

SENATOR CAMPBELL: Other questions from the senators? Just so the other senators know, the Child Abuse Prevention Board does give out grants, and we have a reappointment this afternoon, Dr. Bartee, for Dr. Mary Fran Flood, who has served on it. So one of the questions will be, what are the grants that have been given out? But we really do appreciate your service to Nebraska in many, many ways, and for coming back to the state. That's...we're always excited to see professional people come back to their home state. So unless you have any other comments, we'll let you go this afternoon. And once again, thank you. [CONFIRMATION]

TODD BARTEE: Well, thank you all very much. I appreciate your time and I'm certainly flattered and honored to be a part of this conversation. [CONFIRMATION]

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SENATOR CAMPBELL: Thank you, Bartee...Dr. Bartee. Have a good weekend.  
[CONFIRMATION]

TODD BARTEE: And to you. [CONFIRMATION]

SENATOR CAMPBELL: Okay. Thanks, Chuck. Okay. We will proceed to our second gubernatorial appointment this afternoon. Dr. Mary Fran Flood is with us. Dr. Flood is from Lincoln and will be a reappointment to the Child Abuse Prevention Fund Board. Please have a seat, Dr. Flood. And for full disclosure, I would guess...I started looking at Dr. Flood's resume, and a number of boards, and you have to go all the way back to the beginning. And that's probably where we met each other and have known each other for years and I've always admired her work. And so it's a delight to have you with us this afternoon. [CONFIRMATION]

MARY FRAN FLOOD: Well, thank you. Thank you. And it's mutual. [CONFIRMATION]

SENATOR CAMPBELL: So tell the senators a little bit about yourself.  
[CONFIRMATION]

MARY FRAN FLOOD: (Exhibit 2) Okay, well, I am Mary Fran Flood. I currently work at the university directing the Psychological Consultation Center, which is a training clinic for the clinical psychology training program. So the primary number of therapists are graduate students, doctoral students in clinical psychology, who are doing their initial graduate training. As part of that, I also am mental health consultant for the Head Start in this area. So I've been able to continue working with young children. I started my work career as a Head Start volunteer and, in a story that I won't bore you with, became a teaching assistant and thought that I had the best job in the whole world. I continued with...I've worked in education and in healthcare with children and families. I have degrees in social work and in clinical psychology from the University of Nebraska. Major focus throughout my career really has been prevention of child abuse and neglect. And I...one of the things, I think, I've learned is that what...I think the new words now are child wellbeing and promoting child wellbeing. And I think that's a very good change, because the more we promote wellbeing for children, the more we prevent them from being harmed by the people who care for them. [CONFIRMATION]

SENATOR CAMPBELL: Dr. Flood, over the years of your professional career, what are one or two of the most significant changes that you've seen? I know that's...you have to narrow it down, but I think that might be helpful for us to see over a long career.  
[CONFIRMATION]

MARY FRAN FLOOD: I think my first...the first thing that comes to my mind is that when I began--for me personally, but I think for the field as well--the focus was on the abused

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child. And the discussion, the research, was looking at, how could somebody do something awful to a child? And I think, within probably 10/15 years, we began to understand that usually the people that are doing something awful to this child are family members who do not intend to harm the child but are caught up in a set of circumstances, so the focus changed from looking at a child alone to a child in a family context. And I think that's critical. The other part of that...you, probably more than I, know the dilemmas that keeping children in their own families and supporting families have created through those years. But I think that ability to really focus on, how can we best support and help families, is perhaps the biggest change I've seen. The other change that may go along with that is just the complexity of the issues. I think...initially I actually had the honor of having at least a little bit of contact with some of the really early researchers in child maltreatment. And initially, I think they really hoped that they would identify a psychological mechanism in parents that we could treat and make better. That's not the case. It's a much more complex problem and certainly I agree that having Dr. Bartee on the board...it's a community problem. So I guess those would be the two things I'd look at. [CONFIRMATION]

SENATOR CAMPBELL: And we heard much of those same themes yesterday, Dr. Flood, because we had a report from the Foster Care Review Office and the Inspector General and the Children's Commission. So the themes that you're talking about, certainly we heard yesterday also, so... [CONFIRMATION]

MARY FRAN FLOOD: Oh, good. Oh, good. [CONFIRMATION]

SENATOR CAMPBELL: ...so, very helpful for us, and a lot of emphasis by those agencies on trauma-informed care and at how we look at the child from a trauma basis. [CONFIRMATION]

MARY FRAN FLOOD: Right. The child and often the child's parents. [CONFIRMATION]

SENATOR CAMPBELL: Exactly. Exactly. Questions or comments from the board members? Senator Riepe. [CONFIRMATION]

SENATOR RIEPE: Senator Chambers...or, Chambers (laughter)...Campbell. [CONFIRMATION]

SENATOR COOK: That's Senator Campbell. [CONFIRMATION]

SENATOR RIEPE: Yes. I'm confused today. (Laughter) Dr. Flood, I wanted to ask, did you work with Lynda Madison? [CONFIRMATION]

MARY FRAN FLOOD: Yes, I did. [CONFIRMATION]

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SENATOR RIEPE: Okay, well, that's good enough for me, then. [CONFIRMATION]

MARY FRAN FLOOD: Okay. (Laugh) [CONFIRMATION]

SENATOR RIEPE: Thank you. [CONFIRMATION]

MARY FRAN FLOOD: I consider her a very good reference. [CONFIRMATION]

SENATOR RIEPE: She had a good department. [CONFIRMATION]

MARY FRAN FLOOD: Yes. [CONFIRMATION]

SENATOR CAMPBELL: Other questions or comments? One last question, Dr. Flood: Tell us, and maybe explain a little bit about the process, of what happens on the Prevention Board or what you're working on now. [CONFIRMATION]

MARY FRAN FLOOD: We have been working on, actually...since before I joined the board three years ago, the board took a very hard look at how we spend a relatively small amount of money given the enormity of the problems that--we want to prevent child abuse; we want every child in Nebraska to have a healthy beginning--so taking that hard look, decided that funding individual programs outside of that community context was not the best way to go and has...and at that time began working on building community structures that could support what families need. And the other thing that we have been looking really seriously at is, what are those structures that have some evidence that they're being effective? So we have funded what I consider to be real capacity-building support programs for families, children with serious mental health problems, serious behavior problems. An evidence-based program that I know that I work a lot with is parent-child interaction therapy. We've also worked on more, I would say, secondary kind of programs that address parents' relationship building with their children from very young. And we've worked very hard to let communities tell us what it is that they need in their unique circumstances and then work with them for some funding from our board. But also, I think, the very good news is that those communities have been able to leverage other resources so that there is, I hope, something that is much more sustainable. [CONFIRMATION]

SENATOR CAMPBELL: What's the general size of the grants now? [CONFIRMATION]

MARY FRAN FLOOD: They still are \$25,000 and...with step-downs. [CONFIRMATION]

SENATOR CAMPBELL: Okay. And they are funded by the fee on a certified birth certificate and a divorce decree. Isn't that right? [CONFIRMATION]

MARY FRAN FLOOD: That is correct, as... [CONFIRMATION]

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SENATOR CAMPBELL: I wanted to make sure. [CONFIRMATION]

MARY FRAN FLOOD: I would not presume to tell you what is correct in the law, Senator Campbell. (Laugh) [CONFIRMATION]

SENATOR CAMPBELL: No, I just wanted to make sure I was still correct there. For my colleagues, the reason Dr. Flood is saying that is, there are probably many things in my career I'd look at, but none greater and prouder of the fact that a small group of us wrote the legislation that started the Child Abuse Prevention Board for the very purposes that you're talking about. It's to help communities work on this problem for themselves. So... [CONFIRMATION]

MARY FRAN FLOOD: Yeah. I think that's really important. [CONFIRMATION]

SENATOR CAMPBELL: Well, really great to see you again. And thank you for, you know... [CONFIRMATION]

MARY FRAN FLOOD: Well, it's great to see you. Great to meet with all of you. [CONFIRMATION]

SENATOR CAMPBELL: ...years of service and certainly your commitment to the board. And if at any time there's information that you think the Child Abuse Prevention Board should be sharing with the senators, we certainly invite your comments. [CONFIRMATION]

MARY FRAN FLOOD: I appreciate that. [CONFIRMATION]

SENATOR CAMPBELL: Thank you. Thank you. Have a good afternoon. [CONFIRMATION]

MARY FRAN FLOOD: Thank you, to all of you, too. [CONFIRMATION]

SENATOR CAMPBELL: Thanks a lot. That concludes today our appointments. And I was supposed to really draw this out for Senator Krist, but... [CONFIRMATION]

SENATOR COOK: You did your best. [CONFIRMATION]

SENATOR CAMPBELL: I did my best. [CONFIRMATION]

SENATOR HOWARD: Do you want to switch the order? [CONFIRMATION]

SENATOR CAMPBELL: I'm trying to think. Are there people in the hearing room who

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are here to testify on LB90? Are you here to testify...no? Okay. All right. I only know of one person on LB90, and I could go ahead if it's okay with Senator Howard.  
[CONFIRMATION]

SENATOR HOWARD: Absolutely. [CONFIRMATION]

SENATOR CAMPBELL: And if that person comes...I'll go ahead and open, if that's okay. [CONFIRMATION]

SENATOR HOWARD: Okay. So we'll now open the hearing on LB90. [LB90]

SENATOR CAMPBELL: I can tell it's Friday and you're all...Good afternoon Senator Howard and colleagues on the Health and Human Services Committee. I am Kathy Campbell, K-a-t-h-y C-a-m-p-b-e-l-l, representing the 25th Legislative District of the Nebraska Legislature, here to introduce LB90. LB90 deals with one element of what we know as the 407 process. This is the process that health professions may use to become regulated by the state or to change what is known as their scope of practice. The name 407 process comes from the original legislative bill that created the system of review back in 1985. I'd like to give just a brief background on why the 407 process was created and why I believe it is still needed today. Health professions are obviously of great importance to the wellbeing of Nebraskans. At the same time, health professions involve specialized knowledge and highly technical vocabularies. In addition, the many distinct health professions must work within the same broad field which can sometimes lead to questions of which professions should practice certain procedures. These are not the kinds of issues that lend themselves to lengthy, informed discussion on the floor of the Legislature. So in order to have the information we need to make decisions about regulating health professions, the Legislature set up a process to be conducted within the Division of Public Health at the Department of Health and Human Services. At the end of the process, the division issues its findings and recommendations. And at that point, if a senator wants to introduce legislation regarding regulation or scope of practice, there is a wealth of information that the Legislature may use to inform its discussion and decision making. Nebraska allows for two ways to create a review of health professions, one in which the members of a profession ask the department to conduct the review. The second way is for the director of the Division of Public Health and the Chairman of the Health and Human Services Committee to ask for the review. And this is known as a directed review. There are certain conditions which must be met in a directed review. And those are spelled out in statute. And we're not changing that. LB90 would simply add a third way to create a review of a health profession. And that would be to allow the Chairman of the Health and Human Services Committee, in consultation with the members of the committee, to ask for the review. I believe this third way is necessary because there have been times in the past when all the members of the Health and Human Services Committee felt strongly--and I want to say very strongly--about an issue brought before the committee. They wanted to be able to

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be on the record and make it clear that they thought the issue was one that warranted a review. At the same time, they wanted to demonstrate their commitment to the 407 process by asking for a review rather than taking up an issue without the background necessary to make an informed decision. And I'm looking at my colleagues that have served with us before. In the six years that I've been here, I can think of maybe two circumstances, at most, that the committee would have taken this action. And in the six years, only once has the Chairman and the director of Public Health jointly asked for a review. Almost all the 407 process has come through the professions asking to do that. But I felt that, given the practice of this committee and how committed members have been, that when a committee comes together and makes this commitment, that it was worthy of a way to do that. If LB90 were to be enacted, I do not anticipate that it would be used often. However, I do believe that for the sake of maintaining the integrity of the 407 process and to avoid politicizing questions of health professions' regulation, the third option should be available. I encourage your support for LB90, and I would be happy to answer any questions. And, colleagues, I really do believe that this...the emphasis here is on, with the consent and consultation with the committee. And with that, I'll be glad to answer any questions. [LB90]

SENATOR HOWARD: Any questions for Senator Campbell? Senator Crawford. [LB90]

SENATOR CRAWFORD: Thank you. Thank you, Senator Campbell. One of the concerns that was raised in one of the letters in front of us is about whether or not the 407 review is an executive function. Would you care to respond to that? [LB90]

SENATOR CAMPBELL: You know, I think the second procedure, which would allow the Chair--I mean, all by myself, I can go to the director and we can do it--really brings both of the branches together. And that's already in statute. So I don't see this as a change from that, because the executive branch still has to do the review and come forward with its recommendations. We cannot do the review ourselves. It's only a question of saying, we think this is an important enough issue that we'd ask for it. So as long as they still hold the process itself, I don't see that as a problem. [LB90]

SENATOR CRAWFORD: Follow-up question on that. So, are there any other functions of the 407 review besides advising the Legislature? [LB90]

SENATOR CAMPBELL: No. That's why they were originally proposed, because what was happening...and it's too bad former Senator Don Wesely is not here, because it was during his period. But he explained to me that there were (laughter)...is he here? [LB90]

SENATOR CRAWFORD: Yeah. (Laughter) [LB90]

SENATOR CAMPBELL: My apologies...but that there was just all this contentious

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nature on the floor and discussing and senators were saying, I don't have the credentials to decide that. I mean, I'm an English major, for instance, poli-sci minor, but you know, I didn't feel...how would we feel qualified to determine what a surgeon should do and/or some of the specialties? And that's why this process was put into place: so that the Legislature was not forced into that, but that they would be given very good professional background before an issue came. Did I cover... [LB90]

SENATOR CRAWFORD: So it sounds like very much a legislative... [LB90]

SENATOR CAMPBELL: Yes. Absolutely. [LB90]

SENATOR CRAWFORD: ...function to the purpose. Thank you. [LB90]

SENATOR CAMPBELL: Absolutely. And usually we do for the committee...if we have a scope of practice bill--and I can't recall if we have one this year; we probably do, but--usually we do a briefing as a reminder of how the 407 process...and Senator Gloor worked very diligently to update the 407 process three years ago. Senator Cook, I'm looking at you. Was it three years ago? [LB90]

SENATOR COOK: That sounds... [LB90]

SENATOR CAMPBELL: Four years ago? [LB90]

SENATOR COOK: I do recall that he...yes, because we would still find ourselves having conversations about areas outside of our direct expertise, in most cases, as not being healthcare practitioners. Three years...that sounds good. [LB90]

SENATOR HOWARD: Any other questions for Senator Campbell? You'll have to forgive my poor memory, but I believe we had worked on an issue when I first started for home birth for midwives. Was that part of the impetus for this? [LB90]

SENATOR CAMPBELL: Somewhat, because, as that point, Dr. Acierno...and I was hoping...I know Dr. Acierno was planning to come. [LB90]

SENATOR HOWARD: He's here. (Laughter) [LB90]

SENATOR CAMPBELL: Good. We exchanged information about, what should we put in this? And we really never, I think...we got wrapped up on our side with a number of other issues. And Dr. Acierno can speak to that. But through that process, I realized that we really didn't have a way, if the Health Committee felt strongly about something, that we could voice that. And that's why the process came forward. [LB90]

SENATOR HOWARD: Thank you, Senator Campbell. Any further questions? No?

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Thank you. Will you stay to close? [LB90]

SENATOR CAMPBELL: Yes. I'll just sit over here. [LB90]

SENATOR HOWARD: We will now receive testifiers in the support position...proponents. Seeing none...oh. [LB90]

KIM ROBAK: Members of the...Senator Howard and members of the Health and Human Services Committee, my name is Kim Robak, R-o-b-a-k. I'm here today on behalf of the Nebraska Dental Association. Right now, there is a 407 going on between the dentists, the hygienists, and the assistants all working together with some differences. There are two proposals before the 407 committee and we support the idea of this committee having the ability to go to 407 to get more information. I'm actually sitting through this process that you redesigned about three years ago, and it's a fascinating process to watch. But there is a tremendous amount of technical information that the technical review panel, as well as the Board of Health and the department, goes through. And this information is then compiled after hours of conversation. So having the ability to ask the department to be able to compile that information for the purposes of this committee, I think, is essential. I just think it's hard if you don't have that ability as a committee to say, we really think we need some experts to give us some advice. I think that's very helpful. The Nebraska Dental Association also feels that that's important, and so I'm here in support of LB90. [LB90]

SENATOR HOWARD: Thank you. Any questions for Ms. Robak? No? Seeing none, thank you for your testimony. Any other proponents? Seeing none, we will now hear from opponents. Seeing none, are there any testifiers in the neutral capacity? [LB90]

JOSEPH ACIERNO: (Exhibit 1) Good afternoon...thought I'd make it every day this week, so. (Laughter) Good afternoon, Senator Campbell, Senator Howard, and members of the Health and Human Services Committee. My name is Dr. Joseph Acierno, that's J-o-s-e-p-h, Acierno, A-c-i-e-r-n-o. I'm the chief medical officer and director of the Division of Public Health in the Nebraska Department of Health and Human Services. I'm also acting CEO of the agency. I'm testifying today on behalf of the department on LB90. LB90 proposes changes regarding provisions for initiating a directed review on the Nebraska Regulation of Health Professions Act and to repeal the original sections. The Department of Health and Human Services has reviewed the bill and provides the following information about the Credentialing Review Program which many refer to as the 407 process, but it's technically the Nebraska Credentialing Review Program. First of all, the purpose of it is, it's prescribed in LB407...the Nebraska Regulation of Health Professions Act is now part of...codified in the revised statutes 71-6201 through 71-6230. The program is advisory to you, the Legislature, and action by that body is required before an occupation can be credentialed. The purpose of the Credentialing Review Program is to establish health-related guidelines for the regulation

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of health professions which are either currently not regulated or, if regulated, seek to change their scope of practice. So another...a little about the process for initiating credential reviews: To initiate a review, an applicant group must submit a letter of intent to the director of the Division of Public Health. The purpose of the letter is to assist the agency staff in determining whether the applicant group is eligible for review under the terms of the act. Then the technical review committee...once it has been determined that a credentialing review will be conducted, a technical review committee is established. That committee begins a series of meetings including a public hearing to perform a critical review of each proposal in terms of the statutory criteria contained in the statute. And I also have an attachment where it shows the criteria that are supposed to be met. Review of the proposals then by the Board of Health...once the technical review committee has finalized the report, the Board of Health formulates recommendations after studying the report of the technical review committee and the report of the board's Credentialing Review Committee. And that is within the Board of Health itself. The reports of the technical review committee, the Board of Health, and supporting documentation is sent to the director for review. And then it goes to the director of the Division of Public Health, and the director is required to prepare a report on the proposal. The director's report provides the Legislature with reviews that are at least partially based on administrative analysis of the credentialing proposals. The report reflects cumulative effect of multiple proposals and the effect of the proposal on current regulatory administrative systems. The director is required to use the statutory criteria in order to formulate recommendations. So now there's the process...that's one way. Now you have the process of initiating a directed review. The current practice for initiating a directed review is that the director of Public Health and the Chairperson of this committee of the Legislature consults with each other to determine if a review is needed. The current process provides for a collaborative approach where the Chairperson and the director are able to have a conversation from the outset of the potential impact of such proposals on public health which is beneficial. The directed review differs from the other type of reviews in the following ways: One, there is neither an applicant group nor a proposal. In a nondirected review, there is clearly an identified applicant group that develops the proposal and submits it. Two, the technical review committee functions as a task force in that its role is to develop an idea proposal for the other review bodies to review. And in a directed review, the criteria are a part of the informational context within which the technical review committee formulates its proposal. Subsequent review bodies take action on the criteria voted on by them during the time when the recommendations are being formulated. Again, the State Board of Health and the director of Public Health review those proposals that are created under the process. And then their work proceeds in the same manner as any other types of review. So the Board of Health creates a report. The director creates a report. And if this bill were to pass, it would create an additional avenue to initiate a directed review without consultation and collaboration with the director of Public Health. So that's a little bit of background. With that being said, I will answer any questions about the process, but I thought it would be a good idea to at least tell you how the process works. [LB90]

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SENATOR HOWARD: Thank you, Dr. Acierno. [LB90]

JOSEPH ACIERNO: Yeah. [LB90]

SENATOR HOWARD: Are there any questions? Senator Cook. [LB90]

SENATOR COOK: Thank you, Senator. It's Friday afternoon. [LB90]

JOSEPH ACIERNO: It is. [LB90]

SENATOR COOK: I probably had too many carbs at lunch. (Laughter) [LB90]

JOSEPH ACIERNO: That's okay. [LB90]

SENATOR COOK: So what I'm going to ask, Doctor, is, based on the proposal that Senator Campbell put forward, do you see a conflict or a duplication of efforts between... [LB90]

JOSEPH ACIERNO: I don't know that I see a conflict, because whether the director is consulted or not on that review...it's basically the starting mechanism to the... [LB90]

SENATOR COOK: Okay. [LB90]

JOSEPH ACIERNO: ...to it, that you can say, we would like this reviewed, without consultation of the director. But ultimately the director is going to see it anyway. [LB90]

SENATOR COOK: Yes. [LB90]

JOSEPH ACIERNO: So it's going to come around in the director's report. So I guess I can make the argument, I don't know how much is gained, because ultimately it comes back to me anyway...me or somebody in my position. It comes back to me anyway. So, you know... [LB90]

SENATOR COOK: Okay. Perhaps Senator Campbell can remind me. [LB90]

JOSEPH ACIERNO: But I don't know. But I'm not saying good or bad. I'm just saying, that's just the way it's set up, that the director gets involved in it one way or another. So, yeah. [LB90]

SENATOR COOK: All right. Thank you, Doctor. [LB90]

SENATOR HOWARD: Thank you, Senator Cook. Are there other questions for Dr.

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Acierno? I do have one. You talk about how we would be able to initiate a directed review without consultation and collaboration. When groups come to you for a 407, do they have to consult and collaborate with you at that point? [LB90]

JOSEPH ACIERNO: They don't. They just have to meet the criteria. And they're fairly basic. And they send in their fee. They send it to me, but it's analyzed by others: Does it meet the criteria? And then it just goes through the process. But they don't call me up and ask permission to start it from the beginning. [LB90]

SENATOR HOWARD: Okay. [LB90]

JOSEPH ACIERNO: They don't...they have to go through, obviously, an application...appropriate application so the question is defined appropriately, what this process is hoping to gain. So our staff works with them to kind of coalesce all of that, to work with them on the application. What is it that you want to accomplish? Or, what do you want reviewed? And then we just go down the process. But I normally have little to no conversation with anyone in the applicant groups. And even when...actually when it comes up through me, I don't normally entertain anybody at that point, because I don't want to be swayed. I'm looking at everything that's brought in front of me to write the report. [LB90]

SENATOR HOWARD: Wonderful. All right. No further questions? Thank you, Dr. Acierno. [LB90]

JOSEPH ACIERNO: Sure. [LB90]

SENATOR HOWARD: Are there any other testifiers in the neutral capacity? Seeing none, clerk, are there items for the record? [LB90]

BRENNEN MILLER: (Exhibits 2, 3, 4) Yes, Senator. On LB90, we have a letter from the Nebraska Medical Association, a letter from Husch Blackwell, and the Nebraska Hospital Association. That's all I have. [LB90]

SENATOR HOWARD: Thank you. Senator Campbell, would you like to close? [LB90]

SENATOR CAMPBELL: I will just very briefly, because Senator Krist is here. I know he's ready to go. I just want to address...you know, does this really add? I believe that it does add, because it seems to me that when a committee of a number of senators...I mean, there are seven of us. And if that committee says, this is an important enough issue, I would believe that any Chairman would really welcome that input and it would show a broader--what would I say--interest in an issue than just for the Chairman alone to determine that. And people who are worrying about politicizing an issue...frankly, I'd much rather see the third way approached in that the Chairman would consult with the

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committee and make sure that the consent was there rather than just solely being able to do that themselves. I think it's a greater protection for our committee and for the Legislature. And that's all I have unless there are other questions. [LB90]

SENATOR HOWARD: Thank you. Any questions for Senator Campbell before we let her go? All right. With that, we'll close the hearing on LB90. [LB90]

SENATOR CAMPBELL: You want to start the other one? [LB90]

SENATOR HOWARD: Oh, I will start the hearing...and we'll now start the hearing for LB23. Senator Krist, you are welcome to open. [LB90]

SENATOR KRIST: (Exhibit 1) Thank you, Senator Howard. And Senator Campbell and members of the Health and Human Services Committee, for the record, my name is Bob Krist, B-o-b K-r-i-s-t. I represent the 10th Legislative District in Omaha, Douglas County, and Bennington. I appear before you today in introduction and support of LB23. The bill was brought to me by the Nebraska Board of Engineers and Architects. The board is a state agency and its members are appointed by the Governor. As with any state agencies, the board's purpose is to protect the health, safety, and welfare of the public. The board does so by regulating licensure and practice of engineering and architecture through the Engineers and Architects Regulation Act. The last significant legislation relating to this act occurred in 1997...a little bit overdue. Over the years, the board has identified numerous areas of the act that are: one, confusing to both licensees and to the public; and two, inaccurate or impractical in light of current technology and practices. I want to tell you about the history of this bill. Beginning in late 2012, the board began to work on changes to the act. In early 2013, the board circulated the proposal changes to the Nebraska chapters of engineers and architects societies to which the board's licensees belong. That handout that you see is...are the stakeholders involved with this process. The board has met and discussed the proposed changes repeatedly with individuals and organizations that are impacted by the act, and we refer to them, obviously, as stakeholders. I introduced a bill similar to LB23 in the 2014 Legislative Session. Those of you who were here will remember that. Accordingly, the bill was not passed. There were some issues, and we did not move it out of committee. During the last legislative session, I was able to obtain...we were able to obtain compromises and amendments that satisfied the board and the stakeholders...one of those things that they all came together in a kumbaya moment. (Laughter) At the close of 2014, they were content and there was no opposition, at least that's what they're telling me this time. (Laughter) With only one small exception, the bill before you today, LB23, is in the same form and final version of the 2014 bill with all the amendments added to it. The exception involves an amendment that the proponent withdrew during these last few months. Perhaps the most significant aspect of this process is that each and every of the professional societies agreed to the provisions in LB23. Again, that's what they tell me. In summary, this bill will enhance the public safety

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and welfare. Passage of this bill will: one, make the act more easily understood; two, correct provisions that conflict with current technology; three, anticipate additional changes that are occurring in the practice areas. You'll also hear testimony from representatives of the board. They will address the specific provisions and be able to answer any questions. Thanks for the opportunity again to visit this committee. It's always a delight. [LB23]

SENATOR CAMPBELL: Thank you, Senator Krist. Any questions for the senator? [LB23]

SENATOR RIEPE: Sister. [LB23]

SENATOR CAMPBELL: Oh, sorry, Senator Riepe. [LB23]

SENATOR RIEPE: I'm used to working with Catholic nuns. I'm sorry, my apologies. (Laughter) Senator Campbell, I appreciate it. Senator Krist, the question I have is, is on the fiscal note, would this be offset by increased fees or... [LB23]

SENATOR KRIST: I don't know the answer to that. And I will not attempt an answer. I think you could probably ask the board president or one of the representatives that comes up. I would assume that this fiscal note is in terms of changing regulatory paperwork or updating the regulations themselves. But I'll let them answer for that. [LB23]

SENATOR RIEPE: Okay. Thank you. [LB23]

SENATOR CAMPBELL: Any other questions, Senators? Senator Krist, will you be here to close? [LB23]

SENATOR KRIST: I think not. [LB23]

SENATOR CAMPBELL: Okay. [LB23]

SENATOR KRIST: I'm trying to clean up some messes for the Exec Board. So I'll need to take my leave. [LB23]

SENATOR CAMPBELL: I can appreciate that. [LB23]

SENATOR COOK: Go with God. (Laughter) [LB23]

SENATOR CAMPBELL: Have a good weekend and thank you. [LB23]

SENATOR KRIST: Thank you very much. [LB23]

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SENATOR CAMPBELL: Okay. We will now proceed to testimony on LB23. Proponents? Our first proponent? Good afternoon. [LB23]

STEVE MASTERS: (Exhibit 2) Good afternoon. Senator Campbell, members of the committee, good afternoon. My name is Steve Masters, S-t-e-v-e M-a-s-t-e-r-s. I am now the executive director of the Nebraska Board of Engineers and Architects, a state agency. I am a licensed professional civil engineer with 35 years of licensed Nebraska experience. And I am testifying in support of LB23. Senator Krist outlined the route that this bill travelled to its introduction to the committee today. And I need to emphasize that safeguarding life, health, property, and promoting the public welfare is the board's primary mission and our first responsibility is to the citizens of Nebraska. In doing so, we work in cooperation with a wide range of professionals, organizations, and industries. You've been afforded a copy of the stakeholders with whom we have worked. And it's important, I think, to distinguish the board from the architect and engineering professions and organizations with whom we work. I request your patience in allowing me to provide an overview of some of the architect and engineering stakeholders. The Nebraska chapter of American Institute of Architects and the American Council of Engineering Companies work to advance the business and economic interests of their private sector company members. The American Institute of Architects also has individual members and assists their professional needs for public and private/personal growth and needs. The Nebraska Society of Professional Engineers and the Professional Engineers Coalition are organizations whose members are individual professionals having both public and private employment. The intent of LB23 is to improve the act in its application to licensure in business practices of Nebraska professionals and organizations. [LB23]

SENATOR CAMPBELL: Thank you, Mr. Masters. Questions from the senators on...for Mr. Masters this afternoon? Anyone? There's been a lot of work put into this over the course of time, I'm assuming. [LB23]

STEVE MASTERS: Thank you. [LB23]

SENATOR CAMPBELL: Anything else? Thank you. Our next proponent? Good afternoon. [LB23]

JENNIFER KLEIN: (Exhibit 3) Good afternoon. Senator Campbell and committee members, my name is Jennifer Klein, K-l-e-i-n, and I am a licensed professional electrical engineer and the current chair of the board of Nebraska...current chair of the Nebraska Board of Engineers and Architects. And I'm here to testify on behalf of the board in support of LB23. Through statutory authority, the Nebraska Board of Engineers and Architects governs the practice of engineering and architecture. The board establishes requirements for education, experience, examination, and enforcement for

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the practices of engineering and architecture through timely and quality regulatory services. The board strives to be responsive to the needs of Nebraska licensees in an increasingly mobile and changing industry. For these reasons, the board was compelled to modernize the statutes related to engineers and architects while maintaining the integrity of the statutes to safeguard life, health, and property and to promote public welfare. It's been a long (laugh) but open and transparent process with the involvement of many, many stakeholders. Compromises have been made to bring forth a bill that is satisfactory to all parties. The board is extremely appreciative of Senator Krist's work and the work of the professional societies to reach consensus. It's been a long path. (Laugh) LB23 simplifies and modernizes the language of the current Engineers and Architects Regulation Act. I'll highlight a few examples. Where buildings are currently referenced in the act, the term "building" is never defined. Where buildings...oh, but it is now in the bill. We do define it now in this new bill. The definition of a building official has been revised to more accurately reflect their role in the design process. In reading the existing statute, you will find that the definition of engineering spans almost an entire page. The board and stakeholders have worked to streamline the definition of engineering from this never-ending list of possibilities to a few lines of encompassing actions. By doing this, the act will grow with changes in technologies and engineering and continue to safeguard life, health, and property and to promote the public welfare. As part of the licensing process for engineers and architects, a national examination must be passed. A steppingstone to licensure for architects is enrollment in a national Intern Development Program, where a candidate is recognized as an intern architect. Intern architect is not currently defined in the act. It is now in this bill. And where the process for examination and licensure is described, it is all over the place in the current bill. It's very hard to understand. As part of LB23, the process for licensure has been organized and updated to reflect current examination methods. In the proposed format, the act is now very prescribed in its presentation of these steppingstones. Similar reorganizations occurred for engineering licensure and how to apply a licensee seal to documents. The changes all make for an easier reading statute that will evolve with the changing world. So again, on behalf of the Nebraska Board of Engineers and Architects, I would like to thank Senator Krist for his work with the stakeholders to bring forth a bill that is agreeable to all parties involved in the process. And I also appreciate the time of the committee and am willing to answer any questions you may have. [LB23]

SENATOR CAMPBELL: Thank you, Ms. Klein. Questions? Did you work...oh, I'm sorry. Senator Crawford, did you have a question? [LB23]

SENATOR CRAWFORD: It's all right. Thank you so much, Ms. Klein. Do these changes also make it easier for someone who moves into the state to be licensed and become...to do engineering work more quickly? [LB23]

JENNIFER KLEIN: It doesn't necessarily change that. It just makes it easier for them to understand the process in which they need to go through to do that. [LB23]

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SENATOR CRAWFORD: What they need to do. All right. Thank you. [LB23]

SENATOR CAMPBELL: Okay. Senator Cook. [LB23]

SENATOR COOK: Thank you, Senator Campbell. Last year there was a last-minute change related to the inclusion of the landscape architects. [LB23]

JENNIFER KLEIN: Right. [LB23]

SENATOR COOK: Could you talk about how the conversation changed or happened in the interim with that group and what the outcome was as it's reflected in this proposal? [LB23]

JENNIFER KLEIN: Right. There is no reference to landscape architects in the bill that is in front of you today. That was one of the compromises that we talked about and removing that and not having that as part of the bill. So... [LB23]

SENATOR COOK: Okay, compromise with whom? [LB23]

JENNIFER KLEIN: With the stakeholders. There are many things in the bill that we felt were important for the licensees and the public to make sure that would...like, we streamlined the process. People understood how the process worked for licensure and those applications. But we didn't feel that that steppingstone to bring something as controversial as that forward at this time was appropriate, so. [LB23]

SENATOR COOK: Okay. It was in the proposal last year until the last day. [LB23]

JENNIFER KLEIN: Right. [LB23]

SENATOR COOK: So I guess that it's confusing to me that it would be considered controversial even though it was in the proposal until... [LB23]

JENNIFER KLEIN: And it was. [LB23]

SENATOR COOK: ...that last day. So thank you. [LB23]

JENNIFER KLEIN: Yeah. [LB23]

SENATOR CAMPBELL: Other questions from the senators? Ms. Klein, my question...so, did you work on the...with the original bill? [LB23]

JENNIFER KLEIN: In 1997, or the original bill...this bill that I'm bringing in front of you?

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[LB23]

SENATOR CAMPBELL: In 2012. [LB23]

JENNIFER KLEIN: Oh, yes. I did. Sorry. [LB23]

SENATOR CAMPBELL: Okay. So you've gone, really, through the whole process. [LB23]

JENNIFER KLEIN: Yes. It's been the topic of conversation for a long time with the board. (Laugh) [LB23]

SENATOR CAMPBELL: Was it a specific committee of the board that worked on this, or... [LB23]

JENNIFER KLEIN: Yes, a legislative committee. [LB23]

SENATOR CAMPBELL: Okay. [LB23]

JENNIFER KLEIN: And I'm not a part of the legislative committee today but I'm representing today as the chair. [LB23]

SENATOR CAMPBELL: Okay. So you sort of got recruited to work on this. [LB23]

JENNIFER KLEIN: Yes. (Laughter) [LB23]

SENATOR CAMPBELL: So it's been...I know it's been along issue in coming in. We had a very lengthy hearing on it last year because there were just points that were not yet worked out. So hopefully we've reached that point. [LB23]

JENNIFER KLEIN: I think so. I think so. [LB23]

SENATOR CAMPBELL: Thank you for your testimony today. Anything else? [LB23]

JENNIFER KLEIN: Okay. If I may... [LB23]

SENATOR CAMPBELL: Sure. Absolutely. [LB23]

JENNIFER KLEIN: ...answer the senator's question about fees. The fees are not increased to address the fiscal statement. We've actually worked very hard to reduce or maintain the fees for licensees and companies, so... [LB23]

SENATOR RIEPE: Thank you. [LB23]

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SENATOR CAMPBELL: Okay. Anything else? Thank you, Ms. Klein. [LB23]

JENNIFER KLEIN: Thank you. [LB23]

SENATOR CAMPBELL: Our next proponent? Good afternoon. [LB23]

DAN THIELE: (Exhibit 4) Good afternoon, Senator Campbell and members of the committee. My name is Dan Thiele, T-h-i-e-l-e, and I'm here to represent the Professional Engineers Coalition. Our group is comprised of the Nebraska Society of Professional Engineers, the American Society of Civil Engineers, the Professional Surveyors Association of Nebraska, the Structural Engineers Association of Nebraska, and the American Society of Mechanical Engineers. We are here to support LB23 in this form. The bill does a lot to modernize and update the statute, bring it into the 21st century. I would...one of the things we would note: that the bill...the new bill will provide a structure similar to a national model law that many of the states use. And while it doesn't necessarily help someone who is coming into Nebraska in getting licensed, it does help...model law structure does help a Nebraska engineer who is going to another state to become licensed. As an example, I happen to be licensed in 25 states. My initial license was in Nebraska. Iowa would not license me by comity based on my Nebraska license at that time. I had to go take the examination again in Iowa. With my Iowa license, which is considered a model law license, I've been able to become licensed by comity in other states. It's important to note that Nebraska is an exporter of engineering services. We do a lot of work...Nebraska engineers do a lot of work in other states. My own firm...with my day job, I manage an engineering firm with 60 employees. And over half of our revenue comes from outside of Nebraska. So we are an exporter of engineering services. Last year...this bill is very similar to the bill last year, as you all know...has been noted. Our constituent organizations had varied positions, some opposed and some supporting the bill last year. I would note that we've worked closely with Senator Krist's office and with the Board of Engineers and Architects to work through the major issues we had. A lot of the minor issues we didn't get, weren't allotted. That's okay. The major issues...some compromise was reached on all of those and we do support the bill in its current form. And we appreciate all the opportunities for input with Senator Krist's office and with the Board of Engineers and Architects. With that, I would comment that our organization is also working with the Board of Landscape Architects on potential legislation to address some of these other issues. So we are talking with them and having the same dialog with them on potential legislation for next year. With that, I'd ask...I would express our hope that the committee advances LB23. [LB23]

SENATOR CAMPBELL: Questions from the senators? So at this point, would the discussions with the landscape architects then fold into the same statutes or be their own separate section? [LB23]

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DAN THIELE: They have a separate statute. [LB23]

SENATOR CAMPBELL: Okay. [LB23]

DAN THIELE: And they're looking to do very much the same thing: update their statute which is older than 1997, I think, a lot older. And so they have a proposed bill. For whatever reason, I'm not familiar with why, but they did not have the bill introduced this year. I think they're still talking to some of the other stakeholders. But we have worked with them and they were equally willing to work with us and compromise on the major issues. So I expect that the issues that were of concern here will eventually be addressed in their bill. [LB23]

SENATOR CAMPBELL: Do they have a national model also? Do you know? [LB23]

DAN THIELE: I'm certain they do. I guess...I'm pretty sure they do. [LB23]

SENATOR CAMPBELL: Okay. Any other questions or comments? Thank you for your testimony today. [LB23]

DAN THIELE: Thank you. [LB23]

SENATOR CAMPBELL: Our next proponent? Good afternoon. [LB23]

MARK LUTJEHARMS: Good afternoon, Senator. Good afternoon, Senator, and members of the committee. My name is Mark Lutjeharms, L-u-t-j-e-h-a-r-m-s. And I appear before you today on behalf of the American Council of Engineering Companies of Nebraska, ACEC/Nebraska, to which I serve as the legislative committee chair. As Mr. Masters already summarized to you, our organization represents the business interests of private engineering firms across the state. And I am here before you today to publicize our support for LB23 as have the previous testifiers. We too have been a stakeholder in the process of coming up with the new language for...that the board has put forward. And as I already indicated, we do support that. As has already been indicated, this legislation updates and clarifies a lot of the language that was scattered throughout the previous act. And then one additional thing that it does that I don't think has been mentioned yet...it doesn't require but it does allow for electronic testing for professional licensure. That is becoming more common across the country. So again, we thank Senator Krist for assisting us in this process, and we would strongly ask that you move this out of committee and take it to the full body for their approval. So... [LB23]

SENATOR CAMPBELL: Questions? Thank you very much for...any questions? Thank you. [LB23]

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MARK LUTJEHARMS: Thank you. [LB23]

SENATOR CAMPBELL: Our next proponent? Good afternoon. [LB23]

SARA KAY: Hi. Good afternoon. Good afternoon, Senator Campbell and members of the committee. My name is Sara Kay, and my name is spelled S-a-r-a. My last name is spelled K-a-y. And I'm the executive director of the American Institute of Architects, the Nebraska chapter. And we have approximately 650 members in Nebraska of our chapter. And our membership is dedicated to the highest standards of professionalism, competence, and adhering to ethical standards. As you've heard today, the purpose of the Engineers and Architects Regulation Act is to regulate the practice of architecture and engineering for health, safety, and welfare in Nebraska for the public. And we believe LB23 accomplishes this while updating existing language. We really do appreciate Senator Krist's involvement with this--it's been a long process--and also the Board of Engineers and Architects. We've been working on this for probably over two years, I would say, right? And so we're in support and we...again, there have been a lot of different stakeholders involved with it, so appreciate your time and support. And also I wanted to mention that we will have our "Excellence in Design" display boards up on the first floor of the rotunda this next week, so hopefully you can all stop by and review that. Are there any questions at all? [LB23]

SENATOR CAMPBELL: Questions from the senators? Senator Baker. [LB23]

SENATOR BAKER: Thank you for your testimony. [LB23]

SARA KAY: Sure. [LB23]

SENATOR BAKER: My question isn't to you specifically, but since you're here, I'll ask you. Is there something that people are trying to stop? Is there something that's been happening that you want to put an end to in that...is something there that you think has happened that shouldn't be able to happen? [LB23]

SARA KAY: Not that I'm aware of, no. It's...I know that when this bill initially was introduced, the intent was quite a bit different in the beginning. So it's really transformed over the years. But I'm not aware of anything specific, so... [LB23]

SENATOR BAKER: Thank you. [LB23]

SARA KAY: It's been several different forms...the interesting process. [LB23]

SENATOR CAMPBELL: Okay. Any follow-up questions? Thank you for your testimony today. [LB23]

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SARA KAY: Thank you. Thank you. [LB23]

SENATOR CAMPBELL: (See also Exhibit 5) Our next proponent? Any other proponents? Those who are in opposition to the bill? Those who wish to testify in a neutral position? Okay. Senator Krist has waived closing on the bill, so that concludes our hearings this afternoon. Thank you and have a good weekend. [LB23]