

# NEBRASKA

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DEPT. OF HEALTH AND HUMAN SERVICES



Jim Pillen, Governor

September 3, 2024

The Honorable Ben Hansen  
Health and Human Services Committee  
Nebraska Legislature  
P.O. Box 94604  
Lincoln, NE 68509

Dear Chairman Hansen:

The Department of Health and Human Services' statement on the explanation of effectiveness of the surgical first assistant license, below, reflects its sole views. The question has also been sent to the Board of Medicine and Surgery and its response will be forwarded should they choose to opine.

If surgical first assistants were no longer regulated, surgical procedure efficiency and safety would likely be affected. Without training and examination to ensure a standard level of competency for surgical first assistants, the risk of harm to patients during surgery would increase, including the risk of infections at surgical sites during a procedure and during recovery. The surgeon would ultimately be responsible for a negative outcome, but surgical first assistants who are adequately trained and who have demonstrated competence helps to ensure protection of the public. Having minimum standards for education and examinations to assess a practitioner's competency allows the surgeon to more efficiently utilize their medical judgment to assist patients while still protecting the public from potential harm.

This was a new profession in 2016, and there have not been any disciplinary actions taken against the license of a surgical first assistant.

Sincerely,

A handwritten signature in black ink that reads "Timothy A. Tesmer, MD".

Timothy A. Tesmer, MD  
Chief Medical Officer