

Transcript Prepared by Clerk of the Legislature Transcribers Office
Health and Human Services Committee April 28, 2021

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our COVID-19 response protocol

ARCH: Well, good afternoon and welcome to the Health and Human Services Committee. My name is John Arch. I represent the 14th Legislative District in Sarpy County and I serve as Chair of the HHS Committee. I'd like to invite the members of the committee to introduce themselves starting on my right with Senator Day,

DAY: Senator Jen Day. I represent Legislative District 49, which is northwestern Sarpy County.

MURMAN: Senator Dave Murman, from District 38, and I represent seven counties to the southwest and east of Kearney and Hastings.

WILLIAMS: Matt Williams from Gothenburg, Legislative District 36, Dawson, Custer, and the north portions of Buffalo Counties.

M. CAVANAUGH: Machaela Cavanaugh, District 6, Douglas County, west-central Omaha.

B. HANSEN: Ben Hansen, District-- District 16, Washington, Burt, and Cuming Counties.

ARCH: Also assisting the committee is one of our legal counsels, T.J. O'Neill; our committee clerk, Geri Williams; and our committee page today is Jenna. A few notes about our policies and procedures: First, please turn off or silence your cell phones. This afternoon we will be hearing one bill, as listed on the agenda outside the room. The hearing will begin with the introducer's opening statement. After the opening statement, we will hear from supporters of the bill, then from those in opposition, followed by those speaking in a neutral capacity. The introducer of the bill will then be given the opportunity to make closing statements if they wish to do so. For those of you who are planning to testify, you'll find a green testifier sheet on the table near the entrance of the hearing room. Please fill one out. Hand it to one of the pages as you come up to testify. This will help us keep an accurate record of the hearing. We use a light system for testifying. Each testifier will have five minutes to testify. When you begin, the light will be green. When the light turns yellow, that means you have one minute left-- do not speed through the intersection. When the light turns red, it is time to end your testimony. We will ask you to wrap up your final thoughts. When you come up to testify, please begin by stating your name clearly into the microphone and then please spell

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both your first and last name. If you're not testifying at the microphone but want to go on record as having a position on the bill being heard today, please see the new public hearing protocols on the HHS Committee's webpage on nebraskalegislature.gov. Additionally, there is a white sign-in sheet at the entrance where you may leave your name and position on the bills before us today. This committee has a strict no-props policy. We had a hearing on LB628 earlier this session. However, with the amended language of AM997, we are having a special hearing on the amendment. AM1129 has changed the language of AM997, and so this hearing is on AM1129 to LB628. With that, we will begin today's hearing with AM1129 to LB628. Welcome, Senator Morfeld, and you may open.

MORFELD: Thank you Chairman Arch and members of the committee. My name is Adam Morfeld, A-d-a-m M-o-r-f, as in "frank, e-l-d, and I represent the fighting 46th Legislative District in northeast Lincoln. I'm here today to introduce AM1129, a white-copy amendment that would become the new LB628. This proposal seeks to modernize the Dentistry Practice Act for faculty licenses. I want to thank the Chairman of the committee for scheduling this. I promised him that I would keep this brief. I also have an all-staff meeting for my day job that I'm supposed to be running right now, at noon, so I'm going to close and then-- or waive closing after this. And we have two deans behind me that can ask-- answer all of your technical questions. As mentioned at the initial LB628 hearing, this bill was brought to me by the University of Nebraska Medical Center and Creighton University School of Dentistry, who have programs with faculty members, mostly out-of-state recruits who seek and receive faculty licenses under the Dentistry Practice Act. The issue of modernizing the existing act has been negotiated over the last two months by UNMC, Creighton University School of Dentistry, and the Nebraska Dental Association to arrive at AM1129. What AM1129 does, very briefly, is it will allow more flexibility and the ability of an individual to obtain a faculty lic-- lic-- excuse me, faculty licensure credentials for those faculty members already teaching and practicing in other accredited programs. The amendment also provides needed flexibility for existing faculty to teach and conduct research in facilities not located on the main university campuses. AM1129 will impact both universities immediately by allowing them to recruit new out-of-state faculty to teach our next generation of oral health professionals. Once again, I want to thank the University of Nebraska Medical Center, Creighton University School

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of Dentistry, and the Nebraska Dental Association for coming to the negotiating table and working out this issue together to find consensus on faculty licensures. LB628, in partnership with LB390, will provide both UNMC and Creighton University critical tools in their ongoing challenge to recruit and retain talented individuals to come to Nebraska. I've asked Dr. Janet Guthmiller from UNMC and Dr. Mark Latta from Creighton University School of Dentistry to testify today. I'd be happy to answer any questions that you may have, even though they're probably more qualified than me to do so. And thank you very much for the committee taking some time on this important issue.

ARCH: Any questions for Senator Morfeld? Seeing none, thank you very much.

MORFELD: And I waive closing. Thank you.

ARCH: Thank you. First proponent for LB628 as amended. Welcome.

JANET GUTHMILLER: Thank you. Chairman Arch and members of the Health and Human Services Committee, my name is Janet Guthmiller, J-a-n-e-t G-u-t-h-m-i-l-l-e-r. I serve as dean of the University of Nebraska Medical Center College of Dentistry, and I'm appearing today on behalf of the University of Nebraska to testify in support of LB628 as amended with the white-copy AM1129 submitted by Senator Morfeld. This proposal would modernize the Dentistry Practice Act, defining the requirements for a faculty dental license. We want to thank Senator Morfeld for introducing this proposal and working with the University of Nebraska and Creighton University to address this critical workforce issue. Over the past few months, the UNMC College of Dentistry has worked closely with Creighton University's School of Dentistry and the Nebraska Dental Association to develop mutually agreeable language to amend Statute 38-1124 with AM1129. This amendment is critical not only to contemporize faculty license requirements, but also to update requirements for licensure to be compatible with national board examination changes and to allow our universities to compete for the best and brightest faculty. In recent years, an increase in the number of dental schools in the United States has greatly increased demand for faculty. We have been competing with dental schools across the country to hire excellent faculty. This includes schools in our neighboring states and our peers, where there was much more flexibility in the ability to obtain a faculty license. As a result, we have been restricted in recruiting

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renowned faculty teaching and practicing in other accredited dental schools. AM1129 will significantly improve our ability to recruit and retain exceptional faculty, which is imperative for our schools' future, the oral health of the people of Nebraska, and the future oral health workforce in Nebraska. Specifically, the amendment allows for a faculty licensee to teach, conduct research, and to practice within our schools and with our community partners. It provides provisions for faculty who are teaching and practicing at other accredited dental schools to obtain licensure by credentials and is compatible with the recently passed LB390. It clarifies the educational requirements and allows the Board of Dentistry the opportunity to approve a candidate that may have unique educational experiences. And finally, it recognizes new national board examination requirements and allows for acceptance of equivalent examinations. On behalf of the university, I would like to personally thank Senator Morfeld. The main site for the College of Dentistry is in Lincoln-- in Lincoln-- Lincoln, in Senator Morfeld's legislative district, and we have other clinics in Omaha. I'd like to thank my colleague, Dr. Mark Latta, dean of the Creighton University School of Dentistry, as well as Dr. Scott Morrison of the Nebraska Dental Association for their leadership in helping us forge a consensus on this needed statutory update. AM1129, which becomes the new LB628, will have an immediate positive impact on the university's faculty recruitment efforts and will help us continue to provide world-class education for the future oral healthcare workforce in Nebraska. I urge this committee to adopt AM1129, proposed to LB628, and advance this key workforce recruitment proposal to General File. I would be happy to answer any questions you may have.

ARCH: Thank you. Are there questions? Senator Williams.

WILLIAMS: Thank you, Chairman Arch. And thank you, Dean Guthmiller, for being here. One of our primary concerns as a committee is public safety and being sure that we are looking at that. Would you answer the question, with this change, is there any question about protecting public safety?

JANET GUTHMILLER: The-- the issue of public safety is near and dear to our hearts, as well, and we-- I appreciate your question. With this, in fact, it clarifies-- it further clarifies individuals coming in that have had other experiences in terms of their competence, their experiences, their credentialing. It actually also affords the Board of Dentistry the opportunity to look at individuals and their unique

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experiences and to review portfolios of experience; therefore, I would
suggest that it actually enhances that opportunity.

WILLIAMS: Thank you.

ARCH: Other questions? Seeing none, thank you very much for your
testimony.

JANET GUTHMILLER: Thank you.

ARCH: Next proponent for LB628 as amended.

MARK LATTA: Good afternoon, Chairman Arch and members of the Health
and Human Services Committee. My name is Mark Latta, M-a-r-k
L-a-t-t-a. And just as a point of personal privilege, I want to thank
each of you for your service to the state. I'm grateful for that and
the citizens should be as well. I'm currently a professor serving as
dean of the Creighton University School of Dentistry, and I want to
acknowledge and thank Senator Morfeld for his efforts on this bill and
for the amendments, and to all of you for allowing me this
opportunity. I'd also like to acknowledge the collaboration with
University of Nebraska Medical Center College of Dentistry and for the
Nebraska Dental Association, for them, especially for finding
agreeable language. My colleague, Dr. Guthmiller, I'm grateful for,
and she has eloquently articulated the same position that we have, but
I'd like to provide some additional context. Our state is very
fortunate to have two excellent dental education programs that provide
oral health expertise, education, and services for Nebraskans. At
Creighton, in our Omaha-based clinical facility, we serve more than
13,000 patients, representing nearly 50,000 patient encounters per
year. In addition, through both urban and rural health centers and
other community partners, our fac-- faculty and students provide
needed care for more than 8,000 patients, with an emphasis on
pediatric dental care. Hiring outstanding faculty, particularly
clinical faculty, is essential to maintaining and enhancing our
educational and clinical service missions. Our faculty recruitment and
hiring also represents a substantial brain gain for our state. Our
current dental licensure law, last updated more than a decade ago,
puts us at a significant disadvantage when recruiting faculty to the
Midwest as the states surrounding Nebraska afford fewer barriers for
faculty dental license than our present law. The amendment proposed
offers thoughtful changes to the law while preserving standards,

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assuring that competent, quality faculty are afforded the privilege of a faculty license. What is being considered here will greatly enhance our efforts to competitively recruit the best and brightest for our respective programs. Thank you for your consideration, and I respectfully urge that you support this amendment. And I am happy to answer any questions you may have.

ARCH: Thank you for your testimony. Any questions? Seeing none, thank you very much. Next proponent for LB628 as amended. Seeing none, are there any opponents? Seeing none, is there anyone that like to testify in a neutral capacity? Seeing none, we did not receive written testimony on this, this morning. We did receive one letter which-- from the Nebraska Dental Association expressing a neutral position on this-- on this bill. And with that, Senator Morfeld has waived his close, and this will end the hearing for LB628. Thank you.