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COMMITTEE ON HEALTH AND HUMAN SERVICES
February 24, 2005
CONFIRMATION HEARINGS

The Committee on Health and Human Services met at 1:30 p.m. on Thursday, February 24, 2005, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on Confirmations. Senators present: Jim Jensen, Chairperson; Dennis Byars, Vice Chairperson; Doug Cunningham; Philip Erdman; Gwen Howard; Joel Johnson; and Arnie Stuthman.

SENATOR JENSEN: Good afternoon, ladies and gentlemen, welcome to the Health and Human Services Committee. Today is a day that we're going to just take up gubernatorial appointments, and we thank you all for coming today. I will, first of all, just introduce you to the individuals that are here and the others will be coming, I'm sure. To my left is Senator Howard, from Omaha area, far left; and then next to her is Senator Stuthman, who's from Platte Center; next to Senator Stuthman is Senator Johnson, from Kearney; to my immediate left is Joan Warner, who is the committee counsel (sic); I am Jim Jensen, from Omaha, serving as Chairman; and then Jeffery Santema, who is the committee counsel, is to my right; to my far right is Senator Phil Erdman, from Bayard, and the other two senators, I'm sure, will be joining us before long. We would ask each one of you to come forward, give us a little bit of your background, what brought you here, why you want to serve in that position. Give us a little bit of your...then background and history that would pertain to this appointment, and then if there are questions from the committee members, we'll ask those at that time. The first one that we do have is Dr. Rommie Hughes, who's appointed to the Board of Emergency Medical Services, and he is not here, but Senator Erdman is here to speak in his behalf. Welcome.

CONFIRMATION HEARING ON
DR. ROMMIE HUGHES TO THE
BOARD OF EMERGENCY MEDICAL SERVICES

SENATOR ERDMAN: Long trip, thank you, Mr. Chairman. Members of the Health Committee, it's an honor to be here to present the information from Dr. Rommie Hughes, to be appointed to the Board of Emergency Medical Services, and I will read his brief statement that covers the issues that

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the Chairman had requested. Unfortunately, because of prior commitments, I am unable to attend the confirmation hearing on February 24, 2005. Please accept this written testimony in lieu of my presence. I was born in Crawford, Nebraska, and lived there until graduating high school in 1982. Thereafter I attended Doane College, obtained a degree in biology in 1986. Subsequently, I attended graduate school at the University of Nebraska-Lincoln, receiving a master's degree in exercise science in 1990. I completed my medical training at the University of Nebraska Medical Center from 1990 to 1994, as well as a surgery residency from 1994 to 1999. In addition, I completed a mini Endovascular Fellowship at the Arizona Heart Hospital, 2003. I am board certified in general surgery, a fellow of the American College of Surgeons and an active member of numerous medical general and vascular surgery organizations. Since completion of my medical training, I've been employed by Western Surgical Group, PC, Scottsbluff, Nebraska; I actively practiced general vascular trauma in limited thoracic surgery. I have active privileges at Regional West Medical Center in Scottsbluff, Nebraska; Box Butte General Hospital in Alliance, Nebraska; Garden County Hospital in Oshkosh, Nebraska; Ogallala Hospital, in Ogallala, Nebraska; and Perkins County Hospital, in Grant, Nebraska. A significant portion of a general surgery practice deals with critically ill patients being brought to the hospital by EMS services. Because of this I feel I have significant knowledge about the medical aspects of prehospital care and an understanding of the medical literature supporting or refuting various prehospital treatment paradigms. I also have an understanding and experience in the technical skills needed to perform the various, invasive procedures needed by EMS personnel. Based on this, I feel I can give insight and direction in the medical aspects of state EMS policy. In addition, Western Surgical Group is deeply involved in the development and implementation of the statewide trauma system. For this system to work appropriately, new EMS policy may have to be developed. Finally, being from and practicing in the panhandle, I can give insight into the unique challenges facing EMS crews in the rural setting. I am honored to be appointed to the state EMS board and look forward to working with the other board members in the continuance of having a strong, statewide EMS system. And he offers if he can answer any questions, he would be happy

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to do that. Dr. Hughes, actually, is a resident of Senator Smith's district, but he's a personal friend of mine, and that's why I'm here representing him.

SENATOR JENSEN: Great. Any questions from the committee in regards to Dr. Hughes? Yes, Senator Johnson.

SENATOR JOHNSON: No questions, just a statement...I know Dr. Hughes, actually tried recruiting him to come to Kearney, but came in second place, and he's excellent and he will serve the board well.

SENATOR JENSEN: Great. Any other questions? Thank you, Senator Erdman.

SENATOR ERDMAN: Thank you. The next on the list is Linda Lazure, who's being reappointed to the State Board of Health.

CONFIRMATION HEARING ON
LINDA LAZURE TO THE
STATE BOARD OF HEALTH

LINDA LAZURE: Hello.

SENATOR JENSEN: Hello. Thank you for coming down.

LINDA LAZURE: Thank you. Well, I'm Dr. Linda Lazure, and I'm from Omaha, Nebraska. My day job is associate dean for student affairs at Creighton University School of Nursing, and I'm seeking reappointment to the Board of Health.

SENATOR JENSEN: And that position is the nursing position?

LINDA LAZURE: Yes, I am a nursing representative, and I've been elected vice chair numerous times. And since 1998, I have served on the Credentialing Reform Committee and also the Nebraska Center for Nursing. We like to joke at the Credentialing Reform that in 1998 my daughter was getting married, and since then, she's been married a number of years, we have a three-year-old grandson, so you know, things move a little bit slowly, but in time they get done.

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SENATOR JENSEN: Okay. Yes, Senator Stuthman.

SENATOR STUTHMAN: Linda, I had noticed in your resume that you were employed by Jack Van Berg at one time?

LINDA LAZURE: Yes, yes. Yeah, that guy. Actually, I should go back to my background. I graduated from St. Catherine's School of Nursing. We were the last class of a diploma program in Omaha, and then I've graduated three times from the University of Nebraska. Well, one of my early jobs, I actually started out in critical care at Bergan, and Marion Van Berg was in our critical care unit, and his doctor, Dr. Pantano, came in one day and said, would anybody want to go down to New Orleans and take care of him? And I thought, I'm young, single. Okay, fine, I can do that. And I did, so I went down to New Orleans and actually stayed with the family. So goodness, didn't know you had my resume. There's probably more secrets in there, Senator.

SENATOR STUTHMAN: No, I was just going over it, and yeah, very close friend of Jack Van Berg's and the Van Berg's family, so I saw that.

LINDA LAZURE: Yeah, I was in...it was my little stint at private duty nursing. Um-hum.

SENATOR STUTHMAN: Thank you.

SENATOR JENSEN: Thank you for sharing that.

LINDA LAZURE: Yeah, what else is in there? I'm getting kind of old. There could be a lot of things in there.

SENATOR JENSEN: Any other questions of Ms. Lazure?

LINDA LAZURE: I would say that the Board of Health is an excellent board, Senator. We represent so many diverse areas of healthcare professionals, but we also represent the people, and we take that very seriously. And I think there's great synergy with the entire group. I think you're very well served by all the people on the Board of Health.

SENATOR JENSEN: Great. I certainly have that feeling, also. Any other questions? Thank you, Linda, for coming

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forward. Next is Dr. Samuel Augustine, to the State Board of Health.

CONFIRMATION HEARING ON
SAMUEL AUGUSTINE TO THE
STATE BOARD OF HEALTH

SAMUEL AUGUSTINE: Good afternoon. I'm Sam Augustine, I'm a licensed pharmacist, a native of Columbus, Nebraska, a 1973 graduate of the University of Nebraska Medical Center, College of Pharmacy. I received my doctorate of pharmacy degree from UNMC in 1979. It has been my honor to practice pharmacy in our great state for over 30 years. I've been a resident of Omaha for all of that time, and my family currently resides in Legislative District 20. I've practiced both hospital and community pharmacy at the University Hospital and Bergan Mercy Medical Center and several community stores. I also have a specialty practice in nuclear pharmacy. I became the first board certified nuclear pharmacist in the state in 1981. In 1987 I established the state's first private nuclear pharmacy in Omaha, and a second laboratory was established in Lincoln a few years later. These were acquired by an international pharmacy chain in 1994, and they continue to supply the majority of diagnostic and therapeutic radiopharmaceuticals used in this region. I have served on the faculties of UNMC's College of Pharmacy, College of Medicine and School of Allied Health, and I am currently an associate professor of pharmacy practice at Creighton University School of Pharmacy and Allied Health Professions. I've been involved with pharmacy practice issues at both the local and national levels. At the state level I've served on the board of directors and on several committees of the Nebraska Pharmacists Association. I was the president of the Nebraska Society of Hospital Pharmacists as well. Nationally I've been involved with the American Pharmacists Association, the American Society of Health Systems Pharmacists, and the Board of Pharmaceutical Specialties, serving as chairman on several committees in these organizations. I am currently a member of the United States Pharmaceutical Sterile Compounding Committee, and for the last five years it has been my privilege to serve as the pharmacist member of the Nebraska State Board of Health. In

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the time I've spent in this profession, many changes in healthcare and public health have occurred. My experiences over the last five years on the Board of Health have transformed the way I view public health and welfare. It has been one of the most rewarding aspects of my professional career. I will use all that I have learned in my first years of service to contribute to my activities on the board for the next five year. In closing, I would like to recognize the efforts and diligence of my fellow board members and the hard working staff of the Health and Human Services agency. These individuals have advised and helped me throughout my first term, and I look forward to working with them in my second. Thank you.

SENATOR JENSEN: Thank you. Could you explain to me what nuclear pharmacy is?

SAMUEL AUGUSTINE: Okay, sure. The practice of nuclear medicine uses radioactive materials to diagnose and treat various disease states, cancers; they can also look at cardiovascular disease and that sort of thing. And they're usually short lived materials, half lives of 6 to 72 hours, and what the nuclear pharmacist does is, takes those materials, manipulates them chemically so they go to various areas of the body. One of the newer technologies that's coming out is the PET/CT, the Positron Emission Tomography CT scanning units to it, gives physicians not only an idea of anatomy, but also physiology, and it connects those two, and is very, very elegant, diagnostic tool.

SENATOR JENSEN: Is that one of those things then that after you're done with it, becomes part of that low level nuclear waste?

SAMUEL AUGUSTINE: Usually, you know that's an interesting question? No, the answer is no because the general rule of thumb is that after 10 half lives, it is in essence releasable to the regular waste stream. So with Technetium-99-m, which is used most often, has a six-hour half life; within 60 hours it's gone. Now there are other research radionuclides that would enter into that low level waste situation.

SENATOR JENSEN: It's interesting.

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SAMUEL AUGUSTINE: I worked with Jack Van Berg, too, and hotwalked his horses.

SENATOR JENSEN: I saw one of his horses race, too.

SENATOR BYARS: I'm feeling a little bad that I've never worked with Jack Van Berg.

SENATOR JENSEN: Any other questions from the committee? Doctor, we appreciate your coming forward today.

SAMUEL AUGUSTINE: Thank you.

SENATOR STUTHMAN: Thank you.

SENATOR JENSEN: Next, Dr. Edward Discoe, also to the State Board of Health.

CONFIRMATION HEARING ON
EDWARD DISCOE TO THE
STATE BOARD OF HEALTH

EDWARD DISCOE: Thank you. My name is Edward Discoe. As they said, I'm a recent addition to the Board of Health this year. And I have lived the majority of my life in the state of Nebraska, was actually born in Keith County, and graduated from Paxton High School and then studied as a Rotary exchange student in Australia before moving eastward to the University of Nebraska where I received my graduate degree in agribusiness. Four years later I received my doctorate of medicine from UNMC, and upon a completion of residency program at Kansas University, returned to Nebraska to practice in a private family practice in Columbus, where I remain, after nearly eight years. In my practice I care for inpatients and outpatients, both young and old, including obstetrical patients. I have a special interest in hospice care and, in fact, serve as the director of our local hospice program. I've also been involved in American Medical Society and have served as Nebraska's delegate or young physicians delegate to the AMA. Having just joined the Board of Health, I am still adjusting to the steep running curves that accompany this seemingly very active

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board. I feel that the state of Nebraska is well represented by the diverse backgrounds that are currently serving terms on the board of health. The board is also well staffed, with very competent, experienced and dedicated staff that have made my transition smooth thus far. I believe my unique characteristics of being a primary care physician in rural Nebraska with roots in western Nebraska, and personal interests locally in Columbus, throughout the state of Nebraska, as well as nationally and internationally, will provide a welcome diversity to the state board.

SENATOR JENSEN: Thank you, Doctor. Any questions from the committee? Senator Stuthman.

SENATOR STUTHMAN: Thank you, Senator Jensen. Welcome, welcome to this committee and we're very proud to have you serve on this.

EDWARD DISCOE: Thanks a lot.

SENATOR STUTHMAN: And you're from Paxton, huh, cattle country up there.

EDWARD DISCOE: Right. Yep.

SENATOR STUTHMAN: Remember any of the Sillasens?

EDWARD DISCOE: Sillasens, actually, yeah, I do. They actually live just across the river. I always tell everybody I was raised in a feedlot because I really was. Family...

SENATOR STUTHMAN: Thank you.

SENATOR JOHNSON: More important is Ole's.

EDWARD DISCOE: Yeah, most people know where Ole's is, then I have to clarify that it's actually in Paxton, so it's probably more well known location than Paxton itself.

SENATOR JENSEN: Great. Thank you, Doctor, for coming. I'd like to go out of order just for a minute here. Since

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Senator Smith is here, maybe we could take Mr. Shawn Baumgartner, Board of Emergency Medical Services, and Senator Smith is here to represent him. Welcome.

CONFIRMATION HEARING ON
SHAWN BAUMGARTNER TO THE
BOARD OF EMERGENCY MEDICAL SERVICES

SENATOR SMITH: Thank you, Mr. Chairman, members of the Health Committee. For the record, my name is Adrian Smith, A-d-r-i-a-n S-m-i-t-h, representing the 48th District and more importantly, representing Mr. Shawn Baumgartner to be reappointed to the EMS Board. Shawn is asking to be reappointed, obviously, and I fully support that reappointment because I think he brings a good perspective, not only geographically, but he's been a volunteer in the profession. He's been a paid professional in the area of emergency medical services and he has a broad experience, not only fire department-wise, but with the ambulance service, as well, a good working relationship with other agencies in the community, and has an overall very good background, to offer to the committee. With that, I would try and answer any questions.

SENATOR JENSEN: Thank you, Senator Smith. Any questions of Senator Smith regarding Mr. Baumgartner? Thank you for coming, appreciate it.

SENATOR SMITH: Thank you.

SENATOR JENSEN: Let's take then next Dr. Paul Salaznsky. And representing him is Senator Wehrbein.

CONFIRMATION HEARING ON
PAUL SALAZNSKY TO THE
STATE BOARD OF HEALTH

SENATOR WEHRBEIN: Oh, I was going to tell you I was Paul. Roger Wehrbein, District 2, here to introduce, want to give you a little background on Paul Salaznsky. I've known Paul for 15 or 20 years when I first started to run Nebraska City, and I think you have his schedule in front of

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you...

SENATOR JENSEN: We got his resume, yes.

SENATOR WEHRBEIN: ...his resume. I think I have a little more than that, that I thought might be of interest to you. He's originally a native of Pennsylvania and moved to the Midwest at age two and grew up in Iowa and Illinois. My family and I have been residents of Nebraska City since 1977, been married for 31 years. I started cold, fresh out of graduate school in a two man practice with offices in Nebraska City and Syracuse. I remain in a primary care optometry practice in those two cities, which is Nebraska City and Syracuse, to this date. My background includes diverse connections within healthcare. My father-in-law was a surgical pathologist, my mother-in-law and mother were both RNs. I have a brother who is a pharmacist, a sister-in-law who is a nurse/anesthetist and a daughter and a sister-in-law who have served as hospital laboratory supervisor. And I think he's very qualified. I just...to put a good word in, not only for his qualifications but his honesty, integrity and ability to practice, and I highly recommend him and besides that, he's furnished me a convertible for several years in a parade, so...

SENATOR JENSEN: That's a great asset, yes. Any other questions for Senator Wehrbein? Seeing none. Thank you very much for appearing in his behalf.

SENATOR WEHRBEIN: Thank you.

SENATOR JENSEN: Senator Baker's not here. I'll go ahead with...represent Gary Westerman.

CONFIRMATION HEARING ON
GARY WESTERMAN TO THE
STATE BOARD OF HEALTH

SENATOR BYARS: Appearing on behalf of Gary Westerman is Senator Jim Jensen.

SENATOR JENSEN: Thank you, Senator Byars. This is from

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Gary Westerman; he is from my district. Please receive this written message as my confirmation and expressed desire to serve the state board of Nebraska as a member of the State Board of Health. As you know, the Board of Health is composed of 17 members, and I'm honored to be appointed as a dental professional member. One of the board's main activities is to approve and review rules and regulations for Health Human Services Department of Regulation and Licensure; another activity for the board is to make appointments to the 24 healthcare professional boards as administered by the credentialing division. I have been assigned to State Board of Health Professional Boards Committee and the public health education and legislative committee. It is my understanding that the members of Health and Human Services Committee, legislative committee, have a shortened copy of my resume for review. I trust you will find my qualifications and interest in good government favorable to support my appointment to the State Board of Health. Due to my teaching and practice schedule this afternoon, I'm unable to attend and ask Senator Jim Jensen to read this on my behalf, which I am so doing. I do know Gary and have for some time. He not only has, but represented dentistry well, but certainly all of the health of the state of Nebraska, and would highly recommend him to the committee for approval.

SENATOR BYARS: Any questions of Senator Jensen in regard to Dr. Westerman? Thank you, Senator Jensen.

SENATOR JENSEN: Okay, let's move on to the Child Abuse Prevention Fund Board. Mr. Peter Tulipana, the Child Abuse Prevention Board, Senator Brashear's district. I think you all know Peter. He's appeared before us so many times. Welcome.

CONFIRMATION HEARING ON
PETER TULIPANA TO THE
CHILD ABUSE PREVENTION FUND BOARD

JIM PIEPER: Thank you. Senator Jensen, members of the Health Committee, I am Jim Pieper, P-i-e-p-e-r, counsel to Speaker Brashear, appearing on his behalf in introduction and support of Peter Tulipana, a reappointment to the Child

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Abuse Prevention Fund Board. Senator Jensen indicated that many members of the committee already familiar with his service. He is the president and CEO of Heartland Family Service in Omaha, which he has served in that capacity for the past 18 years; has also been very active in a number of community service activities. He does have a master's of public administration from the University of Missouri-Kansas City; master of social work from the University of Kansas; also serves on adjunct faculty of University of Nebraska at Omaha; he has served since 1998 on the Child Abuse Prevention Fund Board, and seeks another term to that office for continuing the work for early intervention and best practice programs in the area of Child Abuse Prevention.

SENATOR JENSEN: Any questions of Peter Tulipana as represented by Jim Pieper? Don't see any.

JIM PIEPER: Okay, thank you for your time.

SENATOR JENSEN: Thank you very much. I think we're well familiar with him. And to present Kevin Benesch, Nick is here. He's...Kevin is with...is in Senator Schimek's district, I believe, correct?

CONFIRMATION HEARING ON
KEVIN BENESCH TO THE
CHILD ABUSE PREVENTION FUND BOARD

NICK FAUSTMAN: I believe he is, yes. I'm Nick Faustman, N-i-c-k F-a-u-s-t-m-a-n. Senator Schimek asked me to read this letter on behalf of Mr. Benesch. So with that, I'll go ahead and read. Dear Senator Schimek, I have been asked to continue serving on the Child Abuse Prevention Fund Board for another three year term. I am submitting a short statement to be read at the Health and Human Services Committee hearing on February 24, 2005, at 1:30 p.m., as I am unable to attend due to previous commitments and employment responsibilities. Your staff and Joan Warner indicated that this option would be possible and I am appreciative of your assistance. Having served on the CAPF Board since 1998, I am grateful for the opportunity to continue in that capacity for another term. I have been a

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licensed psychologist at the Child Guidance Center in Lincoln since 1986, where private, not for profit mental health clinic that serves children, adolescents and their families. Annually we serve over 2,000 families and children, many of whom have suffered various forms of abuse, neglect, and maltreatment. The agency provides therapy and related services to many medicaid clients and offers a sliding fee scale for families with financial challenges, or who do not have private insurance. Therapists are specifically trained in treatment of protest to address the emotional needs of children with a history of trauma. Some of the programs offered by the Child Guidance Center include outpatients therapy, school based therapy, residential treatment for adolescent sexual offenders, day treatment services for emotionally disturbed youth, mental health services for youth in detention, psychological evaluations for court referred youth, and evaluation for outpatient services for youth with sexual behavior problems. I have enjoyed serving on the CAPF Board for several reasons. From my professional experience, I have witnessed the often devastating effects that childhood maltreatment can have on children and their families. In light of this, being part of the process that can provide grant money for services designed to prevent or minimize the potential for child abuse has been gratifying. The board reviews approximately 30 grant proposals each year and provides \$250,000 for programs that are specifically designed to address child abuse prevention activities in communities across the state. Examples of such programs include parenting training, respite care services, home visitation and child abuse education. One of the major accomplishments of the board in the past five years has been the creation and support of Prevent Child Abuse, Nebraska, PCAN. It is affiliated with the nationally based organization, Prevent Child Abuse, America, and provides information training, advocacy and public awareness for child abuse and neglect, as used in Nebraska. PCAN also sponsors an annual training event each spring, in which nationally known speakers present information on best practices in the field of child abuse prevention. In summary, I am thankful for the opportunity to continue to serve on the CAPF Board. I have come to admire and respect other board members and Health and Human Services staff who have dedicated their time and effort in furthering the mission of child abuse prevention in

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Nebraska, and I look forward to serving them again. If the committee has any questions, I can be reached at the Child Guidance Center at 475-7666. Thank you for your time and consideration. Sincerely, Kevin Benesch, Ph.D.

SENATOR JENSEN: Thank you. Any questions about Kevin Benesch? Thanks, Nick, for coming forward.

NICK FAUSTMAN: Thank you.

SENATOR JENSEN: Next we'll have...Is Mr. Robert Dunn here? Good.

CONFIRMATION HEARING ON
ROBERT DUNN TO THE
BOARD OF EMERGENCY MEDICAL SERVICES

ROBERT DUNN: Good afternoon. My name is Robert Dunn, more commonly known as Bob Dunn, D-u-n-n. I've been on the Board of the EMS credentialing board for about six years. It's our job to review the credentials of the people involved in the EMS business, and the staff really does a great job of reviewing these people and allows us to make the decisions on their applications. The board also helps establish protocols that the doctors and all the adjacent people are to use in their EMS activities. And it's been most enlightening. I serve as the public member, so I get the opportunity to see that everybody is politically correct and follow all the rules and see that all of the applicants get their appropriate credentials reviewed. My background is, I was born in Falls City, graduated from Nebraska Wesleyan in '51, went in the Marines, came out, worked for Eastman Kodak for 17 years. Our division was sold so we...I took over the Lincoln office for the new company. Finally, I decided I'd had enough of the corporate structure and bought a business taking pictures at horse races, and that's where I know Senator Stuthman from. And since I sold the business in '98, why I've retired, been politically active and been on the board, so.

SENATOR JENSEN: Great. Yes, Senator Stuthman.

SENATOR STUTHMAN: Hey, Senator Jensen. Bob, have you got a

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camera with you? You always have one.

ROBERT DUNN: Today, I left it, because...yeah, yeah.

SENATOR STUTHMAN: You left it at home today. I've known Bob for quite a number of years and appreciate you serving on this, so.

ROBERT DUNN: It's been a real pleasure to get acquainted with that area.

SENATOR JENSEN: Thank you. Senator Johnson has a question?

SENATOR JOHNSON: Now remind me of something, what happened 60 years ago yesterday? One of the most famous photographs ever?

SENATOR JENSEN: Iwa Jima. Iwa Jima.

ROBERT DUNN: On Iwa Jima, yes. There was an article on ETV that there was actually a previous flag planted, but it didn't have the picture and didn't get the exposure, but that is a great moment in history that I wish I could have been the one to record it.

SENATOR JENSEN: Yeah. Thanks, Bob, for appearing. Any other questions? I don't see any. Thank you very much. Next Mr. Clinton Rasmussen.

CONFIRMATION HEARING ON
CLINTON RASMUSSEN TO THE
BOARD OF EMERGENCY MEDICAL SERVICES

CLINTON RASMUSSEN: Good afternoon.

SENATOR JENSEN: Good afternoon. Welcome.

CLINTON RASMUSSEN: Welcome. Clint Rasmussen from Dakota City. If you don't know where Dakota City is at, it's by South Sioux, Senator Pat Engel. Been on the Dakota City Fire Department for the last six years, and first responder for the last three years. Been pretty active in the community, especially on the fire department

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and rescue side. Just got appointed to the board, and it's been a learning experiment; excited about being on the board. Hopefully, I can send back to the local fire department about, you know, the new updates or what's going on with the board and to continue educating the state of Nebraska with the EMS part aside.

SENATOR JENSEN: Did you get involved any with the Missouri River up there, when things happen in the river, or...

CLINTON RASMUSSEN: Well, of course, every year we have some boat or tipped over or stalled or, this last summer we had an accident, a fatality, and a couple drownings, and it keeps us busy on the river.

SENATOR JENSEN: So you spend some time out there, looking and searching and...

CLINTON RASMUSSEN: Searching and about everything you can imagine, it happens.

SENATOR JENSEN: I can...

SENATOR JOHNSON: How about Ponca State Park?

CLINTON RASMUSSEN: Ponca, we're very active with Ponca because, you know, that what happens, you know, we're pretty good at mutual aid down there is very good and we, you know, all help each other. Had a nice grass fire down there a couple years ago we helped them with, so it keeps us busy down...that side of the state.

SENATOR JENSEN: Well, Clinton, we certainly appreciate your coming down and your service on the board. Thank you very much.

CLINTON RASMUSSEN: Thank you.

SENATOR JENSEN: Next Dr. Michael Westcott.

CONFIRMATION HEARING ON
MICHAEL WESTCOTT TO THE

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BOARD OF EMERGENCY MEDICAL SERVICES

MICHAEL WESTCOTT: Good afternoon, I'm Mike Westcott, W-e-s-t-c-o-t-t. I'm a native Lincolnite, graduated from UNL and also the University of Nebraska Medical Center in Omaha, subsequently had become board certified in family practice and in emergency medicine, and I fulfill the emergency medicine position on the EMS Board. When I first started my practice, I practiced for six years in Holdrege and had the opportunity to spend many hours, I guess good hours, day and night, with Senator Johnson, so we've known each other for a long time. I served on the Board of Ambulance Advisors for about eight years before the EMS Board was formed, and I served on that board since its inception. I've been a Mercy physician for 20 years and currently serve as the medical director for Papillion Fire and Rescue, and I just recently have transitioned into the medical director of informatics for Alegent Health in Omaha. Bob Dunn explained about doing all the credentialing for individuals that are EMS providers. One other function of the board is to provide education to physicians, and we've developed a physician medical director course, and I'm the one that teaches that throughout the state. And I've certainly enjoyed all my years of service to both of these boards.

SENATOR JENSEN: Great. And I see as a reference, Dr. Manning, the anesthesiologist?

MICHAEL WESTCOTT: No. Dr. Manning was chief medical officer for Alegent, Alegent Health, yeah.

SENATOR JENSEN: Oh, okay. Good. Thank you. Yeah, it was, isn't it, there we go. Yeah, we had him for our motorcycle helmet bill this year.

MICHAEL WESTCOTT: Oh, that.

SENATOR JENSEN: Try to figure it all out. Any questions of Dr. Westcott?

SENATOR JOHNSON: Superior.

SENATOR JENSEN: Okay. Thank you very much.

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MICHAEL WESTCOTT: Thank you.

SENATOR JENSEN: Senator Louden is here and he would be here to represent Benjamin Lans. Welcome, Senator.

CONFIRMATION HEARING ON
BENJAMIN LANS TO THE
BOARD OF EMERGENCY MEDICAL SERVICES

SENATOR LOUDEN: Thank you, Senator Jensen, and members of the Health and Human Services Committee. This is a young gentleman from Hay Springs area up there, and he asked me to read his testimony or his...in for him, seeing as how he couldn't be here today since the distance in miles and that sort of thing, traveled. And so I will therefore read his...read the letter that he's addressed to you folks. Afterwards I'll give a comment on it, on what I know about him. It is written as such, my name is...wait, you want my name...you don't have a clerk here today? Okay. You got it, L-o-u-d-e-n. My name is Benjamin B. Lans, I'm 22 years old and live in Chadron, Nebraska. In May I will finish my bachelor's degree in business administration and marketing from Chadron State College. After graduation I plan on moving to Omaha where I'm attending Creighton University to take classes in EMS Administration and obtain my paramedic license. I've been a member of the Chadron Volunteer Fire Department since 2002, where I'm an active nationally registered EMT-B. Since 2002 I've been the head of numerous committees and traveled across the state for EMS meetings and updates. During the last couple years, I have been appointed to the NSVFA's EMS Board, I think that's northwest Nebraska or something, and legislative board. I have found my calling in life with emergency medical services and want to further my learning by being a member of the Governor's board. My goals are to find a career in administrative EMS work in the future. The reason that I want to serve on the Governor's board is to help with the EMS on the state level. I feel that I am well rounded on emergency medical services and can see perspectives on both sides. I would like to thank the panel for listening to the testimony and I apologize for not being able to make an appearance. And that's signed, Benjamin B. Lans. I don't know the young man

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personally. I know he's been working for Northwest Public Power District in their accounting department taking care of the direct TV business. There are three people that have sent recommendations from him that we've talked to, one of them was Ron Burke from Chadron State College and another one was Pat Gould, the State Fire Marshall, from the Chadron office, and Arlene Lahaye, which is the general manager for the office, I think, in Northwest Public Power, and they all vouch for the young man. With that, I would leave the testimony and the decision up to you folks, but I'm sure this is a young fellow that's quite interested in EMT service and is willing to serve on the Governor's board. With that, if there's any questions I can be helpful with, I'd be willing to answer. Otherwise, that's about what I do with that.

SENATOR JENSEN: Thank you. Any questions of Senator Louden on behalf of this young man? Don't see any. Thank you very much for coming forward.

SENATOR LOUDEN: Okay, thank you.

SENATOR JENSEN: Next, Senator Fischer is here to represent Dr. Michele Mulligan-Witt. Welcome.

CONFIRMATION HEARING ON
MICHELE MULLIGAN-WITT TO THE
RURAL HEALTH ADVISORY COMMISSION

SENATOR FISCHER: Thank you, Senator Jensen, members of the committee, it's a pleasure to be here once again before the Health and Human Services Committee. I do know Dr. Michele Mulligan-Witt personally. She grew up in Valentine; her family are long time community members there. She is a graduate of Valentine Rural High School; she went to college at Trinity University in Texas, received her BA in biology and then attended the Medical Center in Omaha and received her doctorate, MD, there. She has returned to Valentine, which is always nice to see, and she is married and has small children; and she is in a private practice, family practice there in Valentine with another physician; they started their own business. As I said, it's always nice to have our young people return to our rural communities, and

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Michele is no exception to that. She's very active in the community. I do have a statement from her. I don't know if you have received a copy of that?

SENATOR JENSEN: We do have a resume, yes. And I believe when we were in Valentine this summer, at a...had to stop there and met with some members on behavior health...that she came over and had lunch with us that day. So I do remember her. Any questions of Senator Fischer?

SENATOR JOHNSON: I have an important one. With a name like Mulligan, does she play golf?

SENATOR FISCHER: Not that I know of. Her family, growing up, she was always involved with horse shows. She's the oldest of four children and they were always involved with horse shows and in 4-H; in fact, she still has a younger brother who is quite the rodeo person, and does well, the rodeo circuit.

SENATOR JOHNSON: What a great name around golf courses, though.

SENATOR FISCHER: But we have a wonderful golf course, and you are invited to come up this summer, Senator Johnson, and we will have a get together on that. But, I don't believe she golfs, no.

SENATOR JOHNSON: All right.

SENATOR ERDMAN: A doctor that doesn't golf?

SENATOR FISCHER: We have serious young people in rural Nebraska. And Dr. Mulligan-Witt is a serious member of the community and a contributing member of the community.

SENATOR ERDMAN: I figured that would elicit a comment from the doctor, but not necessarily from you...

SENATOR JOHNSON: That's just the way it is.

SENATOR ERDMAN: ...but he's willing to accept the responsibility that goes with that accusation.

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SENATOR FISCHER: And Senator Johnson will be up to golf.

SENATOR JENSEN: Thank you, Senator Fischer, appreciate your coming forward.

SENATOR FISCHER: Thank you very much.

SENATOR JENSEN: Julia Holmquist is here, in behalf of Senator Connealy to bring to us Pamela List from the Rural Health Advisory Commission. Welcome.

CONFIRMATION HEARING ON
PAMELA LIST TO THE
RURAL HEALTH ADVISORY COMMISSION

JULIA HOLMQUIST: Senator Jensen, members of the Health Committee, I'm here on behalf of Senator Matt Connealy, who couldn't be here this afternoon. I believe you have a copy of the resume and cover letter from Ms. List, so I won't read that. I do have a letter to read into record from Senator Connealy. Dear Senator Jensen, I'm happy to recommend Ms. Pam List, Beemer, Nebraska, for reappointment to the Rural Health Advisory Committee. Pam has served ably as a representative of rural nurses on this committee and is anxious to continue her work. Pam is dedicated, hard working and an asset to this committee, and I urge you to favorably consider her reappointment. With that, if you have any questions?

SENATOR JENSEN: Thank you, Julie, any questions? I don't see any. Thank you for coming forward. Next is Mr. William Brush to the Rural Health Advisory Commission.

CONFIRMATION HEARING ON
WILLIAM BRUSH TO THE
RURAL HEALTH ADVISORY COMMISSION

WILLIAM BRUSH: Hi, thanks for asking me to stand in front of your Health and Human Services Committee, Senator Jensen. I was asked to be on the Rural Health Advisory Commission because of my role as an employer in North Loup, Nebraska. I've watched for 20 years, with a little outrage, about the

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amount of money that we would spend on our employees' healthcare and how little of it would stay in the local Valley county community. I've always been impressed with healthcare in rural areas because they seem to spend more of an emphasis on relationships with the patients, and I think if you are a student of healthcare, you will see an inordinate amount of money gets spent on healthcare in the final stages of life. And I've been impressed with the relationships the rural doctors have with their patients, and they counsel and advise their patients and their families on tough decisions in tough times. So they establish their relationships, and when tough decisions need to be made by a family, about whether a patient should be referred to a tertiary center to spend their final days, sometimes the advice is the more heroic efforts, which is to keep those patients and family members in their local communities and die with dignity and grace. There's been some recent information that's starting to be published about the competition in healthcare. And it's pointed out that the wrong kinds of competition had made a mess of American Healthcare System, the right kinds of competition can straighten this out. And this is some pretty interesting work that's starting to distinguish between local healthcare and kill healthcare that's provided at the big tertiary centers. I think it's particularly appropriate to rural Nebraska because they talk about geographical healthcare. So they talk about taking care of the family practice, primary care physicians that have relationships with families and patients, and then they also talk about referrals being made to centers in tertiary centers based on outcomes. So in the state of Nebraska you could see a two-tier healthcare system. You could see a system that takes care of local providers, and in my interest, rural health areas so that they can continue to do their jobs of maintaining and keeping relationships with families of patients. And then the other side of this would be a healthcare system based on information and knowledge about where people should go to have the best outcomes from treatment. And some of this work is fascinating, but it basically dwells on the fact that if you go to areas and centers of expertise that are based on outcomes, the outcomes are well known. Then you will find centers that do the most work, do it most professionally, have the best outcomes and have a lower cost. So I'm excited to be on the

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Rural Health Advisory Commission because I think we can be an agent of change that can perhaps make rural healthcare in Nebraska a strength rather than a weakness, which I think, sometimes, we get cast.

SENATOR JENSEN: Thank you, Mr. Brush. Any questions? You're in the popcorn business?

WILLIAM BRUSH: I'm in the popcorn processing business in North Loup, Nebraska.

SENATOR JENSEN: You're a processor, not a grower?

WILLIAM BRUSH: Well, we grow a little, too.

SENATOR JENSEN: You grow a little, too. You got to have the right moisture content then, don't you when you do that?

WILLIAM BRUSH: You do, you do.

SENATOR JOHNSON: When's popcorn days?

WILLIAM BRUSH: Well, we used to say the last week in August, but it's the 24th, 25th, 26th, this year.

SENATOR JENSEN: Senator Byars.

SENATOR BYARS: But as I read your resume, you are a doctor but you are a business man?

WILLIAM BRUSH: I did get an MD, but I also went to the college of agriculture before that.

SENATOR BYARS: I noticed that, also.

WILLIAM BRUSH: So we all have the...

SENATOR BYARS: It's rare to see doctors and business mixed in the same breath, but...

WILLIAM BRUSH: We all have diversions, you know. And I don't play golf.

SENATOR ERDMAN: Well, that just smashes that...you know.

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SENATOR JENSEN: Thank you very much for coming forward, we appreciate it.

WILLIAM BRUSH: Thank you.

SENATOR JENSEN: Thank you for serving. Next Mr. Martin Fattig.

CONFIRMATION HEARING ON
MARTIN FATTIG TO THE
RURAL HEALTH ADVISORY COMMISSION

MARTIN FATTIG: Senator Jensen and members of the committee, I'd like to thank you for having me here, and I'm honored to have been appointed to the Rural Health Advisory Commission, by at that time, Governor Johanns, and I intend on highlighting some of the aspects of my resume and then answering any questions that you may have. I started my healthcare career in 1976 in Perkins County out in western Nebraska as a bench medical technologist. I left Perkins County are in 1992 after serving 16 years in that hospital, and the last two years in that facility I was the CEO. I left there to go to Scottsbluff where I served as a consulting medical technologist with Western Pathology Consultants, who provided pathology services and consulting laboratory services throughout the panhandle at that time. Traveled through the entire panhandle at that time helping hospitals. I was essentially the liaison between the big hospital and the little hospital, helping us coordinate our efforts to make sure that the patients in the small hospitals got the kind of care they deserved in the laboratory setting. I left Scottsbluff in 1998 and moved to McCook and served as the vice president of ancillary services; ancillary services is the term that means all those scientific areas, the lab and the x-ray and the respiratory therapy and the physical therapy and all those different kinds of things. I served in that capacity for four years in McCook, had a great time there, learned a little more about rural health and a lot more about computers. And then I was recruited to go to Auburn where I currently serve as the CEO of Nemaha County Hospital. I've, as you see, in a matter of my career, I've traveled from the

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northwest corner to the southeast corner of the state. Rural healthcare is my passion. I have had opportunities to work in the large cities, and I live in a small town because I prefer it. And I speak nationally for the American Society of Clinical Pathologists on leadership development, and we tell people that there are 6.4 cows per person in Nebraska, and we prefer it that way. So I am a country kid and always will be. And it is with great pride that I serve on the Rural Health Advisory Commission and help with both the policy committee and the program committee. It's important work that we do. Rural health is vital to rural economics and we need to keep that forefront, at the forefront of our minds.

SENATOR JENSEN: Great. You're a critical access care hospital out there?

MARTIN FATTIG: Yes, we are.

SENATOR JENSEN: Good. Any questions at all from any of the committee members? Yes, Senator Erdman.

SENATOR ERDMAN: Have you accomplished the objective that you outlined on your resume to be a chief executive officer of a top server, progressive rural hospital?

MARTIN FATTIG: You know, we are very progressive. We have an electronic medical record in our facility, and we're one of the two private hospitals in the state of Nebraska working on a balanced score card. We're doing some really fun things. I have a...and the way...the reason I'm able to do that is because I have an absolutely wonderful staff. In order to have a wonderful staff you have to have a staff that will tell you when you're crazy, and my staff will because I do have some crazy ideas once in awhile. So, they're a fun group to work with, and they get the credit. We also work very closely with the University of Nebraska Medical Center; in fact, the CEO of Nebraska Medical Center is going to be in our facility on March 4th to see how we're doing things because he likes some of the ideas, some of the things we're able to do. It's kind of fun being out in front for awhile, and because you know, they're all back there trying to catch you.

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SENATOR JENSEN: I really hope that that medical, electronic medical records is contagious and we can expand that throughout the state, and I think that's a...

MARTIN FATTIG: You know, Senator Jensen, it has to be, you know, that's the direction we're headed. We have to be able to do that. There's too much duplication of records where one facility doesn't have any idea what the other facility has and their records, and of course, the patient doesn't know. So if we could combine all that together, it's a huge job, but it's something we really, desperately need to work on. Admiral Bell is doing a super job with some of that work, and Denny Behrends is doing some work with that. I'm anxious to help in any way we can. We really enjoy doing that kind of thing.

SENATOR JENSEN: Super. Well, thank you for serving on...yes, Senator Byars.

SENATOR BYARS: I just wanted to commend you for that also.

MARTIN FATTIG: Thank you.

SENATOR BYARS: I just think what you're doing is tremendous, particularly the size of your hospital, and you set a tremendous example for others, both the same size and larger than you, that have a tremendous task ahead of them that needs to be done.

MARTIN FATTIG: Well, we would openly invite any and all of you to come and see how we're doing things, or if someone else wants to know, send them down. We give tours all the time and show them how we're doing things. It's really fun to watch our nurses show the pride that, a lot of pride when they show an outsider how they do this electronic medical record and how they're scanning bar codes on the patient and the bar code on the medication to make sure they have the right medicine at the right time for the right patient, and it's good patient safety and it's good medicine and it's fun.

SENATOR BYARS: And it helps with reimbursements.

MARTIN FATTIG: Absolutely.

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SENATOR JENSEN: That's right. Super.

MARTIN FATTIG: Thank you very much.

SENATOR JENSEN: Well, thank you very much for coming forward. Again I'll take Mr. Gerald Schenck who's on a Foster Care Review Board, and Senator Kremer is here to represent that.

CONFIRMATION HEARING ON
GERALD SCHENCK TO THE
FOSTER CARE REVIEW BOARD

SENATOR KREMER: Thank you, Chairman Jensen, I'm Senator Bob Kremer. I represent District 34. This is my first opportunity to come before the Health and Human Services Committee, so. It really looks nice to see an empty room. Our room over there is packed, you know, for a room...

SENATOR JENSEN: You should have been here yesterday and last night.

SENATOR KREMER: Okay. Well, I'm here on behalf of Gerry Schenck, and my staff did speak with him on the telephone and he's a very dedicated person, and I will just, he asked me to present this letter for him, so I will read his comments. He said, I am a 58-year-old retired Nebraska State Trooper. I ask for your confirmation. I wish to be a member of the State Foster Care Review Board. Because of a recent injury, I am unable to attend this very important hearing, and I've asked Senator Kremer to forward this letter. During my 26 years as a state trooper, I've observed many sad and horrible experiences involving our children, and when I retired in 1997, I was presented with the opportunity to help keep our children safe and to help them with a happy and full life. That opportunity was when I joined the local Foster Care Review Board in Grand Island. I've been a member of that board for nearly seven years and chairman of the board for two of the last seven years. This board is a constant learning experience and I feel that it has given me the knowledge to be of assistance to the state board. I understand that the state Foster Care Board has a

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budget like all other state agencies, and have been a state employee and I have been associated with the ups and downs of budgets, and I will strive to see that we get as much accomplished as possible within our budget guidelines. On April 7, I received a letter from Governor Johanns expressing his gratitude for my work as a volunteer for the Foster Care Review Board, and he stated that he is counting on me to stay actively involved in helping our children. My interest is and always will be for the children of our great state. Signed, Gerry Schenck. And as I said to Barb in the office, I had a chance to visit with him, and I think he's a person that's very dedicated to helping children and has real compassion for seeing some of the situations that are confronted with our, the children that are many times the...that are the victims of...the innocent victims, really, of the terrible situation, so I think you'd be a very good contribution to the State Review Board.

SENATOR JENSEN: Thank you, Senator Kremer. Any questions? Yes, Senator Howard.

SENATOR HOWARD: Senator Kremer, on behalf of Gerald, I'm not sure how we would pronounce that. Could you help me with that?

SENATOR KREMER: Schenck.

SENATOR HOWARD: Schenck, thank you. A bill was introduced recently regarding additions to the State Foster Care Review Board to open the board to some different ideas in different areas of expertise. And since you're obviously not Gerry, I'll ask you anyway. Do you feel he'd be open to these ideas?

SENATOR KREMER: I think he would be, I think just his work with the local Foster Care Review Board, and I had a chance to sit in on their meetings sometimes and listen to some of the situations, and I think these people have real compassion for kids. And any way that they can possibly, you know, provide a better program or do something for these kids. I'm sure that Gerry would be very open to doing that.

SENATOR HOWARD: Okay, thank you.

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SENATOR JENSEN: Thank you, Senator Kremer, for coming forward today. Next Mr. James Gordon. Welcome.

CONFIRMATION HEARING ON
JAMES GORDON TO THE
FOSTER CARE REVIEW BOARD

JAMES GORDON: Thank you. Senator Jensen and members of the Committee on Health and Human Services, my name is Jim Gordon, G-o-r-d-o-n, I am uncharacteristic for a practicing attorney of 31 years. I have neither prepared statements nor written materials for the committee; however, I will tell you that I was born and raised in Lincoln, Nebraska; went to law school here in Lincoln, after graduating from the University of Nebraska, after a tour of duty with the military. I used to say that I grew up here in Lincoln, Nebraska, but I find that difficult when my mother refers to me as her baby boy to this day. Having said that, throughout my professional career, I've tried to dedicate at least some of my time and some of my talents to efforts that help children. I served, had the honor of serving as both the chair of the Make A Wish Foundation of Nebraska, ultimately served on the Board of Make A Wish Foundation of America and had the literal honor and privilege to serve as the chair of that board for two years as well. Since that time, I have been on the board, elected to the board and reelected to the board of America's charities in Washington, D.C. Among the other charities that they represent, as a federation of children's charities called Children First, and through that and through more local entities like Child Advocacy Center and some other things that I've done, I think that children's concerns, especially those children in trouble, in one way or another have always been kind of a concern of mine as well. I've tried to make it so. Also have served as a court appointed guardian ad litem. I did much more of that in my early years of practice. Since that time have not been able to do quite so much but have been appointed by the judges of several courts in southeast Nebraska and for the Lancaster County to represent children as their guardian ad litem in a number of cases over the years. So I think it's perhaps a culmination of all that to be appointed by Governor Johanns to a position on the Foster Care Review Board. I'm among the newest of the members of

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the board. I'm still getting my feet wet, but I have some thoughts about what I can do to participate fully. Have the advantage of working with Carol Stitt as one of the hardest working executive directors I've even met. I'm learning as I go, trying to keep up with her, trying to keep up with more experienced members of the board, and wish to continue that process. I really don't know what else I could add. I think you have my resume or my curriculum vitae. I never really prepare a resume because I've never sought a job. I've always had a job, I've always worked, but in a sense, since I've never been appointed to a board that required that legislative confirmation either, so I'm here to answer any questions you may have.

SENATOR JENSEN: Thank you, Jim. I was doing some channel surfing, when was it, last year, and I happened to see your face, and you were with some other lady...

JAMES GORDON: Don't let my wife know that.

SENATOR JENSEN: I'll talk to you about volunteerism, and I watched the entire show and really did enjoy it and appreciate all the service that you've done throughout the years.

JAMES GORDON: It's almost selfish on my part because it's always been a greater reward than it has been an effort on my part, and I think the service on Foster Care Review Board will be exactly the same experience. I know that I'll get more out of it than I'll put into it, but I want to be able to put in as much as I can.

SENATOR JENSEN: Great. Senator Howard had a question.

SENATOR HOWARD: Thank you, Senator. Mr. Gordon, if I could ask you the same question that I'd asked earlier. A bill was recently introduced, and this prefaced, regarding additions to the State Foster Care Review Board. Are you open to different ideas and to different expertise participating in the board?

JAMES GORDON: I'm open to ideas but I'm opposed to that bill. The concern that I have is, if the particular expansion to the board were made, my sense is my, perhaps

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uneducated sense, is that's like putting the fox in the hen house. I'm very much concerned that entities over which the Foster Care Review Board has review responsibilities would then be sitting on the board. It would seem to me that a member appointed, for instance, out of the Health and Human Services System to that board would almost have a conflict of interest by serving on the Foster Care Review Board. I have some concerns about it.

SENATOR HOWARD: Let me ask you this then. If that provision were dropped, regarding Health and Human Services individuals?

JAMES GORDON: As long as the people appointed to the board were not in a situation such as they would have a conflict of interest, meaning if they were subject to the regulation of the board of review by the board, I would probably have fewer concerns than I would if they were appointed. My sense now is that the board has a number of people filling a number of those responsibilities that the board or that the bill would purport to put on the board. I come from a child advocacy center background. I come from a guardian ad litem background. I come from a practicing attorney background. All the members on that board right now, at least to the extent that I know them and know of their qualifications, have come from backgrounds which that bill would really not add to; it would simply increase the size of the board and not add a great deal more in the way of skill cells, if you will.

SENATOR HOWARD: Thank you for your answer.

JAMES GORDON: Yes, ma'am, thank you.

SENATOR JENSEN: Senator Johnson, did you have a question?

SENATOR JOHNSON: No, no.

SENATOR JENSEN: Okay. Yes, Senator Cunningham.

SENATOR CUNNINGHAM: Just a statement, Mr. Gordon. If you were half the person of your mother, I would think you're going to be great.

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JAMES GORDON: I'm not even going to begin to argue with that. I'm twice the mother, I'm three times my mother, in terms of weight. I'll never be half the person that she is, but I appreciate the comment. I'm guessing that she will, also.

SENATOR JENSEN: Any other questions? Thank you for appearing, Jim.

JAMES GORDON: Thank you, Senator.

SENATOR JENSEN: Next and last, but certainly not least, is Mr. John Seyfarth, also with the Foster Care Review Board.

CONFIRMATION HEARING ON
JOHN SEYFARTH TO THE
FOSTER CARE REVIEW BOARD

JOHN SEYFARTH: Good afternoon, senators. My name is John Seyfarth, S-e-y-f-a-r-t-h, and I'm from Papillion, Nebraska, and I am a recent addition to the State Foster Care Review Board, and I have approximately 11 years, almost 11 years experience, on a local board. I've been chair for the last seven of our board in Papillion. And my background is pretty diverse. I grew up in Ohio, I went to school at Drake University in Des Moines, Iowa, and I spent 20 years in the Air Force as an aircraft maintenance and missile operations officer and was squad commander twice, and I have since then been working in the IT area, the information technology area, was a contractor for awhile, and then I worked for the Omaha Public School System for about five and a half years, and I've been Sarpy County Library for the last five and a half years. And I do quite a bit of the volunteer work. I help out at the Grave Talking Book service in Omaha. I've been a member of the Lion's Club in Papillion for the last 17 years, and I've also been very active in library area, I've...I'm on the State Advisory Council for Libraries, and I was chair of that a couple of years ago. And I've mentored some kids. I'm mentoring a young lady who still, graduates from UNO this year; she's been blind since she was...sixth grade. And I care very deeply about kids, and I guess I feel my mission on the board, state board or local board, is to make sure that the

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life of kids that are state wards are better, are improved, are as good as they can be, and these kids can meet their greatest potential they can have...and get some good permanence. That's the thing that I'm really concerned about. And I guess one of the things that I've seen in my 11 years is that, you know, it really concerns me when I see a case where we have a child that's made 20 or 25 different placements, and then we wonder when that child is a teenager, why he or she has...gets in trouble, or gets, you know, that's to me, they have no permanence, and that's really concerning to me. So I'm very, very interested in making sure that kids get the kind of permanence and the kind of life quality that they have that they're going to grow up to be effective citizens.

SENATOR JENSEN: Great. Thank you, John. Senator Stuthman and then Senator Howard. Why don't we take Senator Howard's first since she might have to leave.

SENATOR HOWARD: Thank you, sir. At the risk of repeating myself, I'd like your feelings also on the bill that was recently introduced regarding the State Foster Care Review Board and the potential for additional ideas and expertise being placed on that board.

JOHN SEYFARTH: Well, the expertise doesn't bother me at all; it's just that I think we've got a pretty good diverse thing. And you know, one of the things that would, one of the strengths of our local boards is that we have a lot of diversity in our local boards, and we have a lot of diversity in our present board right now. And, you know, for instance, I know the bill calls for a physician and calls for a social worker, but I agree with Jim Gordon that I think we have to be very careful about conflicts of interest on that board because I think it's a...I guess, that's one of my main concerns. But, like on our board we have a nurse; on my board in Papillion, we have an educator; we have a diverse amount of people. I think most the boards are like that, and I think we need to retain that, and also I think we need to see, like you say, we need to keep it disinterested focus on that board so that we have, when you're dealing with agents issues, that we do it in an objective manner.

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SENATOR HOWARD: And so you are open, the way you describe your board, it sounds like you have quite a few individuals with varying backgrounds?

JOHN SEYFARTH: Yes.

SENATOR HOWARD: Thank you.

SENATOR JENSEN: Yes. Senator Stuthman.

SENATOR STUTHMAN: Thanks, Senator Jensen. John, you're serving on this board, and you see the event that, like you just stated, an individual child is placed 20, 25 times, that's more than once a year. Why does this ever happen? Can't you as a board do something about that?

JOHN SEYFARTH: Well, the board can only make recommendations to the judge, and then of course, some of the movements are dictated by what the department does. You know, we make recommendations to the legal parties, and you know, basically that's the Juvenile Court judge, and unfortunately, sometimes, you know, these kids get moved around, and there are also times where kids get, go on AWOL, they go AWOL, and that's considered kind of a placement as well, you know, because they're gone somewhere. But a lot of the kids, you know, have been in the, you know, in the 11 years that I've been here, I've seen a lot of kids where they've had that many placements, where they've had, you know, like 15 different foster homes. Or...one of the things that's hurt us in the last two or three years is that we have not had the money for some of the kids that really need a very highly structured environment to the places where those are available, and that to me, in Nebraska at all, they have to be sent out of state in a lot of cases. So there's a lot of, you know, what are called aggravating circumstances that cause that sort of thing, but we need to minimize that to the extent possible and plan for these kids to get the kind of permanency they need to become as high a potential person as they can.

SENATOR STUTHMAN: That's the thing that always concerns me, because, you know, sometimes even if it's not a good environment, it's still probably better than a new environment and a new environment and a new environment.

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JOHN SEYFARTH: That's right. But we need to make sure that the right environment is the best that it can be for that child, for that circumstance and that child.

SENATOR STUTHMAN: But it seems like then in six months, it changes already, and that's very upsetting to me.

JOHN SEYFARTH: Well, and you know, it's an attachment issue, too, because, you know, I was raised, I was very lucky, I grew up in a home where we...my parents were married the whole time. I've been...my wife has put up with me for 37 years, and so my kids have grown up in a stable environment. I'm not sure I'm the best father in the world, but I try to do the best I could. So I think that's really important, and these kids that run it every six months, they don't have any attachment to a parent a lot of times, and that causes them...they need the stability, I think that, so.

SENATOR STUTHMAN: And I think you would have probably run away from home if you would have had 20 wives in 12 years.

JOHN SEYFARTH: Absolutely, that's right.

SENATOR STUTHMAN: I mean, you'd have said, this is it, I'm getting out of here.

JOHN SEYFARTH: Yeah, yeah. That's right. You feel you aren't loved.

SENATOR STUTHMAN: But that's a concern to me. Yes, that's right. Very much so.

JOHN SEYFARTH: That's really what it comes down to, exactly.

SENATOR JENSEN: Thank you, John. Any other questions? Thank you for appearing before us.

JOHN SEYFARTH: You bet. Have a good day.

SENATOR JENSEN: Thank you. The only name that we haven't dealt with, or a person, is James Schiefen. He's not here

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by chance, is he? Don't think so. With that, I think that concludes our list, and we can go into Exec...


Chairperson


Committee Clerk