

ONE HUNDRED EIGHTH LEGISLATURE - FIRST SESSION - 2023
COMMITTEE STATEMENT (CORRECTED)
LB286

Hearing Date: Thursday February 09, 2023
Committee On: Health and Human Services
Introducer: Walz
One Liner: Provide for confidentiality of a physician wellness program under the Uniform Credentialing Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:
Aye: 7 Senators Ballard, Cavanaugh, M., Day, Hansen, B., Hardin, Riepe, Walz
Nay:
Absent:
Present Not Voting:

Testimony:

Proponents:

Senator Lynne Walz
Todd Stull
Daniel Rosenquist

Representing:

Introducer
LifeBridge NE
Nebraska Medical Association

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

SUMMARY

LB 286 provides that if a Physician/Surgeon is participating in a wellness program, such participation is confidential and not subject to DHHS discovery, subpoena or reporting requirements. The individual may still voluntarily provide information to the DHHS.

SECTION BY SECTION SUMMARY:

Sec. 1: Add Section 2 to the Uniform Credentialing Act

Sec. 2: DEFINITIONS

(a) Physician peer coach means any health care provider licensed to practice medicine or surgery who provides coaching, training, or mentoring through a physician wellness program to another health care provider licensed to practice medicine or surgery under the Uniform Credentialing Act or to a student of an accredited school or college of medicine; and

(b) Physician wellness program means a program that

1 provides coaching, training, and mentoring services by physician peer coaches or coaches certified by a nationally recognized credentialing program for coach practitioners for the purpose of addressing issues related to career fatigue and wellness for individuals licensed to practice medicine and surgery under the Uniform Credentialing Act and students of an accredited school or college of medicine and

2 is established, organized, or contracted by any statewide association exempt from taxation under section 501(c)(6) of the Internal Revenue Code of 1986 that primarily represents health care providers in multiple specialties who are licensed to practice medicine and surgery under the Uniform Credentialing Act. A physician wellness program does not include a program of evaluation, monitoring, treatment, or referral

Any record of participation in a physical wellness program is confidential . . . release of such information requires written release by the physician or the peer coach determines that the person's condition constitutes a danger to public health and safety

A person who contacts or participates in a physician wellness program shall not be required to disclose such contact or participation to any health care facility, hospital, medical staff person, accreditation organization, graduate medical education oversight body, health insurer, government agency, or other entity as a condition of participation, employment, credentialing, payment, licensure, compliance, or other requirement

Ben Hansen, Chairperson