

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

[LB596 CONFIRMATION]

The Committee on Health and Human Services met at 1:30 p.m. on Thursday, March 9, 2017, in Room 1510 of the State Capitol, Lincoln, Nebraska, for the purpose of conducting a public hearing on LB596 and gubernatorial appointments. Senators present: Merv Riepe, Chairperson; Steve Erdman, Vice Chairperson; Sue Crawford; Sara Howard; Mark Kolterman; and Lou Ann Linehan. Senators absent: Matt Williams.

SENATOR RIEPE: Thank you for being here. This is the Health and Human Services Committee. We're going to start off. I happen to be Merv Riepe and I happen to be the Chair of the Health and Human Services Committee. The good looking gentleman down here to my right, I'll let him introduce himself.

SENATOR KOLTERMAN: Senator Mark Kolterman from Seward, District 24.

SENATOR ERDMAN: Steve Erdman, District 47, ten counties in the Panhandle of Nebraska.

KRISTEN STIFFLER: Kristen Stiffler, legal counsel.

SENATOR CRAWFORD: Good afternoon. Senator Sue Crawford, Legislative District 45, which is eastern Sarpy County.

SENATOR LINEHAN: Good afternoon. Lou Ann Linehan, District 39, which is western Douglas County.

TYLER MAHOOD: Tyler Mahood, committee clerk.

SENATOR RIEPE: Thank you. We also have...I want to make sure I look and see our two good-looking pages over here. We work them hard. Brianne Hellstrom who is from Simi Valley, California, and Jordan Snader who is from Oakland, Nebraska, and they're both students at the University of Nebraska, soon to be graduates. And we're very pleased to have them with us today. We have a call coming in. We're going to start with some appointments for the Board of Emergency Medical Services and we have three appointments that we're going to take first before we get into our hearing. We're expecting...the first ones are going to be coming in via phone momentarily. I will go ahead and talk a little bit about...so that we don't lose time. The committee will take up the...we have the one bill today, we'll be taking that up. This is an opportunity for community participation and for the citizens to express their concerns and their support and even opposition or whatever positions they happen to be in. You'll see some of our

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

committee members, senators, coming and going at times. They may have other hearings that they have to open bills on, their bills, or they'll be testifying (inaudible). And we're going to pause there while we take the phone call. Okay, thank you. Mr. Cerny? [CONFIRMATION]

JOEL CERNY: Yeah. [CONFIRMATION]

SENATOR RIEPE: Thank you for being here. This is Merv Riepe. We just announced our committee members. Let's see, we have five of us here. This is for your reappointment to the Board of Emergency Medical Services. We've had an opportunity to have some of your background information and it looks like you have had a full career just in emergency medicine, but we'd like to have you tell us a little bit about yourself and then tell us about your interest in the reappointment and then maybe a little bit what you think we can or should do different with the Emergency Board, if anything. So with that, I'd like to just give you the phone and go from there. [CONFIRMATION]

JOEL CERNY: All right. Well, thank you for the appointment. I guess that's the Governor who did that, but I really appreciate the chance to serve on the board again. I've been a fire chief at Linwood for the last several years, been on the department for over 35. Started out as a first responder and then, of course, that changed to the EMR and that's the position I represent on the board for that. Been doing that over 20-some years. Linwood is a small, rural community, a daytime community where we don't really have anybody available during the daytime. So that's how come we've always gone with just the EMRs. We can't support the full-fledged ambulance because we just couldn't make daytime calls. So our goal always is then when we are available to at least have the patient on the backboard and ready to go when the squads from either David City, Schuyler, or North Bend come into our district to pick them up. Our district is long and narrow on the south side of the Platte River basically from Highway 15 to within two miles of Highway 79. So I just, as far as being on the board, I think the board has made some leaps and bounds in the last couple of years under Dr. Smith's tenure as president. The outreach programs that we did last year and we're going to continue to do this year, trying to get out there and make it a little more accessible for the providers around the state to give us input of what they need, I think is huge. I'm going to be working on...one of the subject groups that I'm working on is with the recruitment and retention. I think that's huge for EMS and firefighters in Nebraska, just because it just seems the younger generation are not into volunteering as much. We've got to work to find what it's going to take to get them people to want to help, so. Other than that, looking forward to it again and can't wait to dig in and start working. [CONFIRMATION]

SENATOR RIEPE: Great. It sounds like you've done your part in terms of the recruitment, that you have your daughter and your son-in-law all involved and I think even your wife does some voluntary work for it, so. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

JOEL CERNY: Yeah. She's not so much into EMS, she's the fire prevention nut in the family so she works on that stuff, so. I also sit on the National Fire Council for the state of Nebraska and I'm actually appointed to the EMS Committee for that group up there, so. [CONFIRMATION]

SENATOR RIEPE: Do you still have time to farm? [CONFIRMATION]

JOEL CERNY: Nope, I'm pretty much out of farming. My full-time job is the safety and environmental manager at Camaco in Columbus, Nebraska. [CONFIRMATION]

SENATOR RIEPE: How does that work out? How far away are you from...in the event that you have to respond, how far? [CONFIRMATION]

JOEL CERNY: Well, my plant to the fire station is 25 miles. And on Tuesday we had a pretty good grass fire going and I did respond to it. And being a daytime call, we're shorthanded. And my boss is really good about letting me go if I need to. In fact, even one of our other firefighters works at the same plant I do and the both of us last time went over to help with the fire. [CONFIRMATION]

SENATOR RIEPE: Well, you've certainly built up a significant resume over the years in terms of the service that you've provided, for which we're very appreciative. And not only for your service in your community, but also your service on this particular board. It's very helpful. And I appreciate the fact that you're talking about the need to recruit and also ways that we can retain and for people to serve, because it goes above and beyond the call of duty. I'm going to ask the other committee members here if they might have some questions of you. [CONFIRMATION]

JOEL CERNY: Okay. [CONFIRMATION]

SENATOR RIEPE: Senator Crawford is with us and she has a question. [CONFIRMATION]

JOEL CERNY: All right. [CONFIRMATION]

SENATOR CRAWFORD: Thank you. And again, yes, thank you so much for serving your own community and serving on our state in this capacity. So I wondered, since you are up for reappointment, to help us understand some of the important functions of the Emergency Medical Services Board, I wondered if you would just speak to what you've seen as some of the major contributions that you have been able to make and that the board has been able to make in your time there already. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

JOEL CERNY: Just the time and effort the committee has put in on changing or updating the protocol, the rules and regs. That's a very big job to oversee that. I give a lot of compliments to the guys that understand...as an EMR I don't understand some of the medicines that the paramedics give and things like that. But it's a lot of work to be able to keep up to date on all that stuff. You know, the health industry is changing daily and yet for the EMS Board to keep on top of that, so we're doing and being able to use the newer medicines and newer procedures that sometimes can get outdated pretty quick in rules and regs. So enjoy doing all that. And like I said, anything the Legislature can do to help. The tax credit I think that got approved last year is hopefully going to be a big help. Also, I guess being from rural Nebraska, who's in charge of EMS to me is a big thing. If the neighboring department decides that they're not going to have a squad anymore, that just puts my people even further away from help. And right now if...well, I'll say Linwood. If Linwood decided not to have a squad, that just means my people are a service, the people in my district are just going to be waiting that much longer before they get help. And that "golden hour" is ticking all the time, you know, and we need to get these people help as soon as possible. Like I said, so if Linwood quits having their service, who is going to say, okay, David City, you have to cover this area? It's not in their tax district even, so that's why it...somebody needs to be making sure that this doesn't happen throughout the state.

[CONFIRMATION]

SENATOR CRAWFORD: And can...that issue about EMS jurisdiction is really a critical one. Is that conversations that you're having on the board to come up with proposals?

[CONFIRMATION]

JOEL CERNY: Yep, yes. And several of the board members have been working with the state Firefighters Association and then NEMSA, that would be the Nebraska EMS Medical Association; they've all been working together. They've been visiting with some of the senators and just trying to...and the county board of officials, I think they've been visiting with them. So I'm hopeful that...there's not going to be no proposals this year, I know. Of course, it's too late to do anything this year, but I'm hoping by next year we'll be able to locate a senator and get something...a bill for you guys all to look at. [CONFIRMATION]

SENATOR CRAWFORD: Great. Thank you. One more? [CONFIRMATION]

SENATOR RIEPE: Sure, of course. [CONFIRMATION]

SENATOR CRAWFORD: I really appreciate you mentioned that you had been working on outreach and recruitment. I just wondered if you could just give us an example of what that looks like, what you've been doing as a board member in terms of working on outreach and recruitment. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

JOEL CERNY: Right now there's myself, Michael Bailey, and Charles--and I'm not even going to try to pronounce his last name because I'll get it all wrong--but the three of us sit on that group and we're first, right now, working on a survey to send out, trying to get the drift from all over the state to see what they're doing, what they're hurting for, what the age group has become, how many calls they're doing, all that sort of thing. So that's one of the things we're doing. Personally, I just even posted this morning about a makemeafirefighter.org that the NVFC is pushing throughout the country, but that even though it's firefighter.org it does also have a place for recruitment of EMTs and paramedics in there, so. [CONFIRMATION]

SENATOR CRAWFORD: Excellent. Thank you so much for your service and thank you for answering those questions to help us learn a little bit more about what you are doing and what your board is doing. Thank you. [CONFIRMATION]

JOEL CERNY: All right. All right, thank you. [CONFIRMATION]

SENATOR RIEPE: Thank you. Senator Kolterman has a question here. [CONFIRMATION]

JOEL CERNY: Yes, Senator. [CONFIRMATION]

SENATOR KOLTERMAN: How are you, Joel? [CONFIRMATION]

JOEL CERNY: Good, good. [CONFIRMATION]

SENATOR KOLTERMAN: I was just going to ask, I worked with you last year on the tax credit bill for firefighters. [CONFIRMATION]

JOEL CERNY: Yes. [CONFIRMATION]

SENATOR KOLTERMAN: And glad we could get that done. At the same time, we were having...in the discussions that we were having between Watermeier, Davis, and I, and you folks, we were having a lot of problems getting people through the process of EMS and getting them licensed and getting them started down the volunteer path. Have you seen any improvements in that process? [CONFIRMATION]

JOEL CERNY: You know, in my general area anyway I've not seen a lot of issues. I know there was just a class here locally not too long ago and I think they're just getting ready to take their...the national registry test. Unfortunately, I think a lot of people have just got such a fear of

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

that class now, because they've heard bad rumors about it in the past. Well, it all comes down to instructors. The instructors have got to get them on-line and get it done. But with the fear of it, so many of the students hesitate getting signed up for it. And you guys know as well as anybody, you take a class, if you don't test on it right away you're going to slowly start losing what you learned in the class, so I push everybody that I know to get signed up for that class immediately, get it taken. But even on that National Fire Council, I've heard problems in the other states with the same issue, with people not passing it. But Nebraska I think has used it longer than some of these other states and I think we're getting over the hump. Nebraska even has a higher pass rate...higher than average pass rate of the national registry than other states. So I think our instructors are doing a good job now. But like I said, the students have got to get out there and take the test right away and not dillydally. [CONFIRMATION]

SENATOR KOLTERMAN: Are you still seeing any challenges getting the licenses approved once people get their hours in and pay their \$1,000 for the school, getting them licensed? [CONFIRMATION]

JOEL CERNY: Well, not really. I don't...you know, the money is a big thing for a lot of people. But most services pay that cost anyway, it's not coming out of the student's pocket for most cases. Some people do take it on their own, but if you're already signed up with a service, I'm sure almost every service is paying your fees. But then I noticed there is also some services requiring them to sign off that say they stay with the service for so many years or else you have to pay them back. [CONFIRMATION]

SENATOR KOLTERMAN: Is there still a 160-hour requirement? [CONFIRMATION]

JOEL CERNY: Yeah, that's what it is. That's what basic is, but there's a lot of other stuff you do even "pre" that don't count in that 160. You have to have your CPR and all that ahead of time, so there's other things. There's hazmat that...some requirements for that. There's a lot of training that's not really in that 160 that you need to have also. [CONFIRMATION]

SENATOR KOLTERMAN: In addition to. [CONFIRMATION]

JOEL CERNY: Right. [CONFIRMATION]

SENATOR KOLTERMAN: Well, thank you for your service. [CONFIRMATION]

JOEL CERNY: All right, thank you. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: I had a question. Do you have any situations where community members might write you a check for \$100 or \$200 or \$500 or is there any of that that happens for...
[CONFIRMATION]

JOEL CERNY: Yeah. Years ago it seemed like every call we went, the people would write us a small check or donation. Recently, that's kind of fell off, but we had a pretty traumatic call here last...well, it was the night before Thanksgiving and they wrote us a very nice check. But we just don't get them as often as we used to. [CONFIRMATION]

SENATOR RIEPE: What is the status of your equipment and your rigs? [CONFIRMATION]

JOEL CERNY: I've always thought we were pretty well updated. Some of our trucks are getting a little older, but for as small a town as we are I think we have pretty good equipment.
[CONFIRMATION]

SENATOR RIEPE: Okay. Well, that's good to know, too. Are there additional questions? Seeing none, do you have questions of us? Okay. Hearing none, thank you very much. We very much appreciate your service. We appreciate your calling in today. [CONFIRMATION]

JOEL CERNY: Well, you're welcome and I wish I could have been there, but back surgery yesterday kind of forbade me from driving that far. [CONFIRMATION]

SENATOR RIEPE: Well, we hope you have quick recovery. [CONFIRMATION]

JOEL CERNY: Yep, me too. [CONFIRMATION]

SENATOR RIEPE: Okay. Thank you very much. [CONFIRMATION]

JOEL CERNY: All right. Bye. [CONFIRMATION]

SENATOR RIEPE: Bye. Okay. Thank you very much. Our second reappointment is with Dr. Thomas Deegan. Is Dr. Deegan here? Yes, there he is. If you'd come forward, please, in the witness chair or whatever it's called. We won't even use the lights on you. If you would just tell us a little bit about yourself, we do appreciate your service. [CONFIRMATION]

THOMAS DEEGAN: I am a pediatric emergency medicine physician, currently at Children's Hospital in Omaha. I'm the associate medical director for the Department of Emergency

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

Medicine. I've been in Omaha now for about ten years, working at Children's. I was recruited initially to help establish the trauma program for Children's Hospital. My prior clinical work and academic work, etcetera, was done at the University of Michigan in the pediatric emergency department there. I've been practicing pediatric emergency medicine for over 25 years, ever since becoming...finishing up residency program. I've been involved in EMS throughout my career in medicine in various aspects of education...mostly education. It's been a pleasure to serve on the state board and have more experience with doing things more legislative and the process as opposed to just education through MDs and emergency medical services. The board is a very active board. We get a lot accomplished. There's a lot of (inaudible) of work to do and it's been a pleasure serving on the board. [CONFIRMATION]

SENATOR RIEPE: Okay. We could tell by Joel's comments how much they appreciate your engagement along with Dr. Smith's, having some medical expertise on there. [CONFIRMATION]

THOMAS DEEGAN: My primary role on the board is really to be an advocate for children in the emergency medical services provided throughout the state to make sure that things don't change for adults and then try and get applied to children inappropriately. That's been a pleasure. [CONFIRMATION]

SENATOR RIEPE: Are there questions from the committee members? Senator Crawford. [CONFIRMATION]

SENATOR CRAWFORD: Thank you, Chairman Riepe. And thank you for being here and thank you for your service. [CONFIRMATION]

THOMAS DEEGAN: Thank you. [CONFIRMATION]

SENATOR CRAWFORD: There have been some conversations about the board and its role and its importance. And so I wondered if you would just speak as to what you see as critical functions of the board, as you see your role there. [CONFIRMATION]

THOMAS DEEGAN: I'm also part of the group...a subcommittee that is reviewing the rules and regulations. And I think that is critically important to update and to allow the rules and regulations to allow for advances...rapid advances that are occurring in medicine. Sometimes we've found them to be restrictive at times, where we can't implement things that are on the cutting edge of medicine. That scene is changing every day it seems like. I think that's going to be an important part of reviewing and updating the rules and regulations as well. The other thing

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

that is I think vitally important for the board to push forward as hard as we can is to establish sustainability of the emergency medical services throughout the state. Joel was talking about places that are potentially closing and having to expand their own coverage. And that just...we have to create a way of making sure that doesn't happen on a large basis, because it would be a disaster for this state, especially with how rural a lot of the areas are already.
[CONFIRMATION]

SENATOR CRAWFORD: Thank you. [CONFIRMATION]

SENATOR RIEPE: I know Children's has its own rescue squad, if I may call it that. Are you engaged with that? [CONFIRMATION]

THOMAS DEEGAN: Somewhat. I help with some of the education. They are based out of...their offices are right next to the emergency department so we see them all the time and we interact with them when they bring us patients. They're different than an ambulance service, they're a transport service, a critical-care transport service. So they don't actually go to a scene and pick up patients. They go to the referring emergency departments for them.
[CONFIRMATION]

SENATOR RIEPE: Okay. And what about the helicopter service? Are you involved with that too? [CONFIRMATION]

THOMAS DEEGAN: I don't do anything directly with them. Again, it's more of a collegial work with them. Given that this rural nature of the state, there are less helicopter transports than I had experienced when I was at the University of Michigan. [CONFIRMATION]

SENATOR RIEPE: Do you also...I would ask you if you know one doctor, Dave Tull (phonetic)?
[CONFIRMATION]

THOMAS DEEGAN: Oh, yes. My mentor in my administrative time at Children's. Yes, very well. My former boss. [CONFIRMATION]

SENATOR RIEPE: Okay. Yeah, Dave is a good guy. Are there other questions? Do you have questions of us? [CONFIRMATION]

THOMAS DEEGAN: Not that I can think of. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: Okay. [CONFIRMATION]

THOMAS DEEGAN: Thank you for all your support of emergency medical services.
[CONFIRMATION]

SENATOR RIEPE: Thank you. Thank you for your service and your leadership in this. It's very important to us. [CONFIRMATION]

THOMAS DEEGAN: Thank you. [CONFIRMATION]

SENATOR RIEPE: And tell Dr. Tull hello. [CONFIRMATION]

THOMAS DEEGAN: I shall. [CONFIRMATION]

SENATOR RIEPE: Okay, thank you very much. Our next reappointment. We're going to...just like threading the needle. We have got a call coming in we think and for...well, we're going to go ahead, we're not going to sit here for four minutes. Linda Jensen. Thank you. We appreciate you being here. Although we talked about the four minutes, we don't want you to be rushed. Okay?
[CONFIRMATION]

LINDA JENSEN: Thank you. [CONFIRMATION]

SENATOR RIEPE: Thank you. [CONFIRMATION]

LINDA JENSEN: Good afternoon. I'm Linda Jensen, I am a registered nurse. I have my master's in nursing. I'm certified in emergency nursing since 1980. I am currently working as physician surrogate for three volunteer rescue squads. The rules and regulations allow for the medical director of those rescue squads to identify a physician surrogate. And I work with Fort Calhoun, Irvington, Ponca Hills rescue squads in the eastern part of our state. I work with Dr. Bruce Holcomb in that capacity. I'm proud to say that I have served on the EMS Board since 2016. I'm very pleased to have an opportunity to have a reappointment. I am currently working about 30 percent in my job that I described to you. I have many wonderful opportunities to interact with those rescue squads and the EMS personnel. I have been involved with emergency nursing since 1975 in one way, shape, or form: ER staff nurse, a manager of a large metropolitan emergency department, and then my opportunities to work with the rescue squads since 1980...1979, 1980 was when I first started working directly with and in the capacity of physician surrogate for those squads. I find it to be very challenging and very rewarding to work with the EMS Board for the state of Nebraska. I'm very grateful for that opportunity. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: See if he can hold for a little bit or we can...is my mic ready for that? Dr. Smith? [CONFIRMATION]

JAMES SMITH: Yes, sir. [CONFIRMATION]

SENATOR RIEPE: Merv Riepe with the HHS Committee. Would you be able for us to either call you back or could you hold for a few minutes, too? [CONFIRMATION]

JAMES SMITH: I can hold as long you need me to hold. I'm a captive audience. [CONFIRMATION]

SENATOR RIEPE: Thank you. You're a gentleman. We appreciate it. We'll be right back to you. [CONFIRMATION]

JAMES SMITH: No problem, I'll just sit here and hold. I'll be fine. [CONFIRMATION]

SENATOR RIEPE: Thank you, sir. [CONFIRMATION]

JAMES SMITH: Oh, you bet. [CONFIRMATION]

SENATOR RIEPE: Thank you. [CONFIRMATION]

LINDA JENSEN: I'm very proud to tell you that the board...the EMS Board, in my opinion, we have been able to do many, many things to help the citizens of the state of Nebraska. I look at it...our number one priority is to make sure that we provide a safety net. It's all about providing safety for the citizens of Nebraska. I believe that we do that in many ways. And we take a look at, any time we get a concern about a rescue squad or how a patient is treated, we follow up very carefully on that. Our closed sessions are very filled with thoughtfulness about what is in the best interest for the patient and how we can maintain that for the state of Nebraska. We have many projects currently. And I am privileged to be on the rules and regulations committee. We have spent many, many hours working on looking at the rules and regulations to make changes so that they will meet our needs into the future and so that we can take a look at not only meeting those needs but doing it in a state where we have much diversity with the needs of the frontier areas, the high, dense populated metro areas. [CONFIRMATION]

SENATOR RIEPE: Thank you very much. You have a responsibility for the education? Is that true within the committee or is that... [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

LINDA JENSEN: I'm on the committee representing RN, the RN educator. [CONFIRMATION]

SENATOR RIEPE: Okay. Not education for the whole thing? [CONFIRMATION]

LINDA JENSEN: No. No. They have a position on the board for an RN and that's the position that I am currently filling. [CONFIRMATION]

SENATOR RIEPE: Very good. We will see if there are questions from the committee. I don't see any. Oh, you do? Senator Crawford, please. [CONFIRMATION]

SENATOR CRAWFORD: Thank you, Chairman Riepe. And thank you so much for coming to visit with us. And as I was reviewing the materials, your letter was just very helpful in terms of...and so I really appreciate that you took the time to lay out some of the things that you've been doing and your work on the board. And I just really appreciate those efforts. Also, to see some of the work that you're doing with your own squads, that we can see that expertise that you bring to the board. And I just really appreciate your efforts and I appreciate all that you're bringing to the board. I wonder, from your experience what do you see as one of the biggest challenges that we face in moving forward in the state in terms of EMS services?
[CONFIRMATION]

LINDA JENSEN: Well, I tell you this. When my husband and I travel across the state of Nebraska, which we love to do, we get into some spots that are not very densely populated and are in fact pretty remote. And I always think about what would happen if we were traveling through there or if our loved ones were traveling through or someone from another state came through. I tell you, I think one of our biggest challenges is to recognize that we do have those areas, recognize that we do have in some places we have in the metropolitan areas where we have university settings, we'd have a push to take this...take EMS to the sky. We have other spots where they're having difficulty, as Joel mentioned, getting people to work in the EMS field. So I think we have to very carefully look at that and we have to figure out what would meet the needs...what we could do across the state to provide, always and everywhere, a basic level of service. And then allow for everyone to have the ability to tier in for the next level and to be able to get the patients to the center or to the facility that can most quickly identify what's going on and help them. And that's a real challenge. I have a feeling that in many areas we would be well served by identifying that the emergency medical responder would be the basic level that we need to be able to guarantee all across the state of Nebraska and then build upon that. It's a tough situation because we need more people to volunteer or to help with that. [CONFIRMATION]

SENATOR CRAWFORD: And do you feel our emergency responder level is an appropriate level as we have it defined now? [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

LINDA JENSEN: I think it is an appropriate level, because we have it tiered. We have the emergency medical responder, the EMT, the advanced EMT, and the paramedic. So we have room for getting someone in as an emergency medical responder taking 60 to 80 hours of classroom and beginning their work in the community. And then if they desire, to take it up another level. And so if we were to take a look at the state of Nebraska and how we can map it out and make sure everyone in the state has access to the best for that given area. I even wonder if we shouldn't be providing some of these EMR classes in our high schools.

[CONFIRMATION]

SENATOR RIEPE: Do they incorporate on-line training? [CONFIRMATION]

LINDA JENSEN: They do in some places and that is a possibility, yes. [CONFIRMATION]

SENATOR RIEPE: Okay. Senator Linehan, you had a question. [CONFIRMATION]

SENATOR LINEHAN: Thank you, Mr. Chairman. Thank you very much for coming today. I appreciate it. I was just noticing on your list of some classes, you mentioned a couple of times here, "Beyond the Basics: Psychiatric Emergencies", "Special Patients with Special Needs", "Not Your Typical EMS Code of..." How many...and I don't even know if this is an...oh, I'm just going to ask. How many emergencies, especially maybe where you've got a larger population, number of your emergency calls are because of mental health or behavioral health issues?

[CONFIRMATION]

LINDA JENSEN: In the metropolitan area where I am from and in the large hospital at Immanuel where I worked, yes, we had a large percentage of patients who come in because of emotional issues, because of behavioral issues. And it is becoming more and more of a problem throughout the metro area. And I have a sense when I talk to colleagues across the state and in other states that it's becoming more and more of a problem because of drug problems interfering, because of emotional issues that aren't being taken care of. [CONFIRMATION]

SENATOR LINEHAN: So do you feel...so your training up to that? You feel like people know when they can recognize what's going...? [CONFIRMATION]

LINDA JENSEN: We are doing a lot of training in that area. I think we still have room, much room for that and continued work in that area. [CONFIRMATION]

SENATOR LINEHAN: Because it seems from watching the news sometimes the police show up and it doesn't seem like maybe they understand. I don't know. I just...it's a concern of mine that

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

people are confused when somebody is having a behavioral health problem that it's recognized as for what it is. [CONFIRMATION]

LINDA JENSEN: I think in Omaha there has been more work done with the police and with EMS to help them to recognize those situations and to deal appropriately with them and to be able to give them medications to help to quickly calm them down and get them out of that state of excited delirium. [CONFIRMATION]

SENATOR LINEHAN: Okay. Thank you very much. I appreciate it. [CONFIRMATION]

LINDA JENSEN: You're welcome. [CONFIRMATION]

SENATOR RIEPE: We recently saw some news stories that the police were going to carry tourniquets. Is that applicable for the state in general and for the rescue workers?
[CONFIRMATION]

LINDA JENSEN: It's my understanding from listening and learning from the trauma physicians that we've learned a lot in our experiences with war and with mass casualties around the country and around the world. And the tourniquets, yes, indeed, have proven to save lives. I think it's an excellent idea that they're able to equip the police with them and that they also are able to use them on the rescue squads as well. [CONFIRMATION]

SENATOR RIEPE: I was just curious if they will take that out to county sheriffs and other people. [CONFIRMATION]

LINDA JENSEN: And you know, that is what we are challenged with. When we have something like that that happens and we're able to move and grow and give better patient care, we do have that challenge, making sure that we get all that information out, just like with our stroke care that we're currently doing. [CONFIRMATION]

SENATOR RIEPE: Are there other questions? You did mention you were from Immanuel so I can't help but question if you didn't know Sister Ingeborg and Hans Link. [CONFIRMATION]

LINDA JENSEN: Oh, yes. Yes. Sister Ingeborg hired me for my first job as a nurse at Immanuel. [CONFIRMATION]

SENATOR RIEPE: Really? [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

LINDA JENSEN: Yes. And Hans Link, yes, indeed. [CONFIRMATION]

SENATOR RIEPE: Great people. [CONFIRMATION]

LINDA JENSEN: Yes, that is for certain. [CONFIRMATION]

SENATOR RIEPE: Okay. Thank you so much. [CONFIRMATION]

LINDA JENSEN: Thank you for the honor of the reappointment. [CONFIRMATION]

SENATOR RIEPE: Thank you for your service. We appreciate it very much. Okay. May we go to...are we on now with Dr. Smith? Dr. Smith? [CONFIRMATION]

JAMES SMITH: Yes, sir. [CONFIRMATION]

SENATOR RIEPE: We appreciate your patience, you're very kind. [CONFIRMATION]

JAMES SMITH: Oh, and I'm so sorry that I couldn't travel down in person. I want to thank you all for allowing me to attend by phone. It's a little bit of a jaunt, but thank you very much. [CONFIRMATION]

SENATOR RIEPE: We're really high-tech guys, so we've got this phone thing figured out a little bit. [CONFIRMATION]

JAMES SMITH: Well, that's good. [CONFIRMATION]

SENATOR RIEPE: We've heard some nice things about your leadership. And we'd like to have you just share with us a little bit your reappointment interest and also a little bit about yourself and also about what you would see going forward for the board. [CONFIRMATION]

JAMES SMITH: Yes, Senator. So for the record, my name is James E. Smith, J-a-m-e-s, E., Smith, S-m-i-t-h. I have been on the board now--this will be my third appointment to the board--and took over chairman of the board just short of two years ago. I'm a residency-trained, board certified emergency medicine physician so EMS is part of my heart and soul. We interact, as you know, day in and day out with all levels of EMS providers. I am a volunteer medical director for everything from our rec center in North Platte, where I live, to two volunteer squads, one up in Tryon, which is in the middle of the Sandhills, one east of us in Maxwell. I'm a volunteer

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

medical director for our paid service here in North Platte, which is an ALS service. And I am the medical director for the critical care flight helicopters. So I've been doing this for, I guess, 28 years. The time that our volunteers and the commitment that they make to our residents of Nebraska is just amazing and I'm proud to be part of that. [CONFIRMATION]

SENATOR RIEPE: Well, we appreciate very much your engagement and your leadership. I'm going to ask the committee if they have some questions of you. [CONFIRMATION]

JAMES SMITH: Absolutely. [CONFIRMATION]

SENATOR RIEPE: Evidently your reputation is good enough that we don't have (inaudible). [CONFIRMATION]

JAMES SMITH: Well, thank you. I cannot tell you...the board that I have is fabulous. They are terribly engaged people, they're brilliant people. As you know, we are in the midst of rewriting the rules and regs and we have a commitment to make the rules and regs less proscriptive. We have opened up a tremendous amount of good dialogue within all the stakeholders within the state of Nebraska that perhaps in the past there hasn't been great dialogue with and the board if reenergized and we're excited about solving some of the challenges that face us all so we can put our patients first. [CONFIRMATION]

SENATOR RIEPE: Great. Thank you so much. I would tell you also that the North Platte senator, Senator Groene, is in the room here with us, too. [CONFIRMATION]

JAMES SMITH: Senator Groene, how are you, sir? [CONFIRMATION]

SENATOR RIEPE: He's waving, if that's a sign. That's one of his shorter speeches. Thank you so very much. We do appreciate it and we will...you will be hearing back from the Governor's Office as we go through this process. But we do appreciate everything you do. Thank you. [CONFIRMATION]

JAMES SMITH: Thank you, Senators. Thank you for your time. [CONFIRMATION]

SENATOR RIEPE: Thank you. Bye. [CONFIRMATION]

JAMES SMITH: Bye-bye. [CONFIRMATION]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: Okay. Thank you very much. I'd like to go back...please, have a seat there, Senator Groene. I'd like to go back through because...we're going to have some students join us here. I guess they want to listen to the white-haired teacher here. He said that to me. I'd like to start...Senator Kolterman, would you introduce yourself again as we start the committee, just because some people were here and some not. [CONFIRMATION]

SENATOR KOLTERMAN: Senator Mark Kolterman from Seward, District 24.
[CONFIRMATION]

SENATOR HOWARD: Senator Sara Howard, I represent District 9 in midtown Omaha.
[CONFIRMATION]

SENATOR ERDMAN: Steve Erdman, District 47, which encompasses ten counties in the Nebraska Panhandle. [CONFIRMATION]

KRISTEN STIFFLER: Kristen Stiffler, legal counsel. [CONFIRMATION]

SENATOR CRAWFORD: Good afternoon. Senator Sue Crawford, Legislative District 45.
[CONFIRMATION]

SENATOR LINEHAN: Good afternoon. Lou Ann Linehan, District 39, western Douglas County.
[CONFIRMATION]

TYLER MAHOOD: Tyler Mahood, committee clerk. [CONFIRMATION]

SENATOR RIEPE: And again, our pages are Brianne Hellstrom from Simi Valley, California, and Jordan Snader from Oakland, Nebraska. Some of the rules of engagement for today are, we'd ask you to please turn off your cell phones. We would ask you if you are going to testify to move to the front. The way that the process works, if you're not familiar with it, in this case Senator Groene who will be the introducer of the bill, will make his introduction. He's not limited by time. We will then following that go to proponents, that then followed by opponents, anyone that's testifying in the neutral capacity. We will then go to Tyler over here and have him read any letters of support, opposition, or neutral that we've received. And at that conclusion of all of that we go back to the introducing senator, who has an opportunity to both present his closing comments and also may face some questions, if you will, from the committee. Those of you who are coming up will be...we are on a time line here, we are on a five-minute, which means four on green, one on amber, and then a red light. When it gets to a red light we ask you to simply pull together your thoughts and conclude as fast as you can or as quickly. And if that doesn't happen,

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

I may have to ask you then to, please, try to conclude. That's with the intent not to be rude, but the intent that we can get all of those that want to testify an opportunity. If you do intend to testify, we ask you to sign the orange sheet, bring it and give it to the committee clerk or to one of...the pages will probably take it. And if you have handouts, you're welcome to do that and will need ten copies. If you don't happen to come with ten copies, please, one of our very young and energetic pages over here will lickety-split go out of here and make copies and get them back to us, but we need for the entire committee. We also, if you're here and you don't want to testify but you want to go on record as having been here, please sign in at either door. We have white sign-in sheets and those will become part of the permanent record, if you will. That said, we have one bill that's here today and that is LB596. Senator Groene, please, if you will, state your name, kind sir, and spell it then the mic is yours. [LB596]

SENATOR GROENE: (Exhibits 1-3) First, I'd like to thank you, Senator Riepe, for having me, and the committee. Mike Groene, M-i-k-e G-r-o-e-n-e. LB596 provides an exemption for those involved in the practice of equine massage from regulations by the Department of Health and Human Services. The bill defines specific actions that someone in equine massage therapy can perform hands-on techniques to do the following: increase circulation; relaxing muscle spasms; relieving tension; enhancing muscle tone; and increasing range of motion in high performance horses. This language came from...we found three schools in Florida, Kentucky, and Illinois that offer animal massage as a degree. And that is how they describe the technique. It clarifies that an unlicensed assistant does not include a person engaged in equine massage therapy and that a veterinarian license is not required for any person to practice equine massage therapy. The Department of Health and Human Services, DHHS, reported that there have been no applications received and no licenses issued for animal massage therapy in Nebraska. No educational program offering animal massage therapy have been reviewed or approved by the Board of Veterinary Medicine and Surgery in animal massage since no one has applied for this license. And there is no course study offered in Nebraska that we can find. We've asked down at Curtis. We've researched and I think another testifier has been researching if a veterinary school, Iowa of Kansas State, even offers in the course of study to a veterinarian, massage. I hope they have found that information out and testify later. There are horses being denied massage service in Nebraska because of undue government regulation and I've heard from a lot of horses. The DHHS reports that their investigations unit has not received any complaints regarding individuals offering equine massage therapy. I'll give you three handouts. The fiscal note, there's no fiscal note at all. The first handout is existing statute, 38-3321, which states: no person may perform health care therapy on animals in the state who is not a licensed animal therapist. The Veterinary Medicine and Surgery Practice Act shall not be construed to prohibit...that's where it's based off of. Handout number two is the Health and Human Services' guidelines. In fact, one of the biggest complaints I've heard about, why were you doing this? We spent a lot of time putting these regulations together, as if that's a reason to not fix it, that they spent a lot of time putting the regulations together. But that's handout number two. I would think the reason government

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

intervenes in services offered to citizens by an individual is to assure a citizen access to a service by a reliable individual. Its purpose should not be to protect an occupation from competition. We're based on freedom in this country. I believe that when regulations interfere with the freedom of a citizen to access a service, then that regulation should be eliminated. The evidence shows...which handout number three, if I can find it...we checked with the Department of HHS and they're ten individuals that have been licensed for animal therapy: chiro VOM, chiro, chiropractic, chiropractic, chiropractic, chiropractic, chiropractic, chiropractic, occupational therapy, and physical therapy. There has not been one license for horse massage. And if you look at the towns, it's a typical situation we have in western Nebraska. There's not enough people out there, not enough individuals. There's nobody there west of Ord, nobody west of Ord and that's a big chunk of the state of Nebraska. But that's who has applied for it so far. The point is this, this is not a big money maker. The people who wish to do this love horses, high-dollar quarter horses at rodeos, cutting horses, equestrian events, polo, the wealthy. Horses have cramps, too, I understand. And these folks want to help. But they need to cover their travel expenses, they need...they hang around rodeos. They hang around horses. There's going to be...the lady who brought this to me...this was brought to me by the editor of the Bulletin in North Platte. And he asked me...he'd heard about the Governor pursuing licenses of certain occupations to ease up on it. And he said, did you hear about this lady in Arnold, Nebraska? She's got a story for you. And that's just right...it's in Senator Williams' district, but it's right on the edge of mine. So she told me the story and I said, well, I'll bring a bill. We threw this together in the last week and we presented it and she will testify on her experience. But government shouldn't be to the point where they regulate to the point where there's no services offered because nobody wants to go through the rigor to rub a horse. This isn't physical therapy where we manipulate or chiropractic where you manipulate the spine, this is massage. In fact, in most states...I guess there's somebody behind me also that's going to testify on how many states don't even license human massage. So they'll be coming up after me. Otherwise, I think I got it covered and we'll wrap up after I hear testimony. [LB596]

SENATOR RIEPE: Okay. Thank you, Senator, and let's see if there are some questions. Okay. So you're saying none of these sources are covered under the Affordable Care Act? [LB596]

SENATOR GROENE: It's a cash...it's a cash...it's probably being done under the table because of government's heavy regulation. All right? [LB596]

SENATOR RIEPE: Okay. Thank you. Will you be staying around for closing? [LB596]

SENATOR GROENE: Yes, I will. [LB596]

SENATOR RIEPE: Okay. We appreciate it. Thank you very much. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR GROENE: I have another hearing but I'll... [LB596]

SENATOR RIEPE: We would now like to hear from proponents in the audience that may support this piece of legislation. This is part of the public hearing. I see a movement. Thank you very much. If you'll state your name and then spell it for us, for the record. [LB596]

KAREN HOUGH: (Exhibits 4 and 5) Okay. My name is Karen Hough, spelled K-a-r-e-n H-o-u-g-h. [LB596]

SENATOR RIEPE: Okay, thank you very much. [LB596]

KAREN HOUGH: And I am here as a proponent of this, because I found a job that I really loved that fit me so well. It was...we live down a "washboardy" road. For me to drive to town and go to work, all I would do in a year is tear up the car. But this allowed me to have appointments in my yard. They brought the horses to me and I could have appointments in my yard. And I studied it for five years and then I went to a school in Chadron, Nebraska, and got certified. And I just...I loved it. I followed people around and just did it. And when you're doing it you're on the same page with every single other person there; you all want that horse to feel better. And it's such a great feeling, it's just such a feeling of camaraderie. So anyway, I wanted to be the best I could be and so I called HHS and asked them if I couldn't have a license, what I would have to do to have a license. And they said I could not do it unless I was a licensed veterinarian. I could not do it for money. I could not do it for free. And I couldn't show anyone else how to do it. And so that is what started me on this path. I essentially turned myself in. And I want you to know that the reason that I'm here alone today is because people know what happened to me. Nobody is going to call and ask for a license because the horse community is a very tight-knit community. Mr. Groene mentioned, there's probably 100 horse events all over this state on any given weekend. And they want their horses massaged. Well, veterinarians don't want to go out for the weekend and spend from 8:00 to 7:00 at night waiting for somebody to massage their horse. So it creates a place where there is no service. The reason...another reason I'm not really here alone is because most of the horses that I massage were for children and they had junior rodeos, 4-H, whatever. They can't wait for an appointment with a vet for three weeks from now. They want their horse to be massaged now, they want that muscle corrected now. And after I quit and I just referred them to a vet that did it, they had to wait three months for an appointment. Well, they called back and he said, in three months? 4-H is over in three months. An appointment of three months is not going to help me. But when I got the cease and desist order, the kids said, well, we want our horses massaged, can't you just go ahead and do it? And I said, no. I said, we don't break the law, we change the law. I said, we live in America. We need to...when a law isn't fair or interferes with services and stuff...and I had no realization of the road I was starting down. But those children are here with me today, because they want to know why I can't massage their horses.

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

And I am here for the young women that were in that school that I was in, in Chadron. I'm here for them because they have the perfect job. They...same as me, live down a "washboardy" road, they go to work in town--and most of the jobs in town are minimum wage jobs--they're just going to tear a vehicle up. But this job fits. When you live out in the middle of nowhere in horse country, this job fits. And I'm here for them. And like I said, they're not going to come here and testify with me, because they know what happened to me. I wanted to say the states that do not regulate EMT or equine massage therapy at all are some of the biggest horse states in the United States, they're Texas, they're California, South Dakota, North Dakota. They don't feel like equine massage therapy needs any kind of regulation. Okay. And I wanted to say one more thing. [LB596]

SENATOR RIEPE: Please do. [LB596]

KAREN HOUGH: Why this matters to Nebraska, to our state is because when you don't allow these people to have these jobs...and there's a lot of jobs that are held under scope of practice that could be jobs for these people that live far away, I mean live down dirt roads that are 30 miles long. The three legs of your taxes, the property tax, the sales tax, and the income tax, the state of Nebraska loses income taxes when they make services illegal that are of no harm to anyone. I've been injured once getting my hair cut and it was by a licensed practitioner and she cut my ear. And that's the only time I've been injured with a haircut. And nobody that I know of has been injured with a...am I...I'm done. [LB596]

SENATOR RIEPE: Thank you very much. I know you came a great distance. And we'll see if there's some questions from the committee members. Senator Howard. [LB596]

SENATOR HOWARD: Thank you, Senator Riepe. [LB596]

KAREN HOUGH: And I'm standing because I'm really, really short and, if I sit down, you're not going to be able to see me (laughter). [LB596]

SENATOR RIEPE: I don't know that we've had anyone stand, but it was perfectly fine (inaudible). Senator Howard. [LB596]

SENATOR HOWARD: Thank you, Ms. Hough, for visiting with us today. You had mentioned that you went to school in Chadron for equine massage. [LB596]

KAREN HOUGH: Yes, yes. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR HOWARD: Can you tell me about sort of what...how many hours it took and what type of classes were available? [LB596]

KAREN HOUGH: We were there from...we started at 7:00 in the morning and we went till 7:00 or 8:00 at night for five days in a row. But that works for us, because we can't just bounce back and forth. It's not that easy to go there; we were going to have to stay. And so doing the longer hours was... [LB596]

SENATOR HOWARD: Makes sense. [LB596]

KAREN HOUGH: It made sense. We did classwork in the morning and then we did...but the lady that had that class, she said in Colorado they had it so that you had to have a certain amount of education. And she said the people coming out of those education classes were still...they were learning a lot of terms and stuff, but they weren't actually learning how to put their hands on a horse. And that's what we did in these classes, is we had classes in the morning, we put our hands on horses all afternoon till 7:00 at night. [LB596]

SENATOR HOWARD: And for the classes in the morning, were they around anatomy of horses or what were they about? [LB596]

KAREN HOUGH: They were about muscles, because that's what you're dealing with, with massage is you're loosening up the muscles. They get muscle cramps in there. I can show you. [LB596]

SENATOR HOWARD: Oh, no, you're fine. I believe you. I'm a very...I had a seventh grade year where I was in love with horses, so this is wonderful for me. But I did want to ask, just for me to have a better understanding of the educational opportunities around this profession, did you get a certificate when you were done? [LB596]

KAREN HOUGH: Ta-da, I got two even. [LB596]

SENATOR HOWARD: And then were most of your classmates also veterinarians or... [LB596]

KAREN HOUGH: What? [LB596]

SENATOR HOWARD: Were most of your classmates veterinarians or were they mostly laypeople or people in the horse community? [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

KAREN HOUGH: There was one veterinarian that was helping teach. These people were all from Colorado. [LB596]

SENATOR HOWARD: Okay. Was the school accredited then in Colorado? [LB596]

KAREN HOUGH: I don't know. I don't know. [LB596]

SENATOR HOWARD: Okay. Thank you. [LB596]

KAREN HOUGH: They give a lot of schools. These particular people give a lot of equine massage therapy schools. [LB596]

SENATOR HOWARD: Okay. [LB596]

KAREN HOUGH: And they do them like all over the country. And so I don't know. They weren't the classes that they were required to take in Colorado. But this is what she was saying was that the classes were teaching more anatomy and not actually visualizing what was wrong with the horse and actually...I mean, there's a difference between educating a person towards the science and educating the person towards the feel...you know, the looking at them and seeing what's wrong and the feel of the muscles and that kind of stuff. So you could read a book all day, but you can't understand how it feels. [LB596]

SENATOR HOWARD: Certainly. And I only ask because when we consider licensure we always try to consider the educational background as a part of that license. So I appreciate you sharing about that school in Chadron. Thank you. [LB596]

KAREN HOUGH: What I really would like to see happen is that it just not be regulated, because anybody that's doing it wants to do the best they can. If you're a hack, you're going to show up so quickly and clearly in that people know their horses, they spend a lot time with their horses, they spend a lot of money on their horses. These people are not uneducated that are asking us to do this. You know what I mean? And if you don't know what you're doing, they're going to spot you a mile off. So to me, no regulations is the best. [LB596]

SENATOR HOWARD: What's the value of a horse? Like how much do horses cost? [LB596]

KAREN HOUGH: It is the value of what two people come together... [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR HOWARD: And decide on, okay. [LB596]

KAREN HOUGH: It is the...if you're looking for a child's horse, then you're going to give more for a child's horse than somebody who's looking for a barrel-racing horse. So it's two people getting together on what they believe the value of that horse is to them. [LB596]

SENATOR HOWARD: What's the most you've ever heard of a horse selling for? [LB596]

KAREN HOUGH: Some of those horses that like that go to the NFR, they sell for \$150,000. [LB596]

SENATOR HOWARD: All right. Thank you. [LB596]

KAREN HOUGH: So they can go from \$300 to...you know, in the racehorse industry they'll sell for a million or more than a million, I mean, or several million. So somewhere between \$300 and several million. [LB596]

SENATOR HOWARD: That's a range. Thank you for visiting with us. [LB596]

SENATOR RIEPE: Did you say that you had brought some students with you? [LB596]

KAREN HOUGH: Some what? [LB596]

SENATOR RIEPE: Did you talk about students when you came in? [LB596]

KAREN HOUGH: No, I said they are with me in spirit. [LB596]

SENATOR RIEPE: Oh, okay. I thought maybe all these students out here were horse massage therapy students. [LB596]

KAREN HOUGH: I kind of looked behind me and I can see these are probably not horse people. [LB596]

SENATOR RIEPE: Well, they might be. They might be. Everybody likes horses. [LB596]

KAREN HOUGH: Well, I know it. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: Are there additional questions? Senator Erdman. [LB596]

SENATOR ERDMAN: Okay, Senator Riepe, thank you. Thank you for coming. I'll just start with this. Do you know who your county commissioners are? [LB596]

KAREN HOUGH: My county commissioners? [LB596]

SENATOR ERDMAN: You need to call them and tell them about your road. [LB596]

KAREN HOUGH: I have a neighbor lady down the road that calls them on a regular basis. [LB596]

SENATOR ERDMAN: Okay. That's the calls I would always get. [LB596]

KAREN HOUGH: There are just so many roads out there and they're so long, we just give up on them being taken care of. [LB596]

SENATOR ERDMAN: Okay, so my question is, you were doing this therapy for those 4-H and rodeo people and you, as I see you gave us a letter about cease and desist, and they weren't very threatening at all. They were going to put you in jail for what, one year and \$25,000 fine? No, 20 years in prison. [LB596]

KAREN HOUGH: Twenty years in prison or a \$25,000 fine. [LB596]

SENATOR ERDMAN: So they weren't at all trying to threaten or anything, but anyway. So what did those people do if you stopped doing this eight years ago? Where have they gone? [LB596]

KAREN HOUGH: Like I said, most of them, I told them to go to...there was one vet in Broken Bow that did chiropractic and I referred them to them. And some of them went to other massage therapy people who...now you're probably going to lock me up for 20 years, but I'm not going to tell you what their names are because they're still having fun. I'm the one that... [LB596]

SENATOR ERDMAN: So someone was doing it? [LB596]

KAREN HOUGH: Yeah, there was...but they're not licensed. But the one at Gothenburg, he's really good but he's hurt all the time. He's got a broken arm or he's got a broken leg or he's got

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

a...and it always seems like it happens in summer when the kids are wanting their horses worked on. So he's there and he's really good, but he's not available. [LB596]

SENATOR ERDMAN: So as you were doing this, as you were practicing or doing whatever...a lot of people call it practicing. I never figure out why they called it practicing. I've farmed for over 40 years, I never once called it practicing. But anyway, that seems like lawyers and doctors and whatever. Anyway, so...sorry about that. What is a normal charge doing a massage on a horse? What do you charge to do that? [LB596]

KAREN HOUGH: I charge \$30. [LB596]

SENATOR ERDMAN: Okay. All right. So you weren't getting rich doing this? [LB596]

KAREN HOUGH: I wasn't getting rich doing it, I loved doing it. Most of the time if they smiled at me just right I didn't charge them anything, because I love kids. [LB596]

SENATOR ERDMAN: Yeah, I do, too. So when they go to the vet, though, they probably pay more than \$30? [LB596]

KAREN HOUGH: If they go to a chiropractor, the ones that do chiropractor and acupuncture is about \$120. [LB596]

SENATOR ERDMAN: Okay. [LB596]

KAREN HOUGH: But they're not there at the rodeos. And so it's really a lack of service...part of the service that's needed. [LB596]

SENATOR ERDMAN: So you received this letter sometime in November of '11 to cease and desist, is that correct? And you haven't done it since then? [LB596]

KAREN HOUGH: And I haven't done it until they called me on the phone about a year ago and they told me that I could go ahead and do it again. But I told them, I said, you sent it in writing that I was supposed to stop. I would like to see it in writing that I can start again. And they did not ever send me that writing. [LB596]

SENATOR ERDMAN: Do you know who called you? Somebody from DHS? [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

KAREN HOUGH: Yeah, somebody from HHS. [LB596]

SENATOR ERDMAN: HHS? [LB596]

KAREN HOUGH: Yeah. [LB596]

SENATOR ERDMAN: Okay. [LB596]

SENATOR RIEPE: How long ago was that? [LB596]

KAREN HOUGH: About a year. [LB596]

SENATOR RIEPE: About a year? Okay. [LB596]

KAREN HOUGH: But I've been told over time that they could do...I could do it if they had a veterinary come and be with me the whole time. But that's totally silly because a veterinary is not going to follow you out to the rodeo for \$30 a horse. I mean they won't even watch you for \$30 a horse and so that just doesn't make any sense at all. And so what I would really like to see happen is that it just not be regulated at all, just like it is in Texas and California and those other states it's not regulated at all. [LB596]

SENATOR ERDMAN: It's kind of unusual that you'd spend this much time trying to do this. I do appreciate that. Thank you. [LB596]

KAREN HOUGH: You know what? It was like...it was a job that I really, really loved. And when I...I teach children's church and when I told those little kids that I wasn't going to do it until the law was changed...I can't. [LB596]

SENATOR RIEPE: I appreciate that. So what do the kids call you? Do they have a special name for you, like auntie or anything? [LB596]

KAREN HOUGH: No, they just call me Karen. [LB596]

SENATOR RIEPE: Oh, okay, I was just curious. [LB596]

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Transcriber's Office

Health and Human Services Committee
March 09, 2017

KAREN HOUGH: But lots of them come out and ride with me and stuff, but anyway. Sorry, I did not mean to ignore you. [LB596]

SENATOR RIEPE: Okay. Are there any more questions? Thank you again so much for coming and coming a long distance we know, too, we do appreciate very much. [LB596]

KAREN HOUGH: Well, thank you for listening to me. This is very exciting. [LB596]

SENATOR RIEPE: And now our students have learned as much as they want to learn. We thank all of you students for being here. We're going to ask for additional proponents. Are there additional proponents? Seeing none, we'd like to hear from any opponents. Thank you for being with us. If you'd just state your name and spell it and then (inaudible) please. [LB596]

JAMES UNWIN: (Exhibit 6) Okay. Dr. James Unwin, J-a-m-e-s U-n-w-i-n. And I represent the Board of Veterinary Medicine and Surgery today, so what I'm saying is...what I'm reading is the board's viewpoint. Okay? [LB596]

SENATOR RIEPE: Please. [LB596]

JAMES UNWIN: Okay. Senator Riepe and members of the Health and Human Services Committee, the Nebraska Board of Veterinary Medicine and Surgery provides this letter in opposition to LB596 related to equine massage. In 2009, legislation was passed to protect the public by establishing a requirement of a license to provide animal therapy. The areas of licensure for animal therapy were acupuncture, chiropractic, veterinary orthopedic manipulation, physical therapy, and massage therapy. Prior to the initial enactment of the legislation regarding animal therapy, the Attorney General had provided an Opinion that treatment of animals was not in the existing scope of human practice within the aforementioned licensed professional fields. As written, LB596 allows an unlicensed person to provide solely equine massage and would exclude them from the practice of veterinary medicine and surgery. Further, there is no requirement for an unlicensed person to have any prerequisite skills, training, or experience prior to providing equine massage. The 2009 legislative bill retained the veterinarian-client-patient relationship through a referral and follow up with the licensed animal therapist as a measure of protection for the public. The passage of LB596 would open the door to anyone to provide equine massage including persons with little or no education and training on the subject. Therefore, we feel that the protection of the public could be lost by the provision of equine massage by an unlicensed person. This position in this letter represents the Board of Veterinary Medicine and Surgery and does not necessarily represent the position of the Department of Health and Human Services or the Division of Public Health. Thank you. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: Okay. Thank you. Are there questions from the committee? Senator Erdman. [LB596]

SENATOR ERDMAN: Thank you, Senator Riepe. Thank you for coming today, Doctor. Can you explain or describe to me--I'm not a veterinarian or animal therapist--but what's the difference between therapy and massage? [LB596]

JAMES UNWIN: Therapy and massage? [LB596]

SENATOR ERDMAN: Because the statute says, no person shall perform therapy on an animal in the state in which it's not an animal therapist. So is there a definition or a difference between therapist and massage? [LB596]

JAMES UNWIN: Well, I think we define it as massage therapy and that is a type of therapy. Then there's physical therapy where you manipulate the muscles, various things like that. I guess we really don't have a difference between...it's massage therapy is what we define it as in our part of it. Don't know if I'm answering your question or not. [LB596]

SENATOR ERDMAN: I guess I'm trying to figure out...the statute says, as is written: No person may perform healthcare therapy on animals in the state who is not a licensed animal therapist. [LB596]

JAMES UNWIN: Right. [LB596]

SENATOR ERDMAN: And what I've heard is the young lady wasn't doing a therapist, she was just massaging the animals' muscles. So I want to know, is there a difference between a licensed animal therapist and a massage person? [LB596]

JAMES UNWIN: Well, we have the opening for a massage therapist. [LB596]

SENATOR ERDMAN: Okay. So do you know of a veterinarian that does massage therapy? [LB596]

JAMES UNWIN: No, I'm not familiar with a veterinarian that does any massage therapy on horses, no. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR ERDMAN: So those young people in her area that have 4-H or junior rodeo horses and they are in need of that service, what would you recommend they do? [LB596]

JAMES UNWIN: In that case, we need to find somebody...after listening to her, we need to find somebody that can do it and if we're going to retain the law, do it legally. And that's one thing we need to work on is maybe getting more people to be licensed massage therapists. But I've been a little disappointed that we didn't have more people come forward to get a license under the massage therapy...LAT massage therapy part of it. [LB596]

SENATOR ERDMAN: In our area, we're kind of sparse out there. [LB596]

JAMES UNWIN: Right. [LB596]

SENATOR ERDMAN: It's a little difficult to get people to take that training for just a few animals or whatever. So you're okay with the statute as it is and we just need more therapists? [LB596]

JAMES UNWIN: Basically, yes. That would be the board's position at this time, yes. [LB596]

SENATOR ERDMAN: Is your position the same? [LB596]

JAMES UNWIN: I'm here representing the board. [LB596]

SENATOR ERDMAN: Okay. [LB596]

JAMES UNWIN: Okay. I have to be careful what I say, because I'm representing the board. [LB596]

SENATOR ERDMAN: I understand. Okay, thank you. [LB596]

SENATOR RIEPE: Are we done, Senator? [LB596]

SENATOR ERDMAN: I'm done. [LB596]

SENATOR RIEPE: Okay. Senator Linehan. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR LINEHAN: Thank you, Mr. Chairman. Thank you for being here today, Doctor. I grew up on a farm and I had a horse and I love horses. Do veterinarians...they didn't back in Middle Ages, but they...like when ranchers or stockmen--what do you call it--dehorn a cow, cattle, does a veterinarian have to be there? [LB596]

JAMES UNWIN: No, a veterinarian doesn't have to be available. An owner or an employee of an owner can work on their animals without any license or anything. [LB596]

SENATOR LINEHAN: So a owner could massage his horse? [LB596]

JAMES UNWIN: Yep, an owner can massage his horse. [LB596]

SENATOR LINEHAN: Or dehorn a cow or castrate a pig? [LB596]

JAMES UNWIN: Right. Right. Or an owner's employee could do it. [LB596]

SENATOR LINEHAN: Okay, that's helpful. Thank you very much. [LB596]

JAMES UNWIN: Okay. [LB596]

SENATOR RIEPE: I guess I would have a question. What's the worst that can happen to a horse getting a massage. [LB596]

JAMES UNWIN: I expected that question. [LB596]

SENATOR RIEPE: Did or didn't? [LB596]

JAMES UNWIN: I did. [LB596]

SENATOR RIEPE: Well then, good, then you're ready. [LB596]

JAMES UNWIN: Not really, because I suppose if you were a big hulking guy you would maybe tear some muscles, possibly. I was trying to remember, like I say I thought about that question, that you probably would ask me that. Not necessarily you, but somebody would ask me that. We have not had anybody come and say, well, my horse was damaged by massage. I will admit that. We've not had that before the board. Of course, I haven't been there terribly long, although I've

been there a while. So I don't...I guess the biggest part would be that I can think of, Senator, would be someone that is not necessarily trained in anatomy, it may not be that they would do any damage, but they would miss another condition that should be treated and they're massaging the horse to try to make it better and it's not going to happen because the problem isn't with the massage, it's with other problems either in the leg or in the back. The missed diagnosis, if you would call it that, of possibly untrained people would be the biggest factor that I think would happen with it would be not that they would maybe hurt the horse, but they miss something that should have been diagnosed otherwise. [LB596]

SENATOR RIEPE: Would logic follow that if no one is rubbing the horse, no one is touching the horse, they're likely to miss that same diagnosis? [LB596]

JAMES UNWIN: Well, not...I suppose if nobody is working on the horse. Although if they think it needs a massage it must be...maybe the horse is not gaiting right, not traveling right. If something else is wrong, say a ligament or a tendon is bad in a leg, they're not going to gait right even if you massage them. But even if you're not massaging them, they're still not going to gait right. [LB596]

SENATOR RIEPE: Do you think some of your veterinarians receive referrals from the massage therapist or horse massage that would say this is serious enough or there is some other diagnosis here and then they would refer them up to you? [LB596]

JAMES UNWIN: Possibly. I doubt if they would refer them to me, I'm not an equine veterinarian, but quite possibly would refer them to a veterinarian that is...has more equine in the practice than what I do. Yes, there would be some referrals. And I made a referral once to a chiropractor, a veterinarian that does chiropractic work and I had missed a diagnosis on this horse. When he looked at the horse it wasn't a chiropractic problem, it was a misdiagnosis on my part. [LB596]

SENATOR RIEPE: I'm kind of looking at the massage therapist like a primary care physician who refers to us specialists, the veterinarian being the specialist. They don't always refer, but they might. [LB596]

JAMES UNWIN: Right. [LB596]

SENATOR RIEPE: The other question I have here is this: Do any of your--and I know veterinarians have assistants--do any of your assistants do therapy? Is that a... [LB596]

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Transcriber's Office

Health and Human Services Committee
March 09, 2017

JAMES UNWIN: In our clinic, no. [LB596]

SENATOR RIEPE: The ones that take care of horses, do their assistants do any of this hands-on rubbing? [LB596]

JAMES UNWIN: I don't know. I've never polled my equine practitioners in the state to ask them, so I wouldn't know the answer to that one. [LB596]

SENATOR RIEPE: Okay. Yes, Senator Howard. [LB596]

SENATOR HOWARD: Thank you, Senator Riepe. Thank you for visiting with us today, Doctor. I wanted to ask, did I hear you correctly that you said that if an owner could do their own massage on their own horse or their employer? [LB596]

JAMES UNWIN: Employee. [LB596]

SENATOR HOWARD: Employee, okay. And so what constitutes an employee? Is that sort of a full-time person or am I an employee if you pay me to do something? [LB596]

JAMES UNWIN: No, no, no. You have a...do your wages, have FICA withheld and... [LB596]

SENATOR HOWARD: Oh, so it has to be sort of an aboveboard... [LB596]

JAMES UNWIN: Right, it needs to be. This question came up in the board a little bit. What do we consider employees? [LB596]

SENATOR HOWARD: Right. [LB596]

JAMES UNWIN: Okay. We didn't feel as a board--and I can talk to this because I'm speaking for the board now--we didn't feel as a board that you could go and say, okay, I'm going to be your employee for two minutes while you work on my horse or while I do something and therefore I can do it without having a license. What we considered employment was employment. You pay the person a wage and they work for you daily, at least...I mean, it's not just one day and then I'm done type thing, because what we're looking at is, okay, somebody comes in and says, as a veterinarian I go to another state and say, I'll just be your veterinarian for one day while I work on your cows and I don't have license to practice in Iowa. So I just go to Iowa and I'll work at

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

this dairy for...say if Iowa had the same law. No, that doesn't count. We looked at it that you had to have what would be bona fide employment. Yeah. [LB596]

SENATOR HOWARD: Okay, great. Thank you. [LB596]

SENATOR RIEPE: I look at this a little bit different. You might be an independent contractor so that it's not an employer-employee relationship, it's a contractor which you can have do a lot of things. And for that moment during that engagement, they're your agent so you don't take out tax, you don't do anything. It's a whole different equation. Okay, are there other questions? Thank you sir, I appreciate it. Are there other opponents? Thank you, sir. If you would simply say your name and spell it and then begin. [LB596]

BRUCE CRABTREE: (Exhibit 7) Dr. Bruce Crabtree, B-r-u-c-e C-r-a-b-t-r-e-e. So good afternoon, Senator Riepe. Am I saying that right, Riepe... [LB596]

SENATOR RIEPE: You're on it. [LB596]

BRUCE CRABTREE: ...and committee members of Health and Human Services. Good afternoon. I'm Dr. Bruce Crabtree. I'm a chiropractor from Columbus, Nebraska, and I am here to testify in opposition to LB596. I am licensed in Nebraska to treat humans and I am a Licensed Animal Therapist. These two licenses allow me to legally treat people and animals carefully and effectively with chiropractic because I have received adequate training in both disciplines. Making this statement was no easy task, because at the time of receiving my animal chiropractic training in 2002, there was no law in Nebraska. I soon found this out when I received a cease and desist order from the state Attorney General. So I was investigated by the Department of Health and Human Services. During the conversation with the investigator I told him, look, I was not aware it was illegal for me to treat animals and I asked him how to make it legal. He said me, just get a law passed. Little did I know what that would entail. I contacted Senator Chris Langemeier who came up with LB463, licensed animal therapist. Bringing this bill to completion took over nine laborious years to complete. I know firsthand what it takes to get something like this done to allow qualified people the right to treat animals in Nebraska safely and effectively. This law also reassures owners there's a standard of care they can expect and be confident in when they pursue these services for their pets and livestock. When putting this law together, we had many meetings with chiropractors, physical therapists, and massage therapists present. I encourage a stiff penalty for those not certified through a licensed animal therapist and when investigated by the vet board, to send a message. That message was Nebraskans deserve safe and effective care from properly trained professionals and that uncertified people would not be tolerated. I also wanted a vet referral so there was cooperation with the veterinarian and licensed animal therapist and the best overall coverage of care given to the animal and the outcome would have a better

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

chance of success. If LB596 were passed, it would negate all of the work done by so many to guarantee Nebraskans a minimum standard of care and acceptable training to ensure their animals would be treated safely. LB463 has been passed and is the acceptable standard of care in Nebraska and for those professionals who wish to play by the now legal rules and regulations. To protect the health and welfare of horses or any other species in Nebraska, I urge the Health and Human Services Committee to please vote no on LB596. Thank you. [LB596]

SENATOR RIEPE: Are there questions? Senator Erdman. [LB596]

SENATOR ERDMAN: Thank you, Senator Riepe. So, Dr. Crabtree, you're the number one on top of this list, I believe, you had a license issued on January 2, '15. Is that correct? [LB596]

BRUCE CRABTREE: Correct. [LB596]

SENATOR ERDMAN: And then it goes on to say, expiration 4-1-2018, but then it says, date last renewal 2-16-16. If you have an expiration date of 4-1-2018, why did you have to renew in February '16? That doesn't make sense. [LB596]

BRUCE CRABTREE: I'm not quite sure what you're talking about. [LB596]

SENATOR ERDMAN: Well anyway, so you said this would affect many people. How many people would this affect and negate the training that they had? Is that list lengthy? A hundred people? [LB596]

BRUCE CRABTREE: When you're referring back to, as far as... [LB596]

SENATOR ERDMAN: In your comments you said, if we do away with this, this was going to affect many people that have had the training and gone through the expense of doing this. My question is, how many is that? [LB596]

BRUCE CRABTREE: Well, Senator, we just started this out two years ago. It took us nine to ten years just to get the law passed. I finally got my license January of 2015. So it's pretty new. We're one of the last states to get licensed in those type of things. There's been chiropractic...animal chiropractic in Texas I think since 1978. So that's why I encouraged the board and pushed for this bill. And if you look at the law, it encompasses five different disciplines. Usually it's just chiropractors and veterinarians. So the task just to get the law passed was amazing. The task to create rules and regs in all five disciplines was exhausting. So it's fairly new in this state. And letting people know that it's out there and available takes time. Trying to

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Transcriber's Office

Health and Human Services Committee
March 09, 2017

educate the veterinarians, dog groomers, and all these different people out there who are in contact with animals and deal with animals on a regular basis, it just takes time to let them know what we do and what's the standard of care for that. [LB596]

SENATOR ERDMAN: Do you do horse therapy? [LB596]

BRUCE CRABTREE: I work on show cats, dogs, horses, show cattle, AI bulls, I work on all species. [LB596]

SENATOR ERDMAN: Do you work on a lot of horses? [LB596]

BRUCE CRABTREE: I do. [LB596]

SENATOR ERDMAN: In a year's time, how many would that be? [LB596]

BRUCE CRABTREE: Forty or fifty. [LB596]

SENATOR ERDMAN: Then can I ask what you charge to do that? [LB596]

BRUCE CRABTREE: I charge \$100 to adjust a spine. I'll use a couple of other therapies. I'll use cold laser, I charge \$25 for that. I'll charge \$25 if I do maxillofacial release to help with some of the soft tissue work. [LB596]

SENATOR ERDMAN: So my shoulder is out of place, what do you charge me to fix that? [LB596]

BRUCE CRABTREE: I can do both. I can do that. So our motto in our office, we can work on you and the horse you rode in on. [LB596]

SENATOR KOLTERMAN: There you go. [LB596]

SENATOR RIEPE: Are there additional...Senator Linehan. [LB596]

SENATOR LINEHAN: Thank you, Mr. Chairman. And thank you for being here, Doctor. So you are a licensed veterinarian? [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

BRUCE CRABTREE: I'm a licensed chiropractor. [LB596]

SENATOR LINEHAN: Oh, okay. So I get the joke now. I didn't get that. That's how slow I am. [LB596]

BRUCE CRABTREE: We'll talk slowly. [LB596]

SENATOR LINEHAN: Thank you. Good. So a massage is not the same as chiropractic, right? [LB596]

BRUCE CRABTREE: No, it's not. [LB596]

SENATOR LINEHAN: So when a woman or man or somebody who's at a rodeo giving a horse a massage, they're not messing with their spine. [LB596]

BRUCE CRABTREE: They shouldn't be. [LB596]

SENATOR LINEHAN: Okay. None of these listed here...and I'm sorry if you don't have it. It says chiro VOM, chiropractic, occupational therapy, and physical therapy. So none of...nobody has been licensed to be a massage therapist? [LB596]

BRUCE CRABTREE: That I do not know. I haven't talked...you'd have to talk to the vet board and find out who's been certified. We went through the vet board to help for certification. [LB596]

SENATOR LINEHAN: Do they still have horse races in Columbus? [LB596]

BRUCE CRABTREE: Barely. [LB596]

SENATOR LINEHAN: But they do, don't they? [LB596]

BRUCE CRABTREE: Right, yes. [LB596]

SENATOR LINEHAN: So I'm assuming at horse tracks that are scattered around somebody is around those horse races...racehorses that knows how to massage a muscle. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

BRUCE CRABTREE: If they're doing massage or therapy? [LB596]

SENATOR LINEHAN: Well, I don't know. See, I guess that's...what's the definition here, like you get off a horse...I don't know...I grew up on a farm so I have a very hard time with this. [LB596]

BRUCE CRABTREE: Sure, sure. I did, too, so. [LB596]

SENATOR LINEHAN: What in your mind constitutes a massage for a horse? [LB596]

BRUCE CRABTREE: I've never seen it done, so...and I don't really have the training to do that, so I'm probably not really...that's out of my field on that. [LB596]

SENATOR LINEHAN: Is there anybody in Nebraska who trains people to massage horses? [LB596]

BRUCE CRABTREE: I'm not aware of that either. But I got...the other disciplines, too, there's no training in Nebraska. I had to go clear to California and Idaho to get my training for my animal chiropractic. And with animal chiropractic there was basically two forms of treatment. There was the hands-on adjusting, what's called animal chiropractic. And there was an instrument adjusting called VOM, that stands for veterinary orthopedic manipulation. That's what I do. [LB596]

SENATOR LINEHAN: But this hearing is about massage. [LB596]

BRUCE CRABTREE: Correct. So I don't do any massage. I'm just saying, we all have to travel as far as we need to if we want to do it. [LB596]

SENATOR LINEHAN: Okay. All right. Thank you very much for being here. Appreciate it. [LB596]

SENATOR RIEPE: Okay. Any other questions? Thank you very much. [LB596]

BRUCE CRABTREE: Thank you. [LB596]

SENATOR RIEPE: Do we have any others testifying in opposition? If you would, sir, just state your name and spell it and then proceed. [LB596]

BRETT SPEECE: (Exhibit 8) My name is Dr. Brett Speece, B-r-e-t-t S-p-e-e-c-e. Mine is going to sound a lot like Dr. Crabtree's, because I'm probably number two on your list of the people that are licensed as well. Again, my name is Dr. Brett Speece. I'm a doctor of chiropractic and a licensed animal therapist, practicing in Exeter, Nebraska. I'm here to express my opposition to LB596, allowing the removal of the qualifications of animal massage therapists. I do strongly support the current legislation allowing licensed massage therapists whom have had the specialty training in animal massage and have obtained a license from the state as a licensed animal therapist to perform massage therapy services on animals. My history on this subject is as follows. I am a licensed doctor of chiropractic in Nebraska and have been in full-time practice 2000, for the past 17 years. Over the years, I had heard of animal chiropractic here and there, but never really pursued it much, didn't know a lot about it. As time went on, I became more and more interested in it. I'm a horse owner myself, so a lot of the people that were within my circle of friends and acquaintances and things of that nature were horse owners as well and they kept asking me, what do you know about animal chiropractic? Can you adjust my horse? Can you do this and that? Which kind of spurred me to check into it a little bit more. And I ran across Bruce and all the work that he had done and I learned exactly it would take and what was required by the state to become legal to practice chiropractic on animals and horses. Taking all that into account, I attended additional schooling and training, passed the necessary exams and requirements, applied for and obtained my licensed animal therapist license from the state of Nebraska in February of last year, February 2016. A couple of concerns come to my mind if LB596 is passed. First of all, a lot of painstaking work has been done, as Bruce had talked about, resulting in the creation of the licensed animal therapist distinction. Professionals such as chiropractors, physical therapists, massage therapists, acupuncturists, I believe as well, may become licensed animal therapists to practice their respective occupation on animals. But first they must meet certain criteria and acquire additional training from approved sources. Without this training and experience I feel that the standard of care could get--for lack of a better word--jumbled up a little bit. It basically allows for someone to do whatever they see fit and call it what they want. With a consistent standard of care, it allows for a uniform treatment expectation and the animal owners will know what to expect when they are working with a licensed individual. As with any professional degree there comes with it a scope of practice, what we can and can't do by. By having the correct training and experience, it allows for that professional to determine if the condition they are presented with is indeed within their scope of practice. If not, then they are referred to another appropriate professional. Without the proper training and schooling this may be missed, which leads to my next concern and that is the health and safety of the animals. The distinction of obtaining the title of a licensed animal therapist provides for a couple of things. First of all, having met the requirements of such, it shows that the individual is indeed qualified to practice on animals within their respective profession. Additionally, it shows to the owner of the animal that the professional has the knowledge and training to treat their animal with the highest degree of certainty possible within their respective profession. Also, the owner will have the reassurance that if the practitioner recognizes that the animal's condition is outside

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

of their scope of practice and appropriate knowledge, it will be referred to the correct professional to assist that animal. This all results in better outcomes of care for the animal. Without this, there could arise issues which may place the animal's health and safety at risk. In conclusion, I strongly support the current legislation as it pertains to the licensed animal therapists and oppose LB596. With any professional distinction, there are certain steps that must be taken to achieve that. Most times it's not easy or convenient to do so, but we've all had to do so if we truly desired to do what we want to do. Without those steps and legalities it sets up a system of unregulated professions, which is not good for the public. One cannot expect to simply practice the profession they desire without adhering to the laws and the statutes. I feel the passage of LB596 would be a step backward. Thank you very much. [LB596]

SENATOR RIEPE: Thank you. Questions? Senator Crawford. [LB596]

SENATOR CRAWFORD: Thank you, Chairman Riepe. And thank you for being here, Dr. Speece. As I understand from your testimony and the testimony of Dr. Crabtree, the emphasis of the licensed animal therapist process of putting that license together and having people apply for that license was...the emphasis was on how we train and license people who are currently licensed to treat humans but want to practice on animals as well. Is that correct? [LB596]

BRETT SPEECE: Correct. Yeah, I think the licensed animal therapist... [LB596]

SENATOR CRAWFORD: Right. So the real emphasis there was, I'm a chiropractor or I'm a occupational therapist or massage therapist... [LB596]

BRETT SPEECE: Whatever, yeah. [LB596]

SENATOR CRAWFORD: ...I've had hours, years of training on how to treat humans and I come with all that background. And then the issue is, in order to practice on animals then I need some additional credential. Is that correct? [LB596]

BRETT SPEECE: Absolutely, yeah. [LB596]

SENATOR CRAWFORD: So you're coming in to treatment of animals then really from your professional background, and so you would be thinking about how to treat animals from a chiropractic animal perspective. Is that fair? [LB596]

BRETT SPEECE: Fair. Fair, yeah. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR CRAWFORD: And so that emphasis then is the highly trained medical emphasis and applying it to an animal. So if, on the other hand, the...well, I understand from the advocates of this bill, they're thinking about an animal treatment that is not really...not based in the science and training that's comparable to the human training, but something that's very narrow and limited in scope. Is that correct? But I want to do something (inaudible). [LB596]

BRETT SPEECE: I think I see where you're going, yeah, yeah. Go ahead, if you've got more, go. [LB596]

SENATOR CRAWFORD: I'm sorry. So when you, in your animal license training, license for chiropractic, is there a set scope of things that you can do with that credentialing that are identified, if you have it and a chiropractic license there's a scope of things that you can do with the animal? [LB596]

BRETT SPEECE: With the animal? [LB596]

SENATOR CRAWFORD: Right. [LB596]

BRETT SPEECE: I think that pertains to...because the vet board approved the two different types of chiropractic, the VOM that Bruce talked about a little bit earlier and the hands-on technique. They've established that scope within those respective specialties, I guess you would call it. And things outside of that we are taught to refer. Get them...we don't want to touch them. [LB596]

SENATOR CRAWFORD: Right. So you know what you can do and what you need to refer to a veterinarian. [LB596]

BRETT SPEECE: Yeah, to the best of our ability. Yeah, absolutely, absolutely. And on the other side of that, we have to have a vet referral to do what we do. [LB596]

SENATOR CRAWFORD: That's what I was going to ask. So what...can you tell me what are the conditions that would often lead to a referral in terms of any equine practice that you do? What would a horse owner get a veterinary in to refer for you to do? [LB596]

BRETT SPEECE: So things that we see very commonly in horses are stiffness issues. Performance horses that aren't performing like they should, so they will see the vet. The vet doesn't see a medical issue with the animal, that then would refer to the chiropractor to see if we

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Transcriber's Office

Health and Human Services Committee
March 09, 2017

can help that animal. And a lot of times we can, to help that animal to perform better and with less pain. [LB596]

SENATOR CRAWFORD: So often your referrals are coming from a situation where it was a serious enough concern that the owner took them to a veterinarian, the veterinarian has tried veterinarian practice and decided that your treatment would be a complement or addition... [LB596]

BRETT SPEECE: Better served. [LB596]

SENATOR CRAWFORD: ...to the veterinary treatment. [LB596]

BRETT SPEECE: Right, right. Does that make sense? [LB596]

SENATOR CRAWFORD: Yes. Thank you. [LB596]

SENATOR RIEPE: Senator Linehan. [LB596]

SENATOR LINEHAN: Thank you, Mr. Chairman. So you have horses and you have friends who have horses? [LB596]

BRETT SPEECE: Right, right, which is kind of what started this ball rolling for me. [LB596]

SENATOR LINEHAN: So if I'm reading this right, when again it's not fair, but according to the list we have people who've gotten licenses. There's no massage therapists on here. [LB596]

BRETT SPEECE: I couldn't answer to that. [LB596]

SENATOR LINEHAN: Well, according to our best information we have no massage therapist licensed in the whole state of Nebraska. [LB596]

BRETT SPEECE: Yeah, it looks like we've established that. Yeah. Correct. [LB596]

SENATOR LINEHAN: So does that mean no horse in Nebraska has had a massage the last three years? [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

BRETT SPEECE: I'm not going to speculate on that, I don't know. [LB596]

SENATOR LINEHAN: It seems doubtful. [LB596]

BRETT SPEECE: If they have, it should have been by a licensed veterinarian. [LB596]

SENATOR LINEHAN: But since it's...I don't know how often a horse needs a massage or chiropractic care, but I guess with the race industry and show horses, I guess it just...it strikes me as very, very strange that everybody would have horses and we're talking about massage and nobody's getting a license. I can't believe that every horse in Nebraska has done without a massage for the last three years. [LB596]

BRETT SPEECE: I can't answer to that. I'm a chiropractor, I don't know. [LB596]

SENATOR LINEHAN: Okay, thank you. [LB596]

BRETT SPEECE: I'm just here speaking on behalf of the licensed animal therapist distinction that encompasses that...those respective professions under such. [LB596]

SENATOR LINEHAN: Okay, thanks. [LB596]

BRETT SPEECE: Thank you. [LB596]

SENATOR RIEPE: Senator Erdman. [LB596]

SENATOR ERDMAN: Thank you, Senator Riepe. Thank you for coming. So I think you said, let me clarify if I've got it right, is that no one can bring a horse to you for a massage unless they've seen a veterinarian first? They have to be referred to you? [LB596]

BRETT SPEECE: I'm not a massage therapist, I'm a chiropractor. [LB596]

SENATOR ERDMAN: Or a therapist or whatever you do. You don't see any horses that haven't seen a veterinarian first? [LB596]

BRETT SPEECE: No, I will see them first, but I won't do any treatment on them until I send them to the vet and unless the vet has looked at them. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR ERDMAN: First? [LB596]

BRETT SPEECE: Yeah. Yeah. Yeah. [LB596]

SENATOR ERDMAN: So if I had a horse that I drove in your yard by trailer and I said, my horse needs a massage, you'd say go see your vet first? [LB596]

BRETT SPEECE: Yep. Yep. [LB596]

SENATOR RIEPE: Okay. Any more follow-up questions? [LB596]

SENATOR ERDMAN: Surprising. [LB596]

SENATOR RIEPE: Are there any other questions from the committee? Hearing none, thank you. [LB596]

BRETT SPEECE: Thank you. [LB596]

SENATOR RIEPE: And are there additional opponents? [LB596]

ELIZABETH NELSON: (Exhibit 9) Good afternoon, Chairman Riepe and members of the Health and Human Services Committee. My name is Elizabeth Nelson, but I go by Lissa Nelson, L-i-s-s-a N-e-l-s-o-n. I am a veterinarian and co-owner of the Plattsmouth Animal Hospital. And I, too, drive a gravel road partway to work everyday that has washboards in it and I chose to live that far away from my work because I like living out in the open. I also own horses and I grew up in the Sandhills and so I have a lot of experience with horses. And my practice used to do more horses, we're doing more small animal these days. I am testifying today on behalf of the Nebraska Veterinary Medical Association, also known as the NVMA, and its 750 veterinarians from across the state of Nebraska. And thanks you for taking the time to address the issues with proposed LB596 and for hearing my testimony. The NVMA is opposed to LB596 which would exempt equine massage therapy from the practice of veterinary medicine oversight and the related licensure requirements under the licensed animal therapy codes. And just an aside, when I looked at the bill again, the difference between massage and therapy, they're using equine...in Section 3 it says, "Equine massage therapy means the therapeutic application of hands-on massage techniques for the purpose of increasing circulation, relaxing muscle spasms, relieving tension, enhancing muscle tone, and increasing range of motion in high-performance horses." That's therapy. That's treatment. That's not just massage, they're actually treating the animal outside of the scope of veterinary medicine. As a veterinarian I work with clients, which is the

human part of the equation and often the hardest part of the equation of treating animals. And as veterinarians we have to determine the best course of treatment for the clients. Appropriate and safe treatment can only proceed when we've done a thorough history, a thorough physical exam, and possibly even more in-depth diagnostics. Some of our clients wish to use alternative treatments, which include equine massage and the other ones we've talked about. For those animal owners and for those wishing to practice equine massage we are able to direct them to three different options. They can see the licensed veterinarian who specializes in alternative treatments and there are several in the eastern half of Nebraska that do horses. They can see a licensed veterinarian who works collaboratively with a licensed practitioner of alternative treatments, the massage, acupuncture, and physical therapy or they can see or they can be themselves a licensed animal therapist who has the license in the human therapy as well as how it's applied to animals. So an owner can massage their horse. My daughter can massage my horse. My husband can massage my horse. My horses get massaged regularly if anybody is worried about horses getting massaged in the state of Nebraska. I think every time we groom a horse we're massaging it. We're not therapeutically massaging it, but my horses get lots and lots of massage. So for the number two and three choices a license or a credential is required for the healthcare profession to be practiced on that animal. LB596 seeks to change one segment of alternative animal treatment, equine massage therapy--it's one thing--and it disregards the statutory framework put in place that safely allows consumers to access this kind of care at a professional level of service under the Uniform Credentialing Act. Veterinarians' concerns, my concerns...I polled the veterinarians at my practice--I work with five other veterinarians--and they all said it is to make the best diagnosis of the patient's problem and provide the best treatment while protecting the patient's safety. The most recent issue of the Journal of the American Veterinary Medical Association, the March 1 issue, reports that the AVMA House of Delegates discussed this unlicensed practice of veterinary medicine. And I quote: Unlicensed practice threatens patient safety, involving nonveterinarians without adequate education, training, or supervision by veterinarians offering animal care. Common examples include alternative and complementary therapies. They also noted that the public is mostly ignorant that these practices are illegal. Massage used improperly without a diagnosis may lead to a delayed appropriate treatment and in some instances it may do more harm than good. The NVMA, as has been said, did work for proper credentials for animal therapy in place--and I'm not going to go over that, that's already been talked about--and the amount of time they put in on it to protect the integrity of veterinarians in the state. As an aside here, it's not in my notes, we are constantly barraged with people that have been on Google, they talk to their breeder, they talk to their trainer, they talk to their neighbors before they ever talk to a veterinarian and they know what's wrong with their animal and they've already treated it before they come to us. [LB596]

SENATOR RIEPE: Your light is on, ma'am. [LB596]

ELIZABETH NELSON: Oh, thank you. Is that the orange? [LB596]

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Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR RIEPE: No, that's red. [LB596]

ELIZABETH NELSON: Well, thanks for your time. I'm happy to answer any questions. [LB596]

SENATOR RIEPE: (Inaudible). Did you have one concluding remark you wanted to (inaudible)? [LB596]

ELIZABETH NELSON: I'm just...you've heard from the board and you've heard what everybody has said and I'm just happy to be here and speaking for the NVMA. [LB596]

SENATOR RIEPE: Okay, thank you. Are there questions? You might get an opportunity to expand here. Okay. Oh, yes, Senator Crawford. [LB596]

SENATOR CRAWFORD: Thank you, Chairman Riepe. And thank you for being here and talking about what it looks like from your experience as a veterinarian. So in the bill that we...language, this is amending statutes. And part of what we see in the language is that there are unlicensed assistants who are not a licensed veterinarian, a licensed veterinarian tech, or a licensed animal therapist, and who is working in veterinary medicine. So do you have any of those unlicensed assistants that work in your practice? [LB596]

ELIZABETH NELSON: I do. [LB596]

SENATOR CRAWFORD: And what kinds of things do they do? [LB596]

ELIZABETH NELSON: Well, a lot of them start out as, like, say, cow help or cleaning and they generally learn to hold animals, just do everything. They get really...after a couple of years I would say they were probably about as knowledgeable as a veterinary technician, they just are not allowed to do some of the same things a technician can do, like, say, place an IV, administer medications, things like that. They're knowledgeable enough, smart people, learn fast. [LB596]

SENATOR CRAWFORD: Would they be allowed to provide a massage? [LB596]

ELIZABETH NELSON: Sure. [LB596]

SENATOR CRAWFORD: All right. So these unlicensed assistants that work in your office would be allowed to provide a massage. Thank you. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

ELIZABETH NELSON: They would be under my supervision, of course. They always have to be under a veterinary. And that doesn't mean necessarily direct supervision. [LB596]

SENATOR CRAWFORD: Right. Thank you. [LB596]

SENATOR RIEPE: Senator Linehan, did you... [LB596]

SENATOR LINEHAN: No, I'm fine. [LB596]

SENATOR RIEPE: Nope, nope. Senator Erdman. [LB596]

SENATOR ERDMAN: Okay. Thank you, Senator Riepe. Thank you for coming. So under your supervision they could do massage therapy. So when you were in vet school did they teach you how to do massage on horses? [LB596]

ELIZABETH NELSON: No. And I would say that the alternative therapies are pretty new to veterinary practice. I've been out since '83 and a lot of specialty fields now require veterinarians to go to school after school. So you get your degree and then if you want to specialize in dentistry or orthopedic surgery or whatever, you often have to go take more courses. [LB596]

SENATOR ERDMAN: So have you taken that extra course on massage? Do you know how to do massages? [LB596]

ELIZABETH NELSON: You know, I haven't, but I don't have to. I'm a licensed veterinarian. But as far as the physical therapy or the acupuncture, I would definitely want to go take courses for that. [LB596]

SENATOR ERDMAN: So just being a veterinarian qualifies you to do massage even though you've never done (inaudible). [LB596]

ELIZABETH NELSON: I know the anatomy and...sure. [LB596]

SENATOR ERDMAN: Okay. [LB596]

ELIZABETH NELSON: But I doubt that a horse is going to have one muscle that's hurt. And most equine lamenesses are actually below where there are muscles. It's usually the lower leg, so I would be looking there for problems first before I jump to massage as an issue. [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR ERDMAN: Okay, thank you. [LB596]

SENATOR RIEPE: Okay. Any other questions? Seeing none, thank you very much. [LB596]

ELIZABETH NELSON: Thank you. [LB596]

KENT ROBERT: Good afternoon. Kent Robert, K-e-n-t R-o-g-e-r-t, I'm here today representing the Nebraska Chapter of the American Massage Therapy Association and I have nothing more to add than what has already been testified upon today, so I will just say, us, too. [LB596]

SENATOR RIEPE: Okay. Are there questions? Sir. [LB596]

SENATOR ERDMAN: Thank you. [LB596]

SENATOR RIEPE: Senator Erdman. [LB596]

SENATOR ERDMAN: Thank you, Senator Riepe. Thank you for coming. So do your people do massage on horses? [LB596]

KENT ROBERT: We can work with veterinarians and we do on a regular basis. [LB596]

SENATOR ERDMAN: Do you know anybody out west that might do that? [LB596]

KENT ROBERT: I don't. All I can tell you is I've been told that we do have some out in greater Nebraska and I don't know where. [LB596]

SENATOR ERDMAN: Say that again. [LB596]

KENT ROBERT: We do have some folks out in greater Nebraska that do do some of that stuff. I don't know where, but I can find out. [LB596]

SENATOR ERDMAN: You can find that? [LB596]

KENT ROBERT: Yeah. [LB596]

SENATOR ERDMAN: Greater Nebraska, how far out is that, like Grand Island? [LB596]

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Transcriber's Office

Health and Human Services Committee
March 09, 2017

KENT ROBERT: Greater Nebraska is not Omaha and Lincoln. [LB596]

SENATOR ERDMAN: West of 19th. [LB596]

KENT ROBERT: I can find that out for you. [LB596]

SENATOR ERDMAN: Scottsbluff? [LB596]

KENT ROBERT: Yeah, I think so. [LB596]

SENATOR ERDMAN: Oh, that would be interesting. Thank you. [LB596]

SENATOR RIEPE: Do any of them ever...I'm sorry. Do any of them ever go to fairs or rodeos? [LB596]

KENT ROBERT: I can't answer that, I don't know. [LB596]

SENATOR RIEPE: I mean other than spectators. Senator Linehan. [LB596]

SENATOR LINEHAN: So if you're licensed to be a human massage therapist you can massage a horse? [LB596]

KENT ROBERT: If you have...you can obtain the license--as you guys have talked about, but you can also work with a vet, a licensed veterinarian. One of their assistants could be a licensed massage therapist. [LB596]

SENATOR LINEHAN: But they don't have to be a horse...because there's nobody...unless there's something...we don't have the complete information here and that's possible, there's nobody licensed in Nebraska to be a massage therapist. [LB596]

KENT ROBERT: Right. Nobody is licensed to do it 100 percent on their own, but they can work with a veterinarian as their assistant, as one of those unlicensed assistants. [LB596]

SENATOR LINEHAN: So you can be trained to be a human massage therapist and then be a therapist for a horse with no more training? [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

KENT ROBERT: If you're working with a veterinarian. [LB596]

SENATOR LINEHAN: Except what the veterinarian does. [LB596]

KENT ROBERT: But I could be a...I could work with a veterinarian and massage a horse if I'm working with them. I can be their assistant to do it. But the best thing to do would be to do somebody who is trained in massage therapy. [LB596]

SENATOR LINEHAN: Okay. That's helpful. Thank you. [LB596]

SENATOR RIEPE: Are there other questions? Senator Erdman. [LB596]

SENATOR ERDMAN: Maybe you could answer this. What if we called it horse petting, would that do it? [LB596]

KENT ROBERT: Probably. [LB596]

SENATOR ERDMAN: Okay. [LB596]

KENT ROBERT: Thank you. [LB596]

SENATOR RIEPE: Okay. Are there any other opponents? Is there anyone here to testify in a neutral capacity? Okay, seeing none, Tyler, do we have any letters to... [LB596]

TYLER MAHOOD: (Exhibits 10 and 11) Yes. I have a letter from the Platte Institute, signed by Nicole Fox in support and a letter by Kirk Peck in opposition. [LB596]

SENATOR RIEPE: Okay. Thank you very much. Senator Groene, would you like to close, please? [LB596]

SENATOR GROENE: Thank you, Senator Riepe. First, I'd like to say I admire veterinarians, big animal veterinarians. It's amazing that in human anatomy they specialize. A veterinarian has to know everything about every organ, everything about an animal and be able to react to it. They're very intelligent, very good people. The same with physical therapists. I think they need a lot of training. The same with chiropractors. I think the two chiropractors probably know my brother. He's well known in the industry, but not animal. I think he knows Dr. Crabtree. We are not trying to change animal massage. If you have a mouse that needs a massage, a cat or a dog, smaller

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

animals or your cow, fine, you have to be licensed. We are talking about horses, big animals. It's hard to hurt them rubbing on them. I've heard a lot of pride in occupation, that you ought to be trained, you ought to be doing this, but in a free society we have absolutely not one licensed animal massage, so the "mouses" and the cats and the dogs are not getting massaged either. And it stunned me. I don't know if the law says that, but I can go to a masseuse and I can go to a physical therapist without getting permission from my doctor. I find this law very stringent if you can't even...a masseuse or a therapist can't work on a horse without getting permission from a veterinarian? That is occupational protection beyond the means of a free market society. They've gone too far with this, these regulations, way too far. And I find that the masseuse representative, I think you have to be an employee. You can't just work with a veterinarian. Maybe I'm reading the law wrong, but I think you have to be employed by the veterinarian or in the same practice with them. So that's probably...what they're doing is illegal, if they are. Masseuses, I never used them till recently. I get a stiff neck working down here. But anyway...stress, stress. When my wife tried to get me an appointment in North Platte--and there's a lot of masseuses--most of them are booked. They're not taking new customers. They don't have time to rub on horses. If you get into one, it's usually a new...opening a new business that's opened. And I've got a lot of respect for masseuses...I guess the massage therapist; they don't like the word "masseuse." But this is a no-brainer. I mean, you heard Karen, it's happening out there. And if there's intelligent people out there that have a lot of horse sense, it's horse owners. No guy who...anybody who buys a pair of cowboy boots and a cowboy hat and shows up at a rodeo and starts telling you, I can rub on your horse, they wouldn't take them. They'd be laughed out of the place. They know who they are and it doesn't take them long to know who they respect and who has skills. Big animal vets...I have a cow. The one I deal with, if I asked him to rub my cow he would laugh me off...he'd leave...he'd have thought I was nuts, because he's too busy. He's got way too many things to do, way too many places to go, and he's not going to be rubbing on any animal. That is why we have no animal masseuses. I mean...and I'm just putting it on horses. We need to get rid of this thing. Not once did you hear that the reason that this all started was because animals were being harmed, that malpractice was happening. It all started on an AG letter, then we spent seven years doing regulations because an Attorney General sent a letter out. That's why this all started. We're not asking to change the skills it takes to be a chiropractor. What they do is amazing. In fact, the chiropractor is my family physician. Or a physical therapist. We're talking about a masseuse. In a lot of states, the human massage therapists--get my terminology right--are not licensed. So, yes, all the regulations they put in place make sense for acupuncture, for chiropractic. And if Dr. Crabtree was closer I wouldn't have had to put a cow down, he probably could have got her back on her feet, but I don't have one of them up there either in western Nebraska. There's one in Broken Bow, I think if he's not busy would come out and work on it. But this is common sense. You heard Karen. She's probably one of the most honest testifiers I've ever seen in my life. She actually quit doing it because she won't break the law, something she loved. And there's other people out there doing it. So let's just get rid of it. Let's let the horse people take care of the horses, not vet schools. You also heard that there's no veterinarian out there that's been trained in

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

masseuse. They don't come out of vet school...now, can they do physical therapy? Would the physical therapist be upset if a vet started doing physical therapy? They haven't been trained in that either. How about if the physical therapists start doing veterinary stuff, would the vets be upset? But we got vets doing massage with no training. Where do you draw the line? So anyway, I took this on as a fun project, but the more I heard Karen and the more I heard this occupational pride, my dander got up about a free society and the consumers' right to be able to have access to the services they want. They said, well, we got to get some out there. Well, 1.9 million people in millions of square miles, how many generations are we going to wait till we have enough masseuses that want to rub on animals that can give consumers what they need statewide? It's not going to happen under these regulations. So I appreciate you listening and I hope it was fun for you. Any questions? [LB596]

SENATOR RIEPE: Thank you. We'll see if we have any questions, Senator. [LB596]

SENATOR GROENE: All right. [LB596]

SENATOR RIEPE: Are there any questions? Senator Crawford. [LB596]

SENATOR CRAWFORD: Thank you, Chairman Riepe. And thank you, Senator Groene, for bringing this bill. We do have...in our whole licensure, credentialing, and registration scheme we do have an option to create a narrow opportunity, a low-level, lower level of oversight, which is called a registry, which would be...you might have something that it is a profession or a service that you're narrowly defining and what you really want to make sure is that you have some level of credential, but it's not the kind of level of credential you would have for credentialing or licensure. It's some very specific narrower level and a narrower scope. And then that process also provides a mechanism where the people who are doing it are registered, so there's a sense of, okay, if somebody is going and getting something called equine therapy, equine massage, that we know who they are. Like there's some sense of having them on a... [LB596]

SENATOR GROENE: Without proof of training or just... [LB596]

SENATOR CRAWFORD: Well, that's part of that definition of what training would it be for the narrow scope that you're going to define. So it wouldn't be everything that a current person who would have a massage therapist license and this animal training would have, it would probably be something very narrow and specific to a narrow range of horse massage things...services and with this registry. Would that...while I would think your preference would be no regulation at all... [LB596]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Health and Human Services Committee
March 09, 2017

SENATOR GROENE: A lot of states don't. [LB596]

SENATOR CRAWFORD: ...could you see a path that might include that very narrow range of registration? [LB596]

SENATOR GROENE: Right now, there's horses out there that need to be rubbed and they're not getting it. All right? Or they're getting it illegally, hidden behind the horse barns and stuff, they're practicing this illegal activity. But anyway, we need to open it up. Let free enterprise take care of itself. Karen didn't say who they were from Colorado that came here, but they would come back and maybe more individuals like Karen could get some training. But there's no reason to come into Nebraska. There's no place in Nebraska...you heard Dr. Crabtree. He had to go to do what he did--which I'm glad he did, because what he does is manipulate things besides masseuse--but there's no place for them to go. How do you...you take a human...even if they do the human massage license, where do they go to get the animal training that correlates to that? We create...put the horse before the buggy. We got regulations telling people to do things when they have nowhere to go to get the training. So really, let's just get rid of it. Nobody has been harmed. We create laws and regulations to prevent people from being harmed. I have not heard of one instance where somebody has been harmed. And remember, it all goes back to this. An animal is still property in this country. It's property. You can talk about animal rights you want about livestock, but they're property. And if I own a horse and I want somebody to rub on that horse, it's my business. Anyway, thank you. [LB596]

SENATOR CRAWFORD: Thank you. [LB596]

SENATOR RIEPE: Okay. Thank you very much. Other questions? Senator Groene, thank you very much. And this concludes the Health and Human Services public hearing on LB596. Thank you. [LB596]