

**NEBRASKA STATE BOARD OF HEALTH MEETING
MINUTES – JANUARY 19, 2023**

ATTENDANCE NOTIFICATION. Dr. Timothy Tesmer, Chair, called a special meeting of the State Board of Health to order at 12:30 PM on January 19, 2023, via WebEx. Copies of the agenda were mailed electronically to board members and other interested parties prior to the meeting, and posted on the Health and Human Services website and bulletin board.

The following members were present: Doug Bauer, DO; Heather Cramer, RN; Russell Crotty, OD; Jaime Dodge, MD; Diane Jackson, APRN; Michael Kotopka, DDS; John Kuehn, DVM; Donald Ostdiek, DPT; Mark Patefield, PharmD; David Reese, MHA; Daniel Rosenthal, PE; Timothy Tesmer, MD; Doug Vander Broek, DC; Dan Vehle. Quorum met.
Staff and others in attendance: Monica Gissler
Board members not in attendance: Robert (Bud) Synhorst.

Dr. Tesmer explained the reason for this special meeting of the Board of Health, which was to discuss legislative bills introduced on Days 9-10. Dr. Kuehn made a motion for approval of the January 19, 2023 Agenda, with a second by Ms. Jackson. All were in favor.

Public Health, Education and Legislation Committee: Dr. Kuehn, Committee Chair, reported on the additional legislative bills the PHEL Committee presented to the full Board of Health for consideration:

LB	Sponsor	Committee & Hearing date	BOH Liaison	Content & Amendments
561	Blood Hunt	HHS 2/3/23	Kuehn	Adopt the Cosmetology Licensure Compact
588	Wishart	Judiciary 2/9/23	Kuehn	Adopt the Medicinal Cannabis Act
626	Albrecht	HHS 2/1-2/23	Ostdiek	Adopt the Nebraska Heartbeat Act. Several motions for IPP have failed.
668	Aguilar	Judiciary	Jackson/ Bauer	Authorize mental health professionals and practitioners to take persons into emergency protective custody and provide for a training and certification process

Dr. Kuehn made a committee motion to approve the legislative bills identified by the PHEL Committee. Voting yes: 15 (Bauer, Cramer, Crotty, Dodge, Jackson, Kotopka, Kuehn, Ostdiek, Patefield, Reese, Rosenthal, Tesmer, Vander Broek, Vehle, Vest); voting no: 0; not voting: 0. Motion carried.

Dr. Kuehn encouraged all Board of Health members to read through the introduced bill LB810 to Adopt the Medical Ethics and Diversity Act, even though the Board of Health will not take a position on this bill.

NEXT MEETING. The next regular Board of Health meeting will be Monday, March 20, 2023 in the Nebraska State Office Building in Lincoln. Ms. Gissler will ask a DHHS staff member to review the investigative process.

ADJOURN. There being no further business, Mr. Reese made a motion to adjourn, with a second by Dr. Vander Broek; all in favor by voice vote. The meeting adjourned at 12:43 PM. Minutes were taken by Monica Gissler and were approved by the State Board of Health on March 20, 2023.

NOTE: If you would like to receive these minutes electronically, please send a request to the email address below. Please also inform staff if you would like to be removed from this distribution list altogether.

If you would like any attachments mentioned in these minutes, or have other questions, please contact Monica Gissler, 402/471-2948, or email at: monica.gissler@nebraska.gov. Board of Health: <https://dhhs.ne.gov/licensure/Pages/Board-of-Health.aspx>

3/22/23, mcg

The Nebraska State Board of Health Affirms:

- Cannabis has not been approved by the Food and Drug Administration (FDA) for preventing or treating any disease process.
- The Board does not recommend patient use of non-FDA approved cannabis or cannabis derived products. It further recognizes the FDA has approved synthetic cannabis-derived medications for specific indications (Marinol, Syndros, Cesamet and Epidiolex.)
- Should scientific evidence support the use of cannabis derived substances to prevent or treat specific conditions, the substance should be subject to the approval process of the FDA.
- Policy and medical practice surrounding cannabis and cannabis-derived substances should not be altered until sufficient clinical evidence supports such changes.
- To be considered a medicine, cannabis products should be dispensed in a standardized product subject to the same regulations as a prescription drug product in a manner to ensure patient safety and clinical efficacy through consistent potency and quality.
- The Controlled Substances Act lists cannabis on Schedule I, defined as drugs with no currently accepted medical use and a high potential for abuse. All Nebraska licensed medical professionals holding a DEA registration certificate must honor the tenants of their certification.

Therefore, the Nebraska State Board of Health finds that cannabis for medicinal use should not be legalized through the state legislative, ballot initiative, or referendum process. Legalization of any medicine for the prevention or treatment of any disease process should occur through the same rigorous, evidence based scientific process standard for all prescription medications.

Approved on November 14, 2022