

**MINUTES OF THE MEETING OF THE
BOARD OF VETERINARY MEDICINE AND SURGERY**

January 31, 2025

ROLL CALL

The meeting of the Board of Veterinary Medicine and Surgery was called to order at 8:06 a.m. by Chairperson, Elizabeth Farrington, DVM, at the Crowne Plaza Younes Conference Center North, Bronze 3 Room, 707 W Talmadge Rd, Kearney NE 68845. The meeting was conducted In-Person and by WebEx. Board members present and answering roll call were:

Elizabeth Farrington, DVM, Chairperson
Joshua Schlote, LVT, Vice-Chairperson via WebEx
Christopher G. Byers, DVM, DACVECC, DACVIM (SAIM), CVJ, Secretary
Donovan Hauser, DVM
Public Member position vacant

A quorum being present, the meeting convened. Also present to participate in the meeting: Vonda Apking, Program Manager, Licensure Unit, Jan Gadeken-Harris, Health Licensing Coordinator, Licensure Unit; Milissa Johnson-Wiles, Assistant Attorney General; Katherine Amyot, DHHS Department Legal via WebEx; Jeff Newman, Investigator, with the Investigation Unit via WebEx.

Farrington announced that there is a copy of all the public documents being reviewed at this meeting available in the meeting room pursuant to the Open Meetings Act.

In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and posted on the Bulletin Board at the entrance to the Nebraska State Office Building on January 17, 2025.

ADOPTION OF AGENDA

Byers moved, seconded by Hauser, to adopt the Agenda. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

APPROVAL OF MINUTES

Byers moved, seconded by Schlote to approve the October 23, 2024, minutes as written. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

DESIGNATION OF THE METHOD BY WHICH THIS BODY WILL GIVE PUBLIC NOTICE OF ITS MEETINGS

Jan Gadeken-Harris explained that the Board needs to inform the public each year the method by which the Board will provide notice of their meetings. In the past, the Board had chosen to post meeting agendas on the Bulletin Board at the Nebraska State Office Building, to e-mail agendas to the interested parties list, and to post agendas on the Department's website. Byers moved, seconded by Hauser, to continue the same method that the Department has been using to provide public notice of this Board's meetings by posting meeting agendas at the Nebraska State Office Building, by e-mailing agendas to the interested parties list, and by posting agendas on the Department's website. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Please Note: if you would like to be included on the list of "Interested Parties" to receive a notice of the Agenda for the meetings, please contact Jan Gadeken-Harris at: Janis.gadeken-harris@nebraska.gov

DEPARTMENT OF AGRICULTURE UPDATES

Kaylie Fritts, DVM, Deputy Nebraska State Veterinarian with the Agriculture Department was present for discussion with the Board.

H5N1 or Avian Influenza - Nebraska has had 5 reported cases in December, 2 commercial flocks and 3 backyard flocks. In January there has been 2 reported backyard flocks. It's important that owners that suspect that they have a case in their flock that they **do not** bring the birds to a clinic, but rather contact the Department of Agriculture and a veterinarian will come to the farm and determine if the flock needs to be tested. The USDA will compensate the cost for testing and if there is a loss to the flock USDA will also compensate appropriately for the loss of the flock.

Nebraska livestock has not had a positive detection of the H5N1 to date. Nebraska does participate with the mandatory USDA surveillance program where they have the milk silos tested for the virus and all testing has been negative to date.

As far as cats and the human population, cats are susceptible. There have been reported cases in Texas where cats drank infected milk at a dairy and have died. So, the basic rule is don't drink raw milk and don't feed your pets raw food. Cooked, pasteurized/processed pet food has virtually no issues.

Human population detection noted have all come from people drinking raw milk. Symptoms range from mild respiratory and conjunctivitis type symptoms, and they all recovered at home. There is no risk if you drink pasteurized milk, it is safe to consume.

Brucellosis vaccines are on backorder, producers that can't get the vaccine call the Department of Agriculture and they can assist.

The USDA (United States Department of Agriculture) Animal Disease Traceability (ADT) rule went into effect November 5, 2024. <https://www.aphis.usda.gov/livestock-poultry-disease/traceability>
The electronic ID tags are available to accredited DVM's in Nebraska.

2024 LEGISLATION UPDATES

Jessika Benes, DVM, Juniata, NE and Nebraska Veterinary Medical Association (NVMA) Board of Directors member was present to discuss the 2025 Legislation Bills that have been introduced that the NVMA will be following and may be of interest to the Board.

LB665 - Prohibit the use of certain electronic identification devices under the Animal Health and Disease Control Act.

Hearing scheduled for February 11, 2025

The NVMA opposes this bill and will be testifying at the hearing.

To learn more about this Bill go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB665.pdf>

LB72 - Change provisions relating to controlled substances schedules under the Uniform Controlled Substances Act

Hearing was held on January 22, 2025

The NVMA will be monitoring this Bill

To learn more about this Bill go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB72.pdf>

LB210 - Provide for fees and assessments for participation and use of the prescription drug monitoring program and the designated health information exchange

The NVMA opposes this Bill as written.

To learn more about this Bill go to: <https://nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB210.pdf>

REGULATION UPDATES

Currently there are no Regulation updates for the Board.

EMAIL BALLOT(S) SINCE THE LAST BOARD MEETING

An Email Ballot was sent to the Board for consideration for approval of the Draft Regulation for Title 172 Chapter 180 Practice of Veterinary Medicine and Surgery. By a vote of 4/0 the Board recommended to approve the Draft Regulations as written.

DISCUSSION(S)

A. Potential for Legislative change regarding the Veterinary profession for VCPR (Veterinary Client Patient Relationship) should it be expanded to include establishing VCPR through Telemedicine.

After much discussion it was suggested that Dr. Farrington would send information to Vonda Apking, Program Manager to format and send on to Katherine Amyot, DHHS Legal Attorney. Ms. Amyot will then develop a document for a Model Bill to be presented to gain interest of a Senator who in turn can propose a Legislative Bill for a change in the Statutes which will enable the establishment of VCPR through Telemedicine.

B. Potential for Legislative change to include the Veterinary Medicine and Surgery Practice Act in the Telehealth Practice Act (38-1,143)

This discussion will be tabled and addressed at the next meeting for the formation of a Special Committee to study and develop the need to include the Veterinary Medicine and Surgery Practice Act in the Telehealth Practice Act.

PRACTICE QUESTION(S)

A. Is Medical Marijuana for animal use legal in Nebraska?

It is the opinion of the Board that Medical Marijuana for animal use is not legal in Nebraska. Currently there is no change in State Legislation that would make it legal.

B. Is hemp oil legal for animal use in Nebraska?

It is the opinion of the Board that you should consult with your personal attorney. Refer to the Nebraska Revised Statute 2-515: <https://nebraskalegislature.gov/laws/statutes.php?statute=2-515>

PUBLIC COMMENTS

Dr. Beth Venit, with the AAVSB (American Association of Veterinary State Boards) Welcomes anyone interested to join them at the 2025 Annual Meeting and Conference in Cincinnati, September 17 – 20, 2025.

For information go to: <https://www.aavsb.org/board-services/annual-meeting/>

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Byers moved, seconded by Hauser, to go into closed session at 9:21 a.m., for the purpose of review and discussion of investigative reports, licensure applications, and other confidential information, and for the prevention of needless injury to the reputation of the individuals. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Board Break 9:22 a.m.
Board Reconvened 9:35 a.m.

Board Break 10:39 a.m.
Board Reconvened 10:50 a.m.

Farrington, Chairperson opened the session at 11:41 a.m.

APPLICATION REVIEW (2)– OPEN SESSION

CORNETT, MALORI, DVM – application for reinstatement after discipline requesting reinstatement after revocation of license to practice veterinary medicine and surgery. Hauser moved, seconded by Byers to recommend denial of the license to practice veterinary medicine and surgery. Basis for the Board's recommendation is that there is insufficient evidence presented to support reinstatement. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

LANDAUER, CALLIE – request for Board sponsorship to test the VTNE (Veterinary Technician National Exam) past the 5th attempt. Byers moved, seconded by Schlote to decline Board sponsorship at this time. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

FYI(S)

The AAVSB (American Association of Veterinary State Boards) is holding the 2025 Annual Meeting and Conference in Cincinnati, September 17 – 20, 2025.

Dr. Farrington will attend the annual meeting since she is currently a Board Member on the ICVA (International Council for Veterinary Assessment).

The rest of the Board Members will consult their schedules to see if they are available to attend the meeting.

ELECTION OF OFFICERS

Schlote moved, seconded by Hauser to maintain the same slate of officers for 2025 as follows:

Chairperson: Elizabeth Farrington, DVM

Vice-Chairperson: Joshua M. Schlote, LVT

Secretary: Christopher G. Byers, DVM, DACVECC, DACVIM (SAIM), CVJ

Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

SCHEDULE OF THE NEXT BOARD MEETING

The next Board of Veterinary Medicine and Surgery has been tentatively scheduled for Wednesday, April 23, 2025. The schedule will be posted on the DHHS website. <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

There being no further business, Farrington, Chairperson adjourned the meeting at 11:53 a.m.

Respectfully submitted,

signature available upon request

Christopher G. Byers, DVM, DACVECC, DACVIM (SAIM), CVJ, Secretary
Board of Veterinary Medicine and Surgery