

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

October 23, 2024

ROLL CALL

The meeting of the Board of Veterinary Medicine and Surgery was called to order at 9:01 a.m. by Chairperson, Elizabeth Farrington, DVM, at the Hampton Inn & Suites, Husker Conference Room, 7343 Husker Circle, Lincoln, NE 68504. 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
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; Mindy Lester, Assistant Attorney General; Abigail Nissen, Assistant Attorney General; Teresa Hampton, DHHS Department Legal; Larry Wiehn, Investigator, with the Investigation Unit.

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 October 10, 2024.

ADOPTION OF AGENDA

Hauser moved, seconded by Byers, 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 July 24, 2024, minutes as written. Voting aye: Byers, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

DEPARTMENT OF AGRICULTURE UPDATES

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

H5N1 or Avian Influenza - to date no detections have been made in Nebraska since February in poultry, and still no reports in dairy cows or the human population. The State of California has reported twelve human cases of H5N1. No deaths have been reported and the most significant symptom being conjunctivitis side effects. The cases were reported in dairy workers, so this is not contracted by drinking milk but rather by making contact with the milk production.

South Dakota has reported a positive TB case at a slaughterhouse. The animal was traced back to Nebraska and is currently under investigation. Nothing has been reported in Nebraska.

North Dakota has reported an outbreak of anthrax. Nothing has been reported in Nebraska.

The USDA (United States Department of Agriculture) Animal Disease Traceability rule goes 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

Megan Kilgore, Executive Director of the Nebraska Veterinary Medical Association (NVMA) was present via WebEx for discussion with the Board.

LR375 - Interim study to examine different methods, including potential statutory changes, to address the need to recruit, train, and retain individuals who practice production animal veterinary services in Nebraska.

<https://nebraskalegislature.gov/FloorDocs/108/PDF/Intro/LR375.pdf>

Hearing scheduled for November 1, 2024. Megan indicated that the NVMA will be testifying at the Hearing along with the Nebraska Department of Agriculture.

Currently there are discussions regarding the creation of a four-year veterinary school at UNL. The consideration would be how viable would a program in Nebraska be.

Dr. Byers suggested that the Board may be interested in reviewing an article in the August, 2024 edition of the Journal of the American Veterinary Medical Association (JAVMA) regarding a "Viewpoint" article which discusses an imminent need for veterinary medical educators.



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REGULATION UPDATES

The DHHS Legal Department is currently reviewing the proposed draft regulations.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Byers moved, seconded by Schlote, to go into closed session at 9:15 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 9:50 a.m.

Board Reconvened 10:00 a.m.

Farrington, Chairperson opened the session at 10:00 a.m.

APPLICATION REVIEW (0)– OPEN SESSION

Currently there are no applications for review by the Board for this meeting.

PRACTICE QUESTION(S)

- A. If a person is certified as a PEMF (Pulsed Electromagnetic Field Therapy) Practitioner can a Veterinarian make a referral to the certified PEMF practitioner to work on an animal in the Veterinarian's care? If so, would the referral need to be reestablished at different intervals?

The opinion of the Board is that Unlicensed Veterinary Assistants have no authority to perform this procedure.

Please refer to the Nebraska Veterinary Medicine and Surgery Regulations, Title 172 Chapter 180 004.02 for full explanation of Unlicensed Veterinary Assistants authority:

<https://rules.nebraska.gov/rules?agencyId=37&titleId=101>

- B. If a PEMF machine is owned by an entity/person can they rent the machine to an individual who wants to do therapy on their own animal?

The Board has no opinion, but rather suggests that you refer to your attorney.

PUBLIC COMMENTS

Governor Pillen signed the Proclamation honoring Veterinary Technicians in Nebraska on October 2, 2024. Board member Joshua Schlote, NVMA Board member Dr. Benes and several veterinary technician students from the Northeast Community College were in attendance for the ceremony.

SCHEDULE OF THE NEXT BOARD MEETING

The next Board of Veterinary Medicine and Surgery has been tentatively scheduled for Friday, January 31, 2025. This meeting similar to last year will be coordinated with the NVMA Winter Conference held in Kearney at the Younes Conference Center North. The schedule will be posted on the DHHS website.

<https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

Board Break 10:32 a.m.

Board Reconvened 10:45 a.m.

ADJOURNMENT

There being no further business, Farrington, Chairperson adjourned the meeting at 11:00 a.m.

Respectfully submitted,

signature available upon request

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