

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

August 24, 2022

ROLL CALL

The meeting of the Board of Veterinary Medicine and Surgery was called to order at 9:00 am by Chairperson, Elizabeth Farrington, DVM, at the Hampton Inn & Suites, in the Husker Conference Room at 7343 Husker Circle, Lincoln, Nebraska 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
Theresa Clary, Public Member

Absent: None

A quorum being present, the meeting convened. Also present to participate in the meeting: Jesse Cushman, Program Manager, Licensure Unit, Jan Gadenken-Harris, Health Licensing Coordinator, Licensure Unit; Mindy Lester, Assistant Attorney General, T.J. O'Neill, Assistant Attorney General; Teresa Hampton, DHHS Department Legal via WebEx; Larry Wiehn, Investigator, with the Investigation Unit and Anna Harrison, Compliance Monitor, with the Licensure and Investigation Units, 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 in the Licensure Unit on August 11, 2022 and revision posted on August 17, 2022.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES

Schlote moved, seconded by Byers to approve the May 18, 2022 minutes as written. Voting aye: Byers, Clary, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

PAVE FOR VETERINARY TECHNICIANS

Nancy Grittman, MBA, Senior Director of Program Services and Dr. Beth Venit, Chief Veterinary Officer with AAVSB were present via WebEx to make a presentation to the Board to review and discuss accepting the PAVE for Veterinary Technicians program.

The Program for the Assessment of Veterinary Education Equivalence (PAVE) for Veterinary Technicians is operated by the American Association of Veterinary State Boards (AAVSB), a not-for-profit organization whose mission furthers public protection by providing services to its Member Boards, veterinary licensing authorities in the United States and Canada. The purpose of PAVE for Veterinary Technicians is to assess the education equivalence of international veterinary technician/nurse graduates on behalf of participating AAVSB Member Boards. PAVE for Veterinary Technicians is designed to ensure that certified credential candidates have the qualifications and experience that are equivalent to an AVMA-CVTEA and CVMA accredited veterinary technology/nursing education.

International graduates submit documents to AAVSB through an online application and authorize that their documents are sent directly to the AAVSB from primary source institutions. The AAVSB or its designee will review the official transcripts and content of the course syllabi/outlines of courses from the teaching institution to

identify gaps in course curriculum. If the applicant needs to complete any gaps they can apply to an AVMA-CVTEA or CVMA accredited veterinary technology/nursing distance learning or on-campus program to complete and successfully pass the course(s) that contain the identified gap content. The AAVSB will send the PAVE for Veterinary Technician Certificate upon completion to the applicant. Electronic copies of the stamped certificate are available to the member jurisdiction upon request through VAULT.

AAVSB is finalizing the internal processes and developing the online application. AAVSB will assist member Boards with information for Statute and Rules changes to accept PAVE for Veterinary Technicians for their jurisdiction. The expectation is to launch PAVE for Veterinary Technicians application in late 2022.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Byers moved, seconded by Hauser, to go into closed session at 9:29 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, Clary, Farrington, Hauser and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Board Break: 10:00 am
Board Reconvened: 10:20 am

Farrington, Chairperson opened the session at 10:20 a.m.

APPLICATION REVIEW (0)– OPEN SESSION

No applications were presented for review.

REGULATIONS UPDATE

Jesse Cushman updated the Board that he is currently working on revisions to the Veterinary Drug Distributor Regulations.

The Board discussed proposing revisions for the Veterinary Medicine and Surgery Regulations, Title 172 Chapter 180. The Board is proposing revision to the “Surgery” definition as listed in 002.08 and adding “Suturing” to the list of tasks for a Veterinary Technician under “Direct” supervision as listed in 004.01(B).

Jesse Cushman and Dr. Farrington will collaborate on language for the “Surgery” definition and for Veterinarian delegation of tasks for the Veterinary Technician to submit for proposed revision to the Regulations.

2022 LEGISLATION UPDATES

There were no Legislation updates at this time.

AAVSB CONFERENCE

The American Association of Veterinary State Boards (AAVSB) has scheduled their Annual Meeting and Conference in Charlotte, NC on September 15-17, 2022.

Dr. Farrington is on the AAVSB Bylaws Committee, so she will be attending the meeting representing the AAVSB in that capacity.

Dr. Byers will represent the Board at the meeting as the Voting Delegate.

Mindy Lester, Assistant Attorney General will also attend the meeting as the designated legal counsel for the Board.

ELIGIBLE TASKS FOR A VETERINARY TECHNICIAN STUDENT

There have been questions directed to the DHHS office regarding tasks that can be delegated to a student enrolled in an approved veterinary technician program. Statute allows the following:

38-3321. Veterinarian; veterinary technician; animal therapist; license; required; exceptions. No person may practice veterinary medicine and surgery in the state who is not a licensed veterinarian, no person may perform delegated animal health care tasks in the state who is not a licensed veterinary technician or an unlicensed assistant performing such tasks within the limits established under subdivision (2) of section 38-3326, and 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:

(3) A person who is a student in an approved veterinary technician program from performing duties or actions assigned by his or her instructors or from working under the direct supervision of a licensed veterinarian or a licensed veterinary technician;

38-3307. Direct supervision, defined. Direct supervision means that the supervisor is on the premises and is available to the veterinary technician or unlicensed assistant who is treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task. Source: Laws 2007, LB463, § 1089.

COMPOUNDING ANIMAL DRUGS FROM BULK DRUG SUBSTANCES

At the last meeting in May, Jesse indicated that he would arrange for one of the Pharmacy Board members to attend the next Board of Veterinary meeting to make a presentation to the Board regarding compounding animal drug issues. Due to scheduling conflicts no Pharmacy Board member could attend. The Board suggested that Jesse have the Pharmacy Board submit a document regarding the compounding animal drug issues for the Veterinary Board to review in lieu of a formal presentation.

SCHEDULE OF THE NEXT BOARD MEETING

The next Board of Veterinary Medicine and Surgery has been scheduled for Wednesday, November 30, 2022. 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 11:48 a.m.

Respectfully submitted,

signature available upon request

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