

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

April 8, 2015

ROLL CALL

The meeting of the Board of Veterinary Medicine and Surgery was called to order at 8:30 am by Chairman, James F. Unwin, DVM, in the Staybridge Room, Staybridge Suites, 2701 Fletcher Avenue, Lincoln, Nebraska. Board members present and answering roll call were:

James F. Unwin, DVM, Chair
Paul D. Foy, DVM
Micah R. Kohles, DVM, Secretary
Linda Heiden, Public Member

Absent: Nanci Kyhn, VT

A quorum being present, the meeting convened. Present to participate in the meeting were Julie Agena, Assistant Attorney General; Anna Harrison, Compliance Monitor; Kathie Lueke, Program Manager, and Kelli Dalrymple, Health Licensing Coordinator, Licensure Unit; Larry Wiehn, Investigator; Kristy Chapman, Investigator and Kevin Griess, Department Legal Counsel.

ADOPTION OF AGENDA

Foy moved, seconded by Heiden, to adopt the Agenda.

Voting aye: Foy, Kohles, Unwin, Heiden. Voting nay: None. Absent: Kyhn. Motion carried.

APPROVAL OF MINUTES

Foy moved, seconded by Heiden to approve October 14, 2014 minutes. Voting aye: Foy, Kohles, Unwin, Heiden. Voting nay: none. Absent: Kyhn. Motion carried.

Foy moved, seconded by Heiden, to approve the January 14, 2015, minutes as presented. Voting aye: Foy, Kohles, Unwin, Heiden. Voting nay: None. Absent: Kyhn. Motion carried.

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Kohles moved, seconded by Foy, to go into closed session for the purpose of review of the investigational reports and other closed session items as identified on the agenda. Voting aye: Unwin, Heiden, Foy, Kohles. Voting nay: none. Absent: Kyhn. Motion carried and the meeting went into closed session at 8:36 am.

At 9:06 am Kohles recused himself from the meeting.

At 9:30 am Kohles returned to the meeting.

At 9:55 am Foy recused himself from the meeting.

At 9:59 am Foy returned to the meeting.

At 10:26 am Unwin and Julie Agena recused themselves from the meeting.

At 10:27 am Kevin Griess joined the meeting.

At 11:04 am Unwin and Julie Agena returned to the meeting.

The meeting returned to open session at 11:06 am.

BOARD RECOMMENDATIONS ON APPLICATIONS FOR LICENSURE AS VETERINARIANS AND VETERINARY TECHNICIANS

Applications for Initial Licensure

Galles, Beth – application for a veterinarian license. Kohles moved, seconded by Heiden, to recommend issuance of a license. Voting aye: Unwin, Heiden, Foy, Kohles. Voting nay: none. Absent: Kyhn. Motion carried.

Harvey, Dillon - application for a veterinarian license. Foy moved, seconded by Heiden, to table for more information. Voting aye: Unwin, Heiden, Foy, Kohles. Voting nay: none. Absent: Kyhn. Motion carried.

Miller, Jarrod - application for a veterinary technician license. Kohles moved, seconded by Foy, to recommend issuance of a license. Voting aye: Unwin, Heiden, Foy, Kohles. Voting nay: none. Absent: Kyhn. Motion carried.

Application for Reinstatement after Discipline

Berryman, Larry - application to remove probation status early from veterinarian license. Kohles moved, seconded by Foy, to modify the probation by removing section 7P, 7M, 7L, 7J and 7I and keep all other terms as outlined in the Agreed Settlement of February 9, 2012. Voting aye: Heiden, Foy, Kohles. Voting nay: none. Abstain: Unwin. Absent: Kyhn. Motion carried.

Email application Ballots approved since the last meeting:

David Radechel, Locum Tenens License Application

Steven Roberts, Locum Tenens License Application

PRACTICE QUESTIONS

The board was asked to clarify the following practice questions:

Can an unlicensed veterinary assistant administer intramuscular sedatives/anesthetics?

Foy moved, seconded by Kohles that an unlicensed assistant can administer IM injections, but cannot administer sedatives/anesthetics. Voting aye: Unwin, Kohles, Foy, Heiden. Voting nay: none. Absent: Kyhn. Motion carried.

Can a licensed veterinary technician suture gums? Is this considered part of a surgical procedure? Foy moved, seconded by Kohles that veterinary technicians cannot suture gums as this is considered surgical. Voting aye: Unwin, Kohles, Foy, Heiden. Voting nay: none. Absent: Kyhn. Motion carried.

In office compounding of veterinary medications. The Board reviewed the Board of Pharmacy's clarification to questions raised at the January 14, 2015 meeting. The board requested that a letter be drafted to educate/update licensed veterinarians in the state regarding compounding. This will be reviewed by the Board Members for approval before sent out.

Is there an exception for vets to practice while studying for NAVLE?

The board reviewed Neb. Rev. Stat. §38-3321 for exceptions to practicing vet medicine and surgery and found that unless they are enrolled in vet school there are no other exceptions for practicing vet medicine and surgery while studying for NAVLE.

UPDATE ON REVISION TO NEBRASKA VETERINARY TECHNICIAN NATION EXAMINATION ELIGIBILITY REQUIREMENTS.

The board reviewed the additional information requested at the January meeting regarding Veterinary Technicians being eligible to take VTNE before graduating from program. The Board decided not to change the eligibility requirements for testing. Veterinary Technicians will need to wait until graduation before being eligible for VTNE.

CONTINUING EDUCATION REVIEW AND APPROVAL/DENIAL

The Board reviewed the following continuing education courses:

CEVA – Dr. Katherin Irwin, Methicillin – Resistant Staphylococcal Infections in Veterinary Dermatology.
CVC Washington, D.C., Program
Creating Pet Friendly Practice, Dr. Valerie Tynes

Kohles moved, seconded by Foy, to approve all the content for the continuing education as requested. Voting aye: Unwin, Heiden, Foy, Kohles. Voting nay: none. Absent: Kyhn. Motion carried.

OFFICE USE COMPOUNDING

The Board reviewed the letter from the Nebraska Veterinary Medical Association (NVMA) asking for clarification of how the Board of Pharmacy's opinion on office use compounding pertains to veterinary medicine. Can veterinarians have office use of compounded medications to provide directly to animals? The Board wants to make sure to clearly define what is expected from the Board of Pharmacy. It was recommended for a Board member to be present at the next Board of Pharmacy Meeting on January 26, 2015. The Board had the following questions/concerns:

1. Define "In office use" – can a veterinarian purchase a compounded drug, not dispense the drug, but use the drug on multiple patients?
2. Compounding from bulk into a dosage form that is not available commercially; and
3. Buying a compounded drug from a pharmacy and then selling it to multiple clients/patients, not to another veterinarian – is that permissible?

Unwin volunteered to attend the Board of Pharmacy meeting to participate in discussion on this issue.

2015 LEGISLATION

Kathie Lueke provided an update to the Board Members on legislation.

SET DATE OF FUTURE MEETINGS

The next meeting of the Board was set for July 29, 2015 at 8:30 am.

ADJOURNMENT

There being no further business, the meeting adjourned at 1:42 pm.

Respectfully submitted,

signature available upon request

Micah Kohles, DVM, Secretary
Board of Veterinary Medicine and Surgery