

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

February 3, 2021

ROLL CALL

The meeting of the Board of Veterinary Medicine and Surgery was called to order at 9:00 am by Secretary, Elizabeth Farrington, DVM, at the Staybridge Suites, in the Staybridge Conference Room at 2701 Fletcher Avenue, Lincoln, Nebraska 68504. The meeting was conducted In-Person and by WebEx. Board members present and answering roll call were:

Joshua Schlote, LVT, Vice-Chairperson
Elizabeth Farrington, DVM, Secretary
Christopher G. Byers, DVM, DACVECC, DACVIM (SAIM), CVJ (attended by WebEx)
Donovan Hauser, DVM
Deborah Hoffnung, PhD, ABPP-CN, Public Member

Absent: None

A quorum being present, the meeting convened. Also present to participate in the meeting: Jesse Cushman, Program Manager, Jan Gadeken-Harris, Health Licensing Coordinator, Mindy Lester, Assistant Attorney General, Teresa Hampton, DHHS Department Legal, Anna Harrison, Compliance Monitor and Larry Wiehn, Investigator.

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 <http://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on January 21, 2021 with a revision posted on February 3, 2021.

NEW BOARD MEMBERS

Dr. Farrington introduced the Board's new members, Donovan Hauser, DVM and Deborah Hoffnung, PhD, ABPP-CN.

Dr. Hauser is a Veterinarian and Co-Owner of Parks Veterinary Clinic in Grand Island. Dr. Hauser will be replacing Dr. Micah Kohles as a Veterinarian member of the Board of Veterinary Medicine and Surgery.

Dr. Hoffnung, Clinical Neuropsychologist with Neuropsychology Program CHI Health-Immanuel Hospital in Omaha will serve as the Public member of the Board of Veterinary Medicine and Surgery.

The Board and the Department Welcome Dr. Hauser and Dr. Hoffnung and look forward to working with them on the Board.

ADOPTION OF AGENDA

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

APPROVAL OF MINUTES

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

INVESTIGATIONAL REPORTS AND APPLICATION REVIEW – CLOSED SESSION

Byers moved, seconded by Hauser, to go into closed session at 9:08 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, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Board Recess: 10:15 a.m.
Board Reconvene: 10:25 a.m.

Hoffnung moved, seconded by Byers, to open the session at 11:11 a.m. Voting aye: Byers, Farrington, Hauser, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

APPLICATION REVIEW – OPEN SESSION

DOBESH, GERALD, DVM – application for reinstatement after discipline, requesting removal of limitations to practice veterinary medicine and surgery. Byers moved, seconded by Hauser to recommend removal of 2, 3, 4, 5, 6 and 8 of the existing limitation and or probationary terms and conditions of the license, with all other previous limitation and or probationary terms and conditions of the license to remain (1, 7 and 9-18). Basis: The Practice Monitor reports were all in compliance, however no evidence was given to support reinstatement of the surgical limitation. Voting aye: Byers, Farrington, Hauser, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

EMAIL BALLOT(S) SINCE LAST MEETING

Elizabeth Farrington, DVM requested Department and Board support in her efforts to accept a nomination from the AAVSB Nominating Committee for the open AAVSB Representative to the ICVA position for 2021-2022. The Department and the Board Approved the request for support on January 28, 2021.

BOARD DISCUSSION(S)

A. NVMA (Nebraska Veterinary Medical Association) Virtual Annual Conference

Schedule: January 28-29 & February 5-6, 2021. To learn more about the Conference go to: <https://nvma.org/>

B. COVID-19 – Can Veterinarians in Nebraska administer COVID-19 vaccines and /or perform testing?

It is the opinion of the Board that Veterinarians cannot practice or provide services on humans. Basis: 38-3304 and 38-3312. <https://dhhs.ne.gov/licensure/Documents/VeterinaryMedicineSurgery.pdf>

C. AAVSB – New PAVE Standards & Policies for Veterinary Technicians

The American Association of Veterinary State Boards (AAVSB) announced the completion of the [Standards & Policies for the forthcoming PAVE for Veterinary Technicians](#). PAVE is the Program for the Assessment of Veterinary Education Equivalence. To learn more go to: <https://aavsb.org/>

D. AAVSB - 2021 Annual Meeting & Conference - September 30 - October 2, 2021, Denver, CO

For updates go to: <https://aavsb.org/>

E. DEA Federal Register Rules - December 2020

The Board has no comments at this time.

F. Continuing Education Updates:

Compliance with 38-145 (6) – CE requirement for Control Substances are effective for the renewal period of 4/2/2020 – 4/1/2022. For more information go to:

<https://dhhs.ne.gov/licensure/Documents/VetContinuingCompReq.pdf>

The Board has been contacted regarding concerns related to AAVSB and RACE (Registry of Approved Continuing Education). The Board will draft a letter to submit to AAVSB relating the Board's concerns and questions.

REGULATIONS UPDATE

Proposed draft Regulations for Title 172 Chapter 180 - Regulations Governing the Practice of Veterinary Medicine and Surgery. Byers moved and seconded by Schlote to approve the draft regulations. Voting aye: Byers, Farrington, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: Hauser. Motion carried.

Proposed draft Regulations for Title 172 Chapter 182 - Licensure of Animal Therapist. Byers moved and seconded by Schlote to approve the draft regulations. Voting aye: Byers, Farrington, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: Hauser. Motion carried.

2021 LEGISLATION UPDATES

Megan Kilgore, Executive Director for the NVMA (Nebraska Veterinary Medical Association) was present to discuss the 107th Legislature, 1st Session. One of the bills discussed was:

LB390- Provide for credentials based on reciprocity and change requirements for credentials under the Uniform Credentialing Act

At the present time Veterinary Medicine is excluded from the Bill. Amendments to the Bill can be expected. To learn more about the LB390, please visit: <https://nebraskalegislature.gov/FloorDocs/107/PDF/Intro/LB390.pdf>

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

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. Hoffnung moved, seconded by Byers, 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, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

ELECTION OF OFFICERS

Schlote moved, seconded by Hoffnung to elect new officers 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, Hoffnung 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 scheduled for Wednesday, May 5, 2021. The schedule will be posted on the DHHS website. <http://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>

ADJOURNMENT

There being no further business, Hauser moved, seconded by Byers, to adjourn the meeting at 12:40 p.m. Voting aye: Byers, Farrington, Hauser, Hoffnung and Schlote. Voting nay: None. Absent: None. Abstain: None. Motion carried.

Respectfully submitted,

signature available upon request

Elizabeth L. Farrington, DVM, Secretary
Board of Veterinary Medicine and Surgery