

ARKANSAS LIVESTOCK AND POULTRY COMMISSION

Minutes

April 10, 2024

10:00 a.m.

The Livestock and Poultry Commission met via Zoom only.

Chair Tyler Davis called the meeting to order.

Members present via Zoom: Chad Chester, Tyler Davis, Dr. William Hewat, Bruce Maloch, Dr. Sara Throne, Dan Wright

Members Present: Dr. Mike Pallone, Tommy Wren

Member(s) Absent: Marcus Creasy

Patrick Fisk, Director, Livestock and Poultry Division, and other staff members were in attendance.

1. Opening comments and introductions

Chair Davis welcomed all in attendance.

2. Consider minutes of the January 11, 2024, quarterly meeting

Moved by Wright, seconded by Hewat to approve the minutes as presented.

Motion carried.

3. Consider minutes of the March 22, 2024, Special Called meeting

Moved by Chester, seconded by Wright to approve the minutes as presented.

Motion carried.

4. Consider adopting rules after comment period

Fisk stated the Livestock and Poultry Commission approved 5 proposed rules at the January 11, 2024 quarterly meeting.

Two of the proposed rules were based off of statutory changes and language cleanup. The Arkansas Egg Marketing proposed rule and the Rules Governing the Poultry Feeding Operations Registration Program proposed rule.

Three new laws were passed in the 2023 legislative session. The Veterinary Technician Specialist proposed rule, the Continuing Education Requirements for Veterinary Medical License and Certification Renewal proposed rule, and the Veterinary Medical License and Certificate Fees proposed rule.

The 30-day public comment period ran from February 18 through March 18, 2024. Nine comments were received from four people. A public hearing was held March 15, 2024, and no comments were received at that time. Fisk reviewed a summary of public comments and the Division's responses, shown as **Attachment 1**.

Fisk shared public comments received on the Veterinary Technician Specialist proposed rule with the Commission for their review and discussion.

Following much discussion, Dr. Throne made a motion requesting that staff provide additional research on the Veterinary Technician Specialist proposed rule, specifically ensuring that it addresses that Veterinary Technician Specialists are only approved to practice in their area of specialty.

Following further discussion, Dr. Throne withdrew her motion to allow time for staff to do additional research, and to hold the vote on this rule until that research has been submitted later in this meeting.

Fisk stated there were no comments received on the Veterinary Medical License and Certificate Fees proposed rule.

Moved by Wren, seconded by Dr. Pallone to approve the proposed rule as presented.

Motion carried.

Fisk stated two comments were received on the Continuing Education Requirements for Veterinary Medical License and Certification Renewal proposed rule.

Following discussion, moved by Wren, seconded by Chester to approve the proposed rule as presented.

Motion carried.

Fisk stated there were no comments received on the Arkansas Egg Market proposed rule.

Moved by Wright, seconded by Maloch to approve the proposed rule as presented.

Motion carried.

Fisk state no comments were received on the Rules Governing the Poultry Feeding Operations Registration Program proposed rule.

Moved by Wright, seconded by Dr. Hewat to approve the proposed rule as presented.

Motion carried.

5. Review agency reports

Laboratory Services

Dr. Sharon Pulla, Director, Veterinary Diagnostic Lab, gave a quarterly lab operations update. Dr. Pulla stated in the last few months, two previously known viruses have caused major concerns in poultry and dairy communities across the country. Avian metapneumovirus (aMPV) causes respiratory and reproductive diseases in poultry through the new subtypes A and B. Also, Highly Pathogenic Avian Influenza (HPAI) in dairy cattle. Confirmed as H5N1, it has been known to cause a sudden drop in feed intake and milk production.

Dr. Pulla discussed Porcine Brucellosis. National Animal Health Laboratory Network (NAHLN) changed their standard operating protocols, requiring the lab to screen serum samples using BAPA antigen only. All non-negative swine samples will be sent to NVSL for confirmation.

Dr. Pulla stated they have seen an increase in requests for Trich testing. In the first quarter of 2023, 453 Trich samples were tested, compared to 816 in the first quarter of 2024.

Accounting Division

Inoussa Zaki, Chief Fiscal Officer, presented the financial report. The Livestock and Poultry Division began the fiscal year with \$13.7 million. A little over \$10 million was reported between July and March. Expenditures for this quarter are a little over \$8.4 million. The Division finishes the 3rd quarter with \$14,674,000 million cash on hand.
Attachment 2.

Moved by Wren, seconded by Dr. Hewat to approve the financial report as presented.

Motion carried.

Egg and Poultry Report

Cheri Ellis, Agri Division Manager, reported on general activities within the division.

Arch Farms (formerly Pet & Gerry's) has requested full-time grading services.

Twenty food defense audits; 1 child nutrition audit; 1 cage free verification audit; 3 contractor check loading verifications; and 10 shell egg surveillance inspections have been completed this quarter.

There has been 1 food defense audit with approximately 16 audits scheduled for January; 2 child nutrition audits; 2 cage free verification audits; 3 contractor check verifications; 1 label review at a freezer location; and 10 quarterly processor visits of shell egg surveillance.

Retail inspections were made at 463 retail locations, inspecting 75,000 shell eggs, and 1 warning issued for failure to meet refrigeration requirements.

Staff attended the National Egg Regulatory Officials mid-year meeting via Zoom and the 2023 Poultry Federation Symposium in Rogers, AR.

Livestock Field and Flea Markets Report

Blake Walters, Program Manager, presented field market and flea market activities and market totals for January – March 2024. Market prices have been good.

Walters discussed attending the nine area spring conferences with the Cattlemen's Association. These conferences provided a good opportunity to collaborate with industry.

Walter stated staff is wrapping up on building the CO2 Depop trailer. The trailer will be used to assist with diseases such as African Swine Fever

Meat Inspection Program

Tillman Treat, Agri Division Manager, gave an update on the Meat Inspection Program. Tillman stated 2 additional facilities have joined the program bringing the total to 8 facilities participating in the program. Seven investigations have been conducted; 4 were complaints against meat processors and 3 were investigations into firms that produce products that contain meat. 87,470 pounds of beef, 17,163 pounds of pork, and 565 pounds of lamb for a total of 105,198 pounds were processed and entered in commerce this quarter.

Tillman stated the Arkansas Beef Council is currently accepting applications for research and project funding proposals. The deadline for research funding is April 22nd and project funding by April 26th.

National Poultry Improvement Plan (NPIP)

Kevin Simmons, NPIP Coordinator, presented the NPIP quarterly summary report of activities.

Simmons stated the focus for the quarter was to catch up on inspections and audits. Those inspection were paused for the last two months of 2023 due to HPAI and the division's response responsibilities to the HPAI situation.

NPIP audits:

- 4 company inspections
- 3 processing plant inspections
- All hatchery inspections and table-egg company inspections are caught up and current.
- 14 biosecurity audits
- 2 NPIP lab audit

Simmons gave an update on Pullorum-Typhoid (PT) Antigen which have been on back order for quite some time. We currently have fifteen 14 ml bottles.

PT school dates and locations:

- Fayetteville – May 2nd for Commercial, and May 3rd for Private
- Batesville – May 7th for Commercial and May 9th for Private
- Little Rock – May 16 for Commercial and May 17th for Private

Animal Health

Dr. Josh Moffett, Field Services Manager, gave an update on the Veterinary Medicine Loan Repayment Program (VMLRP). This plan is used to attract veterinary medical students into Arkansas to practice food animal medicine in areas of the state with a shortage of veterinarians. This will close Friday April 12th.

Dr. Moffett and staff have been working with Arkansas Department of Agriculture officers and livestock inspectors to address 2 equine care cases in Van Buren and Hot Spring Counties.

Dr. Moffett reported staff attended a meeting at the University of Missouri about African Swine Fever and Foot and Mouth Disease and swine producer response.

Moffett stated Arkansas' commercial premises affected by HPAI have completed all steps necessary for free status declaration.

There are currently 3 active Trich cases. One new herd discovered this quarter; one old herd had positive bulls after breeding season. Waiting on others to test bulls after breeding.

At this time, Fisk addressed Dr. Throne's request to research whether it is clear in the Veterinary Technician Specialist proposed rule, that the Veterinarian Technician Specialist stay within the practice of their specialty. He referred to Statute 17-101-319, stating that a Veterinary Technician Specialist shall perform specialized veterinary technology under the direction, supervision, and responsibility of the licensed veterinarian with whom he or she is employed, or collaborating veterinarian under a collaborative practice agreement.

Following review and much discussion, moved by Dr. Pallone, seconded by Wren to approve the proposed Veterinary Technician Specialist rule as presented.

Motion carried.

It was noted that the Department will look at the law and determine if any changes may need to be considered in the 2025 legislative session.

General Agency Activities

Patrick Fisk, Director, Livestock and Poultry Division, stated the registration period for the Poultry Registration Program ended on March 31st. Since registration is now received online instead of paper copies, the Division is not issuing any fines for late registration to allow people time to adapt to the new procedure.

For clarification, Fisk explained the roles for the Arkansas Livestock and Poultry Commission and the Veterinary Medical Examining Committee. The Veterinary Medical Examining Board was abolished and became a committee, and then placed under the Arkansas Livestock and Poultry Commission. The committee still maintains the same full authority as it did when it was a Board. The law established a committee made up of professionals in that field to review cases and come to conclusions concerning all cases. The law also requires that any veterinarian that sits on the Commission will also sit on the committee, which causes some issues when presenting cases to the Commission. When a case is presented to the Commission, there should be no prior knowledge concerning the case. Therefore, whom ever is present at the committee meeting, giving them knowledge of the case at that time, must recuse themselves during the vote as it is presented to the Commission.

Fisk referred to **Docket Number 2022-02**, presented at the last Commission meeting. At that meeting, the Commission voted unanimously to accept the Committee's recommendation. Fisk gave a brief review of the case as it was presented. The Veterinary Medical Examining Committee stated there was a violation of unprofessional conduct by violation of the rule promulgated by the Commission under Statute 17-101-305. The Committee recommended six hours of continuing education in record keeping in addition to the twenty hours required, and to submit three medical records per month for the next six months. The Commission will need to re-vote on this recommendation since one of the Commission members seconded the motion for approval, that attended the Committee meeting.

Moved by Wren, seconded by Wright to approve the Committee's recommendation as presented. Dr. Pallone and Dr. Hewat did not vote.

Motion carried.

Dr. Hewat presented the Commission two additional cases. Summaries shown as **Attachment 3**

Docket No. 2023-12. Allegation: Ark. Code Ann. § 17-103-05(11). Unprofessional conduct by violation of a rule promulgated by the Commission under this chapter and Ark. Code Ann. § 17-101-305(15). Over treating patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's record or charging for services which were not consented to by the owner of the patient or the owner's agent. Dr. Hewat presented a summary of the complaint.

The recommendation of the Committee is to offer a consent agreement to Respondent that includes six (6) total hours of Continuing Education (CE), three (3) of those hours should be in record keeping and the other three (3) hours should be in emergency care. These six (6) hours of CE should be in addition to any other previously assigned CE hours and in addition to the twenty (20) hours of CE required for license renewal.

Respondent will also be required to submit two (2) emergency triage care medical records per month for four (4) months to be reviewed by the Committee.

Moved by Chester, seconded by Wright to approve the Committee recommendation as presented.

Motion carried.

Docket No. 2023-13. Allegation: Ark. Code Ann. § 17-101-305(5). Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine. Ark. Code Ann. § 17-101-305(10). Cruelty to animals. Ark. Code Ann. 17-101-305(15). Over treating

patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's record or charging for services which were not consented to by the owner of the patient or the owner's agent.

The recommendation of the Committee is to offer a consent agreement to Respondent that includes three (3) hours of Continuing Education to include client consent and client communication. These three (3) hours of Continuing Education should be in addition to any other previously assigned hours and in addition to the twenty (20) hours of Continuing Education required for license renewal.

Attachment 3 shows a total of 6 hours of Continuing Education. Dr. Throne stated that should be a total of 3 hours of Continuing Education.

Moved by Maloch, seconded by Wren to approve the Committee recommendation with the correction of 6 total Continuing Education hours to 3 total Continuing Education hours.

Motion carried.

Tanner Thomas, Managing Attorney, provided an update on **Docket No. 2019-20 and 2020-04**. The Veterinary Medical Examining Board, (dissolved in 2023 and duties transferred to the Veterinary Medical Examining Committee) reviewed and acted upon two complaint cases. The first complaint alleged to have found the Respondent guilty of not keeping proper records. The second complaint alleges injury to an animal.

In May of 2022 an opinion and penalties were issued. Respondent was ordered to complete an extra ten hours of Continuing Education in record keeping within six months of the date of the order, and to submit to the Board, six records of medical cases per month for twenty-four months from June of 2022 to June of 2024, and two penalty charges of \$5,000 each for a total of \$10,000. This was appealed through the Administrative Procedures Act Judicial Review on June 7, 2022. The Department of Agriculture and legal staff filed cross appeals in a timely manner. The Respondent did not respond. With no action until July 12, 2023, Judge Cara Conners of the Court of Appeals issued a notice of a Rule 41 dismissal. This is a dismissal without prejudice, meaning it is dismissed but you still have a chance to again bring forward the appeal. No appeal was filed. The legal staff has reached out to the Respondent and his counsel to become compliant within 30 days. There has been no response. Thomas stated he is presenting this issue to the Commission today for further action.

Moved by Dr. Throne, seconded by Maloch to offer a notice of hearing for this case as a follow up to Dockets 2019-20 and 2019-22 and that in that hearing we have the two points around one, the non-compliance with the previous subpoena, as well as the fraud and misrepresentation on obtaining his current license renewal.

Motion carried.

6. Old Business

No old business.

7. New Business

No new business.

8. Date for the next Commission Meeting

The next Livestock and Poultry Commission quarterly meeting is tentatively scheduled for July 26, 2024, in Hot Springs, AR. Time to be determined.

9. Adjourn

Meeting adjourned.



Tyler Davis, Chair



Sarah Huckabee Sanders
Governor

Attachment 1 ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205
agriculture.arkansas.gov
(501) 225-1598



Wes Ward
Secretary of Agriculture

ARKANSAS LIVESTOCK AND POULTRY COMMISSION RULES GOVERNING VETERINARY TECHNICIAN SPECIALISTS

PUBLIC COMMENTS AND RESPONSES

Commenter Name: Courtney Shere (3/07/2024)

Comment: The memorandum states CVT where it should state VTS

Division Response: This is in a memo, not in the law. The Law is clear on the definition of a VTS vs CVT.
No Changes are recommended.

Commenter Name: Maggie Milligan; Arkansas Veterinary Medical Association (3-14-24)

Comment:

1. They would like the rule to have more detail on CE (8 additional hrs).
2. Statement that the VTS is licensed in AR and in good standing with the Commission.
3. They want more clarity on the practice agreement and what it should say.
4. They want clarity on how a VTS can establish a "preliminary" VCPR.

Division Response:

1. The 8 additional hours are in the law (not in the rule).
 2. The rule already established that it is a state held license.
 3. The practice agreement is a contract between the VTS and the Vet. The state does not involve itself in private contracts. It is the responsibility of the VTC to follow and the Vet to enforce; they are their employee and hold all responsibility for their actions.
 4. Much debate was on this issue. The preliminary is only a temporary VCPR. The Vet establishes this relationship with the client at a later date. This was so the tech can proceed with an emergency call if necessary.
 5. **No changes are recommended.**
-

Commenter Name: Meg Harrington (2-29-24)

Comment:

1. An issue with the 8 hour CE not in the rule
2. Wants to establish a template for the practice agreement

Division Response:

1. The 8 additional hours are in the law (not in the rule).
 2. The practice agreement is a contract between the VTS and the Vet. The state does not involve itself in private contracts. It is the responsibility of the VTS to follow and the Vet to enforce; they are their employee and hold all responsibility for their actions.
 3. **No changes are recommended.**
-

Commenter Name: Rachel Cole (3-11-24)

Comment:

1. Concerned about the training and right to conduct certain practices not appropriate for a VTS.
2. Also wants to make requirements for the practice agreement.
3. Takes issue with the words diagnosis and prognosis

Division Response:

1. The law (the Practice Act) is clear on what a VTS can and cannot do.
2. The practice agreement is a contract between the VTS and the Vet. The state does not involve itself in private contracts. It is the responsibility of the VTS to follow and the Vet to enforce; they are their employee and hold all responsibility for their actions.
3. Diagnosis and prognosis were taken out of previous versions.
4. **No changes are recommended.**

ARKANSAS DEPARTMENT OF AGRICULTURE

Livestock Poultry Division

OPERATING FUNDS

FINANCIAL REPORT

FOR THE PERIOD JULY 1, 2023 - MARCH 31, 2024

	General Revenue	Agri Fair Funding Construction	State Meat Inspection Program	EIA Regulatory Fee	Poultry & Egg Division	Bruceellosis Program	L/S & Poultry Lab Fees	Feral Hog	Animal Disease Traceability/ Umbrella Agreement	Total	FY23 Actual	Fiscal Year 24 Budget	Percentage of Budget Received or Consumed compared to FY23 actual
Cash Resources Provided (Receipts)													
Cash Beginning Balance, July 1, 2023	-	420	12,607.76	685,993	9,962,433	1,453,073	787,751	293,788	445,922	13,652,188	9,937,916	13,652,188	
General Revenue	2,925,152	967,705	205,000.00	-	-	-	-	-	-	4,097,857	7,338,387	5,113,241	56%
Special Revenue:	-	-	-	-	-	-	-	-	-	-	-	-	
Misc Livestock Fees	-	-	-	50,838	-	-	48,591	-	-	99,428	178,925	178,925	56%
Egg/Poultry Inspection	-	-	-	-	1,881,961	-	-	-	-	1,881,961	2,329,163	2,329,163	81%
Licenses & Permits	-	-	-	-	-	-	81,067	-	-	81,067	134,428	134,928	68%
Bruceellosis Fees	-	-	-	-	-	456,922	-	-	-	456,922	616,240	616,240	74%
Livestock Disease	-	-	-	-	-	1	-	-	-	1	6	6	9%
Livestock Brand Registration	-	-	-	-	-	-	532	-	-	532	625	625	85%
Livestock Registration Fee	-	-	-	-	-	-	765	-	-	765	687	687	115%
Fair Surcharge Fee	-	-	-	-	-	-	-	-	-	-	45,701	-	0%
Small Animal Testing	-	-	-	-	-	-	145,591	-	-	145,591	236,818	236,818	61%
Large Animal Testing	-	-	-	-	-	-	228,818	-	-	228,818	265,088	265,088	88%
Avian Testing	-	-	-	-	-	-	605,799	-	-	605,799	574,781	574,781	105%
Loss: Treasurer of State Service Charges	-	-	-	(788)	(31,551)	(14,165)	(17,343)	-	-	(63,847)	(75,737)	-	
Net Special Revenue	-	-	-	50,050	1,850,410	442,757	1,101,819	-	-	3,445,036	4,308,781	4,337,917	
Other Fees -not designated as special revenue	-	-	-	-	830,298	-	-	-	-	830,298	3,897,896	3,897,896	21%
Federal Grant Reimbursements	-	-	-	8,019	-	452,581	348,358	-	194,406	1,001,364	1,040,773	1,687,690	98%
Marketing & Redistribution Sale Proceeds	-	-	-	-	13	-	-	-	-	13	1,960	1,960	1%
Pcard Incentive Proceeds	-	-	-	-	-	-	2,697	-	-	2,697	3,633	3,633	
Motor Vehicle Program Proceeds	-	-	-	44,800	44,800	81,973	-	-	-	171,573	100,382	100,382	171%
Miscellaneous Revenue (Fines, Refunds)	-	-	-	-	2,881	852	97,563	-	-	101,296	53,490	53,490	189%
Transfers In	436	411,072	-	-	-	-	-	-	-	411,508	-	-	
Total Resources Provided	2,925,586	1,379,197	217,808	798,862	12,690,835	2,431,237	2,336,169	293,788	640,328	23,713,831	26,781,217	28,947,796	
Cash Expenditures													
Salary and Personnel Expense	2,467,183	41,633	154,513.41	37,608	1,314,734	383,708	200,648	101,602	152,962	4,854,593	6,228,281	7,726,879	78%
Maintenance & Operations:	-	-	-	-	-	-	-	-	-	-	-	-	
Communication & Transportation of Commodi	607	-	32.08	-	833	9,289	9,133	397	-	20,292	26,972	-	75%
Printing & Advertising	-	-	694.15	-	194	8,914	1,595	-	-	11,397	6,321	-	180%
Repairing & Servicing	2,500	-	-	5,467	1,289	11,208	196,808	2,084	-	219,368	289,103	-	82%
Utilities & Rent	1,812	-	-	-	-	120	65,819	-	-	67,650	33,056	-	205%
Travel & Subsistence	13,129	-	-	-	42,824	5,415	21,068	14,354	-	96,787	108,200	-	89%
Professional Services & Fees	2,019	-	393.05	48	911	348	1,502	-	999	6,218	27,681	-	22%
Insurance & Bonds	22,447	-	-	-	-	-	-	-	-	22,447	18,895	-	118%
Other Expenses & Services	3,852	-	-	-	479	18,354	52,182	24	-	74,690	115,722	-	65%
Commodities, Materials, & Supplies	11,312	-	2,994.72	2,397	35,008	53,442	787,066	12,063	-	884,282	1,221,840	-	72%
Refunds Taxes & Claims	-	-	-	-	598,872	-	6,420	-	-	603,291	810,218	-	66%
Subtotal Maintenance & Operations	57,576	-	4,114	7,912	678,418	107,087	1,121,391	28,922	999	2,006,419	2,738,087	4,019,488	73%
Capital Outlay	-	-	-	47,765	47,765	94,240	21,004	-	-	210,775	290,619	716,823	73%
Assistance, Grants, & Aid	-	1,309,277	-	-	15,000	-	-	-	-	1,324,277	4,022,272	902,705	33%
Other Expenses	-	0	-	-	0	0	17,926	(0)	-	17,926	-	-	
Total Expenditures	2,524,760	1,350,911	158,627	93,285	2,055,917	585,036	1,360,970	130,524	153,961	8,413,991	13,279,259	13,366,875	63%
Other Items:													
Transfers for Claims	200,233	-	12,705.30	47,200	92,870	227,565	168,051	-	-	766,725	-	-	
Net Effect of Change in Accounts Receivable	0	-	-	0	141,814	-	(0)	-	-	141,814	-	-	
Net Effect of Change in Accounts Payable	-	-	-	-	-	-	(0)	-	-	(0)	-	-	
Cash Ending Balance, March 31, 2024	200,595	28,287	46475.05	658,376	10,683,763	1,616,635	789,188	163,264	486,367	14,674,930			

ARKANSAS DEPARTMENT OF AGRICULTURE
Livestock Poultry Division
GENERAL REVENUE FUNDS
FINANCIAL REPORT
FOR THE PERIOD JULY 1, 2023 - MARCH 31, 2024

	General Revenue	General Revenues Show Premiums	Agri Fair Funding Fair Funding Grant	State Meat Inspection Program	Total	FY23 Actual	Fiscal Year 24 Budget	Percentage of Budget Received or Consumed compared to FY22 actual
Cash Resources Provided (Receipts)								
Cash Beginning Balance, July 1, 2023	-	-	420	12,808	13,227	23,387	13,227	
General Revenue	2,925,152	-	967,705	205,000	4,097,857	4,526,191	5,113,241	91%
Special Revenue:								
Misc Livestock Fees	-	-	-	-	-	-	-	
Egg/Poultry Inspection	-	-	-	-	-	-	-	
Licenses & Permits	-	-	-	-	-	-	-	
Brucellosis Fees	-	-	-	-	-	-	-	
Livestock Disease	-	-	-	-	-	-	-	
Livestock Brand Registration	-	-	-	-	-	-	-	
Livestock Registration Fee	-	-	-	-	-	-	-	
Fair Surcharge Fee	-	-	-	-	-	-	-	
Small Animal Testing	-	-	-	-	-	-	-	
Large Animal Testing	-	-	-	-	-	-	-	
Avian Testing	-	-	-	-	-	-	-	
Less: Treasurer of State Service Charges	-	-	-	-	-	-	-	
Net Special Revenue	-	-	-	-	-	-	-	
Other Fees -not designated as special revenue	-	-	-	-	-	-	-	
Federal Grant Reimbursements	-	-	-	-	-	87,937	-	0%
Marketing & Redistribution Sale Proceeds	-	-	-	-	-	-	89	#DIV/0!
Pcard Incentive Proceeds	-	-	-	-	-	-	-	
Motor Vehicle Program Proceeds	-	-	-	-	-	-	-	
Miscellaneous Revenue	-	-	-	-	-	0	-	
Transfers In	436	411,072	-	-	411,508	1,536,319	-	
Total Resources Provided	2,925,588	411,072	968,125	217,808	4,522,593	6,173,834	5,126,557	
Cash Expenditures								
Salary and Personnel Expense	2,467,183	-	41,633	154,513	2,663,330	3,606,709	3,739,132	74%
Maintenance & Operations:								
Communication & Transportation of Commodities	607	-	-	32	639	4,831	-	13%
Printing & Advertising	-	-	-	694	694	377	-	
Repairing & Servicing	2,500	-	-	-	2,500	1,489	-	
Utilities & Rent	1,912	-	-	-	1,912	-	-	
Travel & Subsistence	13,129	-	-	-	13,129	10,200	-	129%
Professional Services & Fees	2,019	-	-	393	2,412	4,688	-	51%
Insurance & Bonds	22,447	-	-	-	22,447	15,233	-	147%
Other Expenses & Services	3,652	-	-	-	3,652	11,150	-	33%
Commodities, Materials, & Supplies	11,312	-	-	2,995	14,306	18,686	-	77%
Refunds Taxes & Claims	-	-	-	-	-	-	-	
Subtotal Maintenance & Operations	57,576	-	-	4,114	57,576	62,268	97,541	92%
Capital Outlay	-	-	-	-	-	-	-	
Assistance, Grants, & Aid	-	411,072	898,205	-	1,309,277	724,272	902,705	181%
Other Expenses	-	0	(0)	-	0	(0)	-	
Total Expenditures	2,524,760	411,072	939,839	158,627	4,034,298	4,397,646	4,739,378	92%
Other Items:								
Transfers for Claims	200,233	-	-	12,705	212,939	-	-	
Net Effect of Change in Accounts Receivable	0	-	-	-	0	-	-	
Net Effect of Change in Accounts Payable	-	-	-	-	-	-	-	
Cash Ending Balance, March 31, 2024	200,595	-	28,287	46,475	275,357	-	-	

ARKANSAS DEPARTMENT OF AGRICULTURE
Livestock Poultry Division
SPECIAL REVENUE FUNDS
FINANCIAL REPORT
FOR THE PERIOD JULY 1, 2023 - MARCH 31, 2024

	EIA Regulatory Fee	Poultry & Egg Division	Brucellosis Program	L/S & Poultry Lab Fees	Feral Hog Eradication	Total	FY23 Actual	Fiscal Year 24 Budget	Percentage of Budget Received or Consumed compared to FY23 actual
Cash Resources Provided (Receipts)									
Cash Beginning Balance, July 1, 2023	695,993	9,862,433	1,453,073	787,761	293,788	13,193,038	12,472,264	13,193,038	
General Revenue	-	-	-	-	-	-	-	-	
Special Revenue:									
Misc Livestock Fees	50,838	-	-	48,591	-	99,428	173,600	178,925	57%
Egg/Poultry Inspection	-	1,881,961	-	-	-	1,881,961	3,124,213	2,329,163	60%
Licenses & Permits	-	-	-	91,067	-	91,067	137,458	134,926	66%
Brucellosis Fees	-	-	456,922	-	-	456,922	612,244	616,240	75%
Livestock Disease	-	-	1	-	-	1	0	6	491%
Livestock Brand Registration	-	-	-	532	-	532	635	625	84%
Livestock Registration Fee	-	-	-	765	-	765	795	667	96%
Fair Surcharge Fee	-	-	-	-	-	-	-	-	#DIV/0!
Small Animal Testing	-	-	-	145,591	-	145,591	212,948	236,918	68%
Large Animal Testing	-	-	-	226,818	-	226,818	223,703	265,086	101%
Avian Testing	-	-	-	605,799	-	605,799	683,977	574,761	89%
Less: Treasurer of State Service Charges	(788)	(31,551)	(14,165)	(17,343)	-	(63,847)	(86,269)	-	74%
Net Special Revenue	50,050	1,850,410	442,757	1,101,819	-	3,445,036	5,082,533	4,337,317	
Other Fees -not designated as special revenue	-	830,298	-	-	-	830,298	501,840	3,997,896	165%
Federal Grant Reimbursements	8,019	-	452,581	346,358	-	806,958	1,645,609	1,027,690	49%
Marketing & Redistribution Sale Proceeds	-	13	-	-	-	13	-	1,751	#DIV/0!
Pcard Incentive Proceeds	-	-	-	2,697	-	2,697	2,626	3,633	
Motor Vehicle Program Proceeds	44,800	44,800	81,973	-	-	171,573	185,885	100,382	
Miscellaneous Revenue	-	2,881	852	97,563	-	101,296	54,508	53,490	186%
Interest	-	-	-	-	-	-	-	-	
Total Resources Provided	798,862	12,690,835	2,431,237	2,336,189	293,788	18,550,910	19,945,265	22,715,196	
Cash Expenditures									
Salary and Personnel Expense	37,608	1,314,734	383,708	200,648	101,602	2,038,301	2,914,790	3,783,969	70%
Maintenance & Operations:									
Communication & Transportation of Commodities	-	833	9,289	9,133	397	19,652	32,124	-	61%
Printing & Advertising	-	194	8,914	1,595	-	10,702	5,078	-	211%
Repairing & Servicing	5,467	1,289	11,208	196,808	2,084	216,866	240,958	-	90%
Utilities & Rent	-	-	120	65,619	-	65,738	93,662	-	70%
Travel & Subsistence	-	42,824	5,415	21,066	14,354	83,658	126,228	-	66%
Professional Services & Fees	48	911	346	1,502	-	2,807	10,681	-	26%
Insurance & Bonds	-	-	-	-	-	-	5,957	-	0%
Other Expenses & Services	-	479	18,354	52,182	24	71,038	124,603	-	57%
Commodities, Materials, & Supplies	2,397	35,008	53,442	767,066	12,063	869,976	1,271,780	-	68%
Refunds Taxes & Claims	-	596,872	-	6,420	-	603,291	683,962	-	88%
Subtotal Maintenance & Operations	7,912	678,418	107,087	1,121,391	28,922	1,943,730	2,595,033	3,788,466	75%
Capital Outlay	47,765	47,765	94,240	21,004	-	210,775	429,253	716,823	49%
Assistance, Grants, & Aid	-	15,000	-	-	-	15,000	4,256	-	352%
Other Expenses	-	0	0	17,926	(0)	17,926	10,828	-	
Total Expenditures	93,285	2,055,917	585,036	1,360,970	130,524	4,225,732	5,954,160	8,299,258	71%
Other Items:									
Transfers for Claims	47,200	92,970	227,565	186,051	-	553,786	-	-	
Net Effect of Change in Accounts Receivable	0	141,814	-	(0)	-	141,814	-	-	
Net Effect of Change in Accounts Payable	-	-	-	(0)	-	(0)	-	-	
Cash Ending Balance, March 31, 2024	658,376	10,683,763	1,618,835	789,168	163,264	13,913,206			

ARKANSAS AGRICULTURE DEPARTMENT
Livestock Poultry Division
FEDERAL GRANT FUNDS
FINANCIAL REPORT
FOR THE PERIOD JULY 1, 2023 - MARCH 31, 2024

	Animal Disease Traceability/ Umbrella Agreement	Total	FY23 Actual	Fiscal Year 24 Budget	Percentage of Budget Received or Consumed compared to FY23 actual
Cash Resources Provided (Receipts)					
Cash Beginning Balance, July 1, 2023	445,922	445,922	465,323	445,922	
General Revenue	-	-	-	-	
Special Revenue:					
Misc Livestock Fees	-	-	-	-	
Egg/Poultry Inspection	-	-	-	-	
Licenses & Permits	-	-	-	-	
Brucellosis Fees	-	-	-	-	
Livestock Disease	-	-	-	-	
Livestock Brand Registration	-	-	-	-	
Livestock Registration Fee	-	-	-	-	
Fair Surcharge Fee	-	-	-	-	
Small Animal Testing	-	-	-	-	
Large Animal Testing	-	-	-	-	
Avian Testing	-	-	-	-	
Less: Treasurer of State Service Charges	-	-	-	-	
Net Special Revenue	-	-	-	-	
Other Fees -not designated as special revenue	-	-	-	-	
Federal Grant Reimbursements	194,406	194,406	176,805	660,000	110%
Marketing & Redistribution Sale Proceeds	-	-	-	120	#DIV/0!
Pcard Incentive Proceeds	-	-	-	-	
Motor Vehicle Program Proceeds	-	-	-	-	
Miscellaneous Revenue	-	-	-	-	
Interest	-	-	-	-	
Total Resources Provided	640,328	640,328	642,128	1,106,042	
Cash Expenditures					
Salary and Personnel Expense	152,962	152,962	170,936	203,778	89%
Maintenance & Operations:					
Communication & Transportation of Commodities	-	-	-	-	
Printing & Advertising	-	-	-	-	
Repairing & Servicing	-	-	2,136	-	
Utilities & Rent	-	-	-	-	
Travel & Subsistence	-	-	2,032	-	
Professional Services & Fees	999	999	1,604	-	62%
Insurance & Bonds	-	-	-	-	
Other Expenses & Services	-	-	-	-	
Commodities, Materials, & Supplies	-	-	19,498	-	
Refunds Taxes & Claims	-	-	-	-	
Subtotal Maintenance & Operations	999	999	25,269	123,461	4%
Capital Outlay	-	-	-	-	
Assistance, Grants, & Aid	-	-	-	-	
Other Expenses	-	-	-	-	
Total Expenditures	153,961	153,961	196,206	327,239	78%
Other Items:					
Transfers for Claims	-	-	-	-	
Net Effect of Change in Accounts Receivable	-	-	-	-	
Net Effect of Change in Accounts Payable	-	-	-	-	
Cash Ending Balance, March 31, 2024	486,367	486,367			



Sarah Huckabee Sanders
Governor

Attachment 3 ARKANSAS DEPARTMENT OF AGRICULTURE

1 Natural Resources Drive, Little Rock, AR 72205
agriculture.arkansas.gov
(501) 225-1598



Wes Ward
Secretary of Agriculture

Veterinary Medical Examining Committee Complaint Report April 2, 2024

Purpose

The purpose of this report is to update and make recommendations to the Arkansas Livestock and Poultry Commission regarding pending complaints.

Complaints

Docket No. 2023-12 (Exhibit 1)

Allegation:

Ark. Code Ann. § 17-101-305 (11) Unprofessional conduct by violation of a rule promulgated by the commission under this chapter.

No particular Rule was indicated.

Ark. Code Ann. § 17-101-305 (15) Overtreating patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's records or charging for services which were not consented to by the owner of the patient or the owner's agent.

Summary:

Complaint was filed after Complainant, who was on vacation in the area, took her dog to Respondent for treatment of a possible UTI. Complainant was billed for an emergency vet visit although her dog was seen during the clinic's regular operating hours.

Recommendation:

After review of the complaint file, a motion was made, seconded, and passed to present the complaint to the Arkansas Livestock and Poultry Commission for the following violations:

- Ark. Code Ann. § 17-101-305(11) Unprofessional conduct by violation of a rule promulgated by the commission under this chapter.
 - 9. E. Patient records shall include, but are not limited to the following information:
 - (6) Physical examination findings to include temperature, weight, body condition, respiration, pulse, eyes, ears, nose and throat, oral cavity, respiratory system including auscultation of the thorax, palpation of the abdomen, lymph nodes, and evaluation of musculoskeletal, neurological, genito/urinary systems.
 - (10) Exposed radiographs shall have permanent facility and animal identification.

- Ark. Code Ann § 17-101-305(15) Overtreating patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's records or charging for services which were not consented to by the owner of the patient or the owner's agent.

The recommendation is to offer a consent agreement to Respondent that includes six (6) total hours of Continuing Education (CE), three (3) of those hours should be in record keeping and the other three (3)

hours should be in emergency care. These six (6) hours of CE should be in addition to any other previously assigned CE hours and in addition to the twenty (20) hours of CE required for license renewal.

Respondent will also be required to submit two (2) emergency triage care medical records per month for four (4) months to be reviewed by the Committee.

Docket No. 2023-13 (Exhibit 2)

Allegation:

Ark. Code Ann. § 17-101-305(5) Incompetence, gross negligence, or other malpractice in the practice of veterinary medicine.

Ark. Code Ann § 17-101-305(10) Cruelty to animals.

Ark. Code Ann § 17-101-305(15) Overtreating patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's records or charging for services which were not consented to by the owner of the patient or the owner's agent.

Summary:

Complaint filed after Complainant had taken her 11-year-old cat, Kuro, for treatment on emergency basis. Kuro was given barium orally and an Xray was performed. The Xray showed a white mass, and the Complainant was told it was paper or fluff she accidentally ingested. Kuro was kept overnight at the clinic and was discharged the next day. Kuro showed no signs of improvement, so Complainant sought a second opinion, and was subsequently diagnosed with an upper respiratory infection.

Recommendation:

After review of the complaint file, A motion was made, seconded, and passed to present the complaint to the Arkansas Livestock and Poultry Commission for the following violations:

- Ark. Code Ann. § 17-101-305(11) Unprofessional conduct by violation of a rule promulgated by the commission under this chapter.
 - 9. E. Patient records shall include, but are not limited to the following information:
 - (10) Exposed radiographs shall have permanent facility and animal identification.
- Ark. Code Ann § 17-101-305(15) Overtreating patients or charging for services which did not occur unless the services were contracted for in advance or for services which were not rendered or documented in the patient's records or charging for services which were not consented to by the owner of the patient or the owner's agent.

The recommendation is to offer a consent agreement to Respondent that includes three (3) hours of Continuing Education to include client consent and client communication. These six (6) hours of Continuing Education should be in addition to any other previously assigned hours and in addition to the twenty (20) hours of Continuing Education required for license renewal.