

**VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
DEPARTMENT OF HEALTH PROFESSIONS
RICHMOND, VA
MAY 14, 2008**

- CALL TO ORDER:** A quorum of the Board of Veterinary Medicine was called to order at 9:00 a.m. at the Department of Health Professions, Perimeter Center, Richmond, VA
- PRESIDING OFFICER:** Henry McKelvin, DVM, President
- MEMBERS PRESENT:** George Siemering, DVM
Taryn Singleton, LVT
Jana Froeling, DVM
James DeBell, DVM
John Wise, DVM
Dorothy Blackwell
- STAFF PRESENT:** Elizabeth Carter, Executive Director
Terri Behr, Operations Manager
Howard Casway, Senior Assistant Attorney General
Emily Wingfield, Chief Deputy Director, DHP
- OTHERS PRESENT:** Susan Seward, VVMA
Kelly Gottschalk, DVM
Ken Fletcher
Melinda Freckleton, DVM
Jayme Leonard
Amanda Sontag, LVT
Debra Linton
- PUBLIC COMMENT:** Dr. Freckleton made public comment on behalf of the Va. Veterinary Medical Assoc. and the Va. Assoc. of Equine Practitioners. She stated that they support the action that the Board took on getting the equine dental technician regulations into effect. Dr. Freckleton stated that they would like the Board to consider reconvening the Ad Hoc Committee for consideration of additional educational programs to register equine dental technicians, including one through the University of Nebraska. She stated that members from both organizations would volunteer to assist the Board with this endeavor.
- Jayme Leonard made public comment on behalf

of the Va. Equine Dental Technicians Assoc. She stated that the program on equine dental technicians at the University of Nebraska is AVMA accredited. She handed out brochures and the curriculum for the Board's review.

APPROVAL OF MINUTES:

On properly seconded motion by Dr. Wise, the Board voted unanimously to adopt the minutes of the Formal Hearings of February 19, 2008 as presented.

On properly seconded motion by Dr. Froeling, the Board voted unanimously to adopt the minutes of the Informal Hearings of February 20, 2008 as presented.

On properly seconded motion by Dr. Wise, the Board voted unanimously to adopt the minutes of the Formal Hearing of February 20, 2008 as presented.

On properly seconded motion by Dr. Froeling, the Board voted unanimously to adopt the minutes of the Board meeting of February 21, 2008 as presented.

On properly seconded motion by Dr. Wise, the Board voted unanimously to adopt the minutes of the Informal Hearings of March 13, 2008 as presented.

On properly seconded motion by Ms. Blackwell, the Board voted unanimously to adopt the minutes of the Informal Hearings of April 17, 2008 as presented.

ACKNOWLEDGEMENT:

Ms. Wingfield acknowledged on behalf of Ms. Ryals that Elizabeth Carter is no longer in an acting capacity as Executive Director of the Board of Veterinary Medicine and is now the full time director.

BOARD DISCUSSIONS:

“Probation” printed on licenses

Dr. Carter stated that some of the Board's within the Dept. of Health Professions indicate on the actual permit when a licensee is on probation. She asked the Board if they wanted this printed on their permits.

A motion was made by Dr. Froeling and seconded by Dr. Wise not to apply the term “probation” on licenses. Ms. Blackwell, Dr. Siemering, Dr. DeBell and Ms. Singleton voted against the motion. The term “probation” will now be included on the license.

A motion was made by Dr. DeBell and seconded by Ms. Blackwell that the license should read “probation with terms.” Dr. Siemering and Ms. Singleton voted in favor of the motion. Drs. Wise and Froeling voted against. The motion passed and the licenses will now read “probation with terms” when a licensee is placed on probation.

Ms. Wingfield stated that the Orders will now need to state that the respondent will return his permit to the Board and a new permit will be issued reflecting probation with terms.

CASE REVIEW SHEETS

Dr. Carter stated that James Banning, Director of the Administrative Proceedings Division, had spoken with her about the Board’s protocol of holding an Informal Conference whenever two member of the Board differed on opinions while reviewing cases. Dr. Carter gave a brief history of how the current protocol came about. A prior Board voted that when one member requests a Pre-Hearing Consent Order (PHCO) and the other member says to close the case, an Informal Hearing will be scheduled. She stated that because of the Governor’s 250 turnaround time for disciplinary cases, that the current Board should revisit this protocol.

On properly seconded motion by Dr. Siemering, the Board voted unanimously to revise the protocol so that when one member of the Board requests a PHCO and the other member requests closure, a PHCO will be drafted reflecting what the one Board member has requested.

Ms. Wingfield recommended to the Board that they consider having only one Board member review cases in certain conditions and requested that the Board discuss this further at their next meeting.

HB725:

Ms. Wingfield updated the Board on the passage of HB725 regarding equine dental technicians. She stated that no changes in the regulations are needed to accommodate the new legislation.

Ms. Wingfield discussed the Statutes on Voluntary Practice and that some new legislation had passed which needs to be adopted into regulations. The new passage states that if a practitioner is in the state 3 days or less, they don't have to register under the voluntary practice requirements.

On properly seconded motion by Dr. Froeling, the Board voted unanimously adopt the amendments to the voluntary practice statutes into regulations.

AMENDMENTS TO CALENDAR:

Ms. Behr stated that a couple of dates on the Board's calendar needed to be changed because of conflicts. The July 17, 2008 date was changed to July 31, 2008 and the November 12 and 13, 2008 dates were changed to November 19 and 20, 2008.

AAVSB MEEETING:

The next AAVSB annual meeting is Sept. 18 – 20 in Newport Beach, California. Dr. McKelvin stated that he would like to go and the Board requested that Ms. Behr attend also.

EXECUTIVE DIRECTOR'S REPORT:

Dr. Carter updated the Board on the budget and stated that the Board will most likely operate in a deficit until the end of this month. She stated that a review is being conducted by Finance and there is a possibility of fee increases.

Dr. Carter reported on statistics regarding licensure and cases for veterinary medicine. She stated that as of May 12, 2008, the Board has 5,344 regulants, most of which are current, active. She stated that from July 1, 2007 through the end of April, the Board has closed 183 cases. The vast majority of those were no violation, with 36 cases resulting in violations.

Dr. Carter reported on the activities of the Board of Health Professions (BHP). She stated that they are currently conducting sunrise reviews for central sterile technicians, orthotists and prostetists, and orthopedic technicians. BHP also

received two requests from the Dept. of Health. These are the need to provide appropriate medical interpretation to people from different cultures and they are also asking all boards to emphasize hand washing because of the possible transmission of MRSA, which is antibiotic resistant.

CLOSED SESSION:

On properly seconded motion by Dr. Froeling, the Board recessed Open Session and convened in Closed Session pursuant to §2.2-3711(A)(7) of the Code of Virginia for the purpose of consultation with and the provision of legal advice by Senior Assistant Attorney General, Howard Casway for approval of a Consent Order in the matter of **Richard E. Flint, Jr., DVM**. Additionally, it was moved that Elizabeth Carter, Executive Director, Terri Behr, Operations Manager, Board of Veterinary Medicine, and Howard Casway, Counsel for the Board attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its discussion. Having certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code, the Board reconvened in open session and announced its decision.

APPROVAL OF CONSENT ORDER:

On properly seconded motion by Ms. Blackwell, the Board voted unanimously to accept the Consent Order in the matter of **Richard E. Flint, Jr., DVM**.

PRESENTATION OF PLAQUES:

Dr. Carter presented plaques thanking Drs. Froeling and Siemering for their service to the Board. They will both be leaving the Board as of June 20, 2008.

MEETING ADJOURNED:

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

Henry McKelvin, DVM, President

Elizabeth A. Carter, Ph.D., Executive Director