

DRAFT/UNAPPROVED

**VIRGINIA BOARD OF PHARMACY
MINUTES OF WILDLIFE REHABILITATOR WORKGROUP**

July 21, 2015
Second Floor
Board Room 3

Perimeter Center
9960 Mayland Drive
Henrico, Virginia 23233-1463

- CALL TO ORDER:** The meeting was called to order at 9:05am
- PRESIDING:** Ellen B. Shinaberry, PharmD, Chairman Board of Pharmacy
- MEMBERS PRESENT:** Kelly Gottschalk, DVM, Board of Veterinary Medicine member
Megan Kirchgessner, DVM, Department of Game and Inland Fisheries
Jim Husband, Department of Game and Inland Fisheries
Martin Betts, DVM, Virginia Veterinary Medical Association
John Welch, Virginia State Police
Ed Clark, Wildlife Center of Virginia
- STAFF PRESENT:** Caroline D. Juran, Executive Director, Board of Pharmacy
Leslie Knachel, Executive Director, Board of Veterinary Medicine
Elaine J. Yeatts, Senior Policy Analyst, DHP
Beth O'Halloran, Licensing Manager, Board of Pharmacy
- PUBLIC COMMENT:** Melissa Stanley, founder and Executive Director of the Richmond Wildlife Center, provided comment and handout materials to educate the workgroup on the services provided by the Richmond Wildlife Center. She, along with Dr. Carolyn Clay, DVM, proposed a pilot program for a category III facility which would take the animal itself as opposed to a wildlife rehabilitator admitting the animals into their homes.
- REVIEW OF AGENDA:** Ellen Shinaberry provided a review of the agenda packet and the information provided within.
- PRESENTATIONS:** Jim Husband presented a review of the permitting and training of wildlife rehabilitators and the changes made to permit conditions in November 2014. A summary of the permit conditions are that the rehabilitators must document an apprenticeship, have an initial inspection, and document 6 hours of continuing education. The permits are issued to both individuals and facilities. No requirement for training associated for administration of drugs. The assumption is that they are under the veterinarian of record. Caroline Juran provided an overview of the Drug Control Act statues that

relate to this topic and the Board of Pharmacy's involvement in the issue. A brief review of the Board of Pharmacy Guidance Document 110-30 that addresses the allowances to purchase, possess and administer drugs within a public or private animal shelter was also given.

Leslie Knachel provided a brief review of Chapter 38 section titled practice of veterinary medicine. In addition Board of Veterinary Medicine Guidance Document 150-22 titled Veterinarians and Wildlife Rehabilitators – Prescription Drugs and Guidance Document 15-13 titled Controlled Substances (Schedule II-VI) in Veterinary Practice was reviewed.

DISCUSSIONS:

There were several key discussion points regarding several topics at the workgroup meeting. Leslie Knachel commented on the research she has done to find out how other states regulate wildlife rehabilitators and if any state allows them to possess a stock of drugs for treating the wildlife. It appears that there are no other states in her research that allow a general stock of drug for wildlife rehabilitators. Most states, she found, allow for patient specific drugs only.

Dr. David McGruer was asked by Ed Clark to comment on the medical conditions and what specific drugs may be required for wildlife rehabilitators. His comments were that many are treating pain, infection and dehydration. Drugs specifically suggested were meloxicam, broad spectrum antibiotics, rehydration fluids, and antiparasitic drugs (deworming) mainly to keep humans safe.

Caroline Juran provided comment that it would be problematic for the department to inspect a drug stock maintained at a private residence and that a search warrant may be necessary if no license is held with the Board of Pharmacy. First Sgt. John Welch, while not providing binding legal comment, suggested that this was true.

Dr. Martin Betts pointed out that there are also financial constraints and that a rehabilitator may also not feasibly order large quantities of drug as this costs money and the clients cannot pay for services.

Several suggestions for recommendations were discussed. Ed Clark suggested that the vet-client-patient relationship that is in statute be redefined that would allow the veterinarian to prescribe to a group of animals similar to a herd. He would also like to redefine the rehabilitator as the custodian of the animal, limit the stockpile to a 90-day supply, have specific training courses to address storage and administration of drug and amend the permit conditions for wildlife rehabilitators. Elaine Yeatts stated redefining the vet-client-patient relationship for one group of prescribers would not be feasible. She also provided comment that training would have to be integral to legislation.

General concerns were expressed for possible inappropriate use of antibiotics which could increase antibiotic resistance, lack of sufficient oversight presently for wildlife rehabilitators, lack of uniform training

and education, and an inability to appropriately treat wildlife without access to a stock of medications.

In lieu of presenting a report with one recommendation, Ms. Yeatts suggested the report could summarize the various options discussed by the group such as: take no action; increase the training and education of wildlife rehabilitators, clarify the role of the supervising veterinarian, and improve drug storage and disposal options prior to considering authorization to possess a stock of drugs; recommend wildlife rehabilitators be allowed a limited supply of drugs, except for antibiotics, under §54.1-3408 and to administer for emergency purposes under a standing protocol; recommend wildlife rehabilitators be allowed a limited supply of drugs, including antibiotics and to administer for emergency purposes under a standing protocol; and, require wildlife rehabilitators to obtain a controlled substances registration from the Board of Pharmacy similar to animal shelters to possess a stock of drugs.

There was a consensus to reconvene for a second meeting of the workgroup on August 27, 2015 at 9:00am to further discuss the options to be recommended. Staff will provide a draft report for the workgroup to consider and edit.

ADJOURN:

With all business concluded, the meeting adjourned at approximately 12:36 pm.

Ellen B. Shinaberry, Chairman

Caroline D. Juran, Executive Director

DATE:

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