

**VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
DEPARTMENT OF HEALTH PROFESSIONS
BOARD ROOM 3
HENRICO, VA
March 7, 2019**

- TIME AND PLACE:** The Board of Veterinary Medicine (Board) was called to order at 9:00 a.m., at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 3, Henrico, Virginia.
- PRESIDING OFFICER:** Steven B. Karras, D.V.M., President
- MEMBERS PRESENT:** Tregel M. Cockburn, D.V.M.
Autumn N. Halsey, L.V.T.
Mark A. Johnson, D.V.M.
Bayard A. Rucker, III, D.V.M.
Mary Yancey Spencer, J.D., Citizen Member
- MEMBERS NOT PRESENT:** Ellen G. Hillyer, D.V.M. joined the meeting during the Agency Director's Report.
- QUORUM:** With six members of the Board present, a quorum was established. Following the Agency Director's Report, seven members of the Board were present.
- STAFF PRESENT:** David E. Brown, D.C., Director
Barbara Allison-Bryan, M.D., Chief Deputy Director
Leslie L. Knachel, Executive Director
Charis Mitchell, Assistant Attorney General, Board Counsel
Kelli Moss, Deputy Executive Director
Anthony C. Morales, Licensing Operations Manager
Melody Morton, Inspections Manager, Enforcement Division
Elizabeth Carter, Executive Director, Healthcare Workforce Data Center
- OTHERS PRESENT:** John Dascanio, Executive Associate Dean, Lincoln Memorial University
College of Veterinary Medicine
Susan Seward, Virginia Medical Association of Virginia (VVMA)
Taryn Singleton, Virginia Association of Licensed Veterinary Technicians
- ORDERING OF AGENDA:** No changes were made to the agenda.
- PUBLIC COMMENT:** Mr. Dascanio provided public comment about Lincoln Memorial University College of Veterinary Medicine's program structure and satellite location in the Commonwealth.
- APPROVAL OF MINUTES:** Ms. Spencer moved to approve the meeting minutes for the following meetings as presented:
- November 6, 2018 – Full Board Meeting
 - December 3, 2018 – Conference Call (Case No. 189570)
 - December 12, 2018 – Conference Call (Case Nos. 170370 & 170371)
 - December 28, 2018 – Conference Call (Case No. 183697)
 - January 17, 2019 – Formal Hearing (Case No. 189570)
- The motion was seconded and carried.

DIRECTOR'S REPORT:

Dr. Brown provided an update on agency activities.

LEGISLATIVE/REGULATORY UPDATE:

Ms. Yeatts was unable to attend the meeting. Dr. Karras asked Dr. Brown to provide the legislative update from the 2019 General Assembly Session. He summarized the bills that were of interest to the Board.

DISCUSSION ITEMS:

Discussion of §§ 54.1-3801(3) and 54.1-3804(4)

Ms. Knachel reviewed the statutory requirements related to veterinarians engaged in the practice of veterinary medicine as part of a veterinary medical education program accredited by the American Veterinary Medical Association Council on Education and located in the Commonwealth. She explained that the Board was being asked to make a policy decision about whether an accredited school located in another state operating a satellite educational program in Virginia is considered located in the Commonwealth. Ms. Mitchell and Dr. Brown provided additional comments to further clarify the policy decision that was presented for the Board's consideration.

Dr. Rucker moved to affirm that an a veterinary medical education program located in another state which is accredited by the American Veterinary Medical Association Council on Education and operating a satellite educational program in Virginia is considered located in the Commonwealth.

The motion was seconded and carried.

Healthcare Workforce Data Center (HWDC) Survey

Dr. Carter presented the results of the HWDC's 2018 survey of Virginia's Veterinarian Workforce and Virginia's Veterinary Technician Workforce to the Board. She indicated that this survey established a baseline for future surveys.

Veterinary Establishment Inspection Update

Ms. Morton and Ms. Knachel presented information to the Board about the current work being done to update the inspection form and the virtual inspection pilot for initial inspections of new veterinary establishments.

Guidance Document Update

Ms. Knachel presented the following guidance document updates:

- 150-1: Disposition of Cases Involving Applicants Practicing Veterinary Technology Prior to Licensure is new. Ms. Knachel explained the need to consider alternate sanctions against a veterinary technician applicant who has practiced as a licensed veterinary technician prior to licensure. She identified a typo under the "Cause" columns in that "Practice" needed to be changed to "First Offense" for both charts. The Board discussed possible alternate language, but did not request any changes.

Dr. Johnson moved to adopt Guidance Document 150-1 as presented with the correction identified by Ms. Knachel.

The motion was seconded and carried by a vote of six to one.

- 150-7: Disposition of Cases Involving Failure of Veterinarian-in-Charge (VIC) to Notify Board of Veterinary Establishment Closure is new. The draft from the agenda package was replaced by a handout provided at the meeting. Ms. Knachel explained the need to consider sanctions against a VIC who fails to

notify the Board ten days prior to the closing of a veterinary establishment, as required by the regulations.

Dr. Rucker moved to accept Guidance Document 150-7 as presented in the handout.

The motion was seconded and was carried unanimously.

- 150-11: Guidance for Continuing Education Audits and Sanctioning for Failure to Complete CE is an update. Ms. Knachel explained that there are incidences when a licensee identified for an audit fails to respond to the Board until action is taken. The changes allow the Board to take action against a licensee who has completed the required CE but failed to respond to the Board. She commented that the licensees are contacted multiple times via email and mail prior to initiating action. The Board discussed the monetary penalty for a second offense.

Dr. Cockburn moved to accept Guidance Document 150-11 as presented with the following monetary penalties:

- Second offense for Veterinarians, \$500 penalty.
- Second offense for Licensed Veterinary Technicians (LVT), \$200 penalty.

The motion was seconded and was carried unanimously.

- 150-18: Bylaws is an update. Ms. Knachel explained the recommended changes. She commented that Article IV, Q., captured the delegated authority granted by the Board during the last board meeting for the Veterinary Review Coordinator (VRC) with the addition of “continuing education” and “drug theft and loss.” The Board discussed concerns about the inclusion probable of cause decisions by the VRC for “drug theft and loss” cases. Ms. Knachel suggested alternative language.

Ms. Spencer moved to accept the changes to the Bylaws as presented, which was duly seconded. Following a discussion, Ms. Spencer amended her motion to include changes to Article IV, Q. so that it reads “The Board delegates authority to the Executive Director to assign cases to the Veterinary Review Coordinator to make probable cause decisions in consultation with board staff for cases involving impairment, inspections, compliance with Orders, PMP reporting and continuing education and make investigation decisions regarding drug theft and loss.”

The motion was seconded was carried unanimously.

Request from Licensee to Review LVT Dental Regulations

Ms. Knachel presented the Board with email correspondence from a veterinarian who requested the Board review its scope of practice for LVTs to include closure of gingival flaps. She identified the actions the Board could take regarding the request.

After discussion, Dr. Hillyer moved to have Ms. Knachel send a thank you to the licensee for his comments and request that he submit an official petition for rulemaking.

The motion was seconded was carried unanimously.

PRESIDENT'S REPORT:

Dr. Karras reported that he presented the board update prepared by Ms. Knachel to the VVMA at its annual meeting.

BOARD OF HEALTH PROFESSIONS' REPORT:

Dr. Johnson reported the Board of Health Professions (BHP) elected a new chair and vice-chair. He commented that when his second term on Board of Veterinary Medicine expires in June 2019, another board member will need to volunteer to serve on the BHP.

STAFF REPORTS:

Executive Director's Report

Ms. Knachel reported on the following:

- Three board member terms expire on June 30, 2019: Dr. Johnson is completing his second term and is not eligible for reappointment; and Ms. Halsey's and Ms. Spencer's are completing their first terms and are eligible for reappointment.
- The current licensure numbers and cash balance.
- The annual AAVSB meeting will be September 26-28, 2019, in St. Louis, MO. She requested that anyone who wishes to attend to let her know.
- The 2019 and 2020 board calendars.
- Outreach efforts include a presentation at the annual VVMA meeting, a presentation at Virginia Tech on March 21, and an email to the licensees.

Discipline Report – Ms. Moss

Ms. Moss provided an overview of the caseload statistics.

NEW BUSINESS:

Dr. Johnson asked the Board to give a more specific definition of IV catheters. The Board discussed the issue and declined to further define IV catheters at this time.

BOARD MEMBER TRAINING:

Ms. Knachel stated that an abbreviated training would be provided at this meeting and a more in-depth training would be provided at the next meeting. She and Ms. Moss provided a few reminders about administrative hearings.


NEXT MEETING:


Dr. Karras announced that the next full board meeting is scheduled for July 9, 2019.

ADJOURNMENT:

Dr. Karras thanked Dr. Johnson, Ms. Spencer and Ms. Halsey, the Board members whose terms are expiring, for their service.

The meeting adjourned at 1:57 p.m.


 Steven B. Karras, D.V.M
 Chair
 7-9-19
 Date


 Leslie L. Knachel, M.P.H
 Executive Director
 July 9, 2019
 Date