

Call to Order

The October 21, 2021, Virginia Board of Veterinary Medicine (Board) meeting was called to order at 10:01 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Henrico, Virginia 23233.

Presiding Officer – Jeffrey B. Newman, DVM, President

Board Members Present

Mary Yancey Spencer, JD, Secretary
Tregel Cockburn, DVM
Autumn Halsey, LVT
Ellen Hillyer, MPH, DVM
Thomas Massie, Jr., DVM

Members Not Present

Steve Karras, DVM

Staff Present

Leslie L. Knachel, Executive Director
Kelli Moss, Deputy Executive Director
David E. Brown, D.C., Agency Director DHP
Barbara Allison-Bryan, MD, Chief Deputy Director DHP
Elaine Yeatts, Sr. Policy Analyst DHP
Charis Mitchell, Assistant Attorney General, Board Counsel
Heather Pote, Sr. Discipline Case Specialist
Taryn Singleton, Discipline Case Specialist
Laura Paasch, Administrative Assistant
Sylvia Robinson, Administrative Assistant
Melody Morton, Inspections Manager
Adina Pogue, Senior Inspector

Public Present

Robin Schmitz, Virginia Veterinary Medical Association
Pattie Seeger, LVT, Virginia Association of Licensed Veterinary Technicians

Establishment of Quorum

With six board members present, quorum was established.

Emergency Egress

Ms. Knachel read the emergency egress procedures.

Introductions

Ms. Knachel introduced new staff members Sylvia Robinson and Melissa Moore.

Mission Statement

Dr. Newman read the Board's mission statement.

Ordering of Agenda

The agenda was accepted as presented.

Public Comment

There were no requests to provide public comment.

Approval of Minutes

Dr. Newman opened the floor to any edits or corrections regarding the draft minutes for the July 29, 2021 Full Board Meeting and the July 20, 2021 Formal Hearing. Hearing none, Dr. Newman stated the minutes were approved as presented.

Director's Report – David E. Brown, D.C., Director

Dr. Brown commended Ms. Knachel for her participation in the American Association of Veterinary State Boards and congratulated her on being elected as President-Elect. Dr. Brown provided updates on DHP's return to the office in January 2022. He indicated in 2022 that DHP will be updating the audio visual system used in the Conference Center. He reported that the agency has submitted a legislative proposal to allow for some virtual meetings and hearings.

Legislative and Regulatory Report – Elaine Yeatts

Regulation Action to Accept Veterinary Nurse Degree- Effective 10/1/2021

Ms. Yeatts indicated that the regulatory change became effective on October 1, 2021. She stated the Board licenses veterinary technicians and acceptance of a veterinary nurse degree does not change the license type.

Notice of Periodic Review

Ms. Yeatts stated that it was time to start a periodic review of the regulations and recommended that the Board issue a Notice of Periodic Review.

Ms. Halsey made a motion to issue a Notice of Periodic Review which was seconded by Dr. Cockburn. The motion carried unanimously.

Petitions for Rulemaking – Consideration of Penrod petition to recognize equivalent program for foreign-trained veterinary technicians

Ms. Yeatts provided information on the petitioner's request. Ms. Knachel indicated that the steps for completion of the PAVE program for veterinary technicians was available at their seats for review.

Ms. Halsey made a motion to accept the Petition for Rulemaking and amend 18VAC150-20-115 of the regulations to allow for the submission of verification of fulfillment of the program requirements for the American Association of Veterinary State Board's Assessment of Veterinary Education Equivalence (PAVE) for veterinary technicians in lieu of graduation from an accredited veterinary technology program and to define PAVE in 18VAC150-20-10. Dr. Cockburn seconded the motion. The motion carried unanimously.

Consideration of Guidance Documents

Ms. Yeatts indicated that the guidance documents being presented did not contain any substantive changes and could be reaffirmed in a block except for 150-27 which needed to be repealed now that the regulatory change is effective.

Ms. Halsey moved to reaffirm the following guidance documents:

- 150-4 “Chip” clinics outside approved facilities
- 150-10 Allowances to Purchase, Possess, and Administer Drugs within a Public or Private Animal Shelter
- 150-14 Board Guidance on Process for Delegation of Informal Fact-Finding to an Agency Subordinate
- 150-19 Delegation of Dental Polishing and Scaling
- 150-20 Duties of an Unlicensed Veterinary Assistant
- 150-22 Veterinarians and Wildlife Rehabilitators
- 150-24 Processing Applications for Licensure

In addition, Ms. Halsey moved to repeal 150-27 Recognized Veterinary Technology Degrees.

Dr. Hillyer seconded the motion. The motion carried unanimously.

Policy Action – Consideration of Electronic Meeting Policy

Ms. Yeatts provided information on the purpose of the policy.

Ms. Spencer moved to adopt the Electronic Meeting Policy as presented. Ms. Halsey seconded the motion. The motion carried unanimously.

Discussion Items

Veterinary-Client-Patient Relationship Definition for Veterinary Feed Directive

Ms. Knachel reported that the FDA reviewed Virginia’s veterinary-client-patient relationship (VCPR) definition and determined that the federal definition applies in Virginia for the purposes of writing a veterinary feed directive or prescribing extralabel use.

Board Counsel Report

Ms. Mitchell stated she had nothing to report.

Board President’s Report

Dr. Newman offered congratulations to Ms. Knachel for her leadership role in the AAVSB.

Board of Health Professions Report

Ms. Knachel reported that the Board of Health Professions has not met since May, but will do so following receipt of new board member appointments.

Report on the American Association of Veterinary State Boards’ Annual Meeting

Dr. Cockburn and Ms. Knachel provided a report on the 9/30/21 – 10/2/21 Annual Meeting of the AAVSB that was held in Denver, CO. The next annual meeting will be held in Charlotte, NC and starts on September 15, 2022.

Staff Reports

Executive Director’s Report

Ms. Knachel reported on the following:

- Board Statistics
- Outreach to licensees
- Meeting Calendar
- International Council for Veterinary Assessment 2021 Annual Report

Discipline Report

Ms. Moss reported that the Board's new process for completing Probable Cause Review is going well. She provided information on the number of open and closed disciplinary cases. Ms. Moss stated that the Board intends to implement in 2022 an Agency Subordinate process for certain Informal Conferences.

New Business

Elections

- President of the Board – Dr. Cockburn moved to nominate herself for President of the Board. Ms. Spencer seconded the motion. Ms. Halsey moved to nominate Dr. Hillyer for President of the Board. Dr. Hillyer requested to be withdrawn from consideration as her second term is up in June 2022. Roll call was taken on the motion to elect Dr. Cockburn as President. The motion carried unanimously.
- Vice President of the Board – Ms. Halsey moved to nominate herself for Vice President of the Board. Ms. Spencer seconded the motion. No additional nominations were received. The motion carried unanimously by roll call vote.
- Secretary of the Board – Dr. Cockburn moved to nominate Dr. Newman as Secretary of the Board. Dr. Hillyer seconded the motion. No additional nominations were received. The motion carried unanimously by roll call vote.

Next Meeting

The next full board meeting is scheduled for March 3, 2022.

Adjournment

With no objection, Dr. Newman adjourned the meeting at 11:25 a.m.

Leslie L. Knachel, Executive Director Date