

**UNAPPROVED DRAFT**  
**VIRGINIA BOARD OF VETERINARY MEDICINE**  
**REGULATORY/LEGISLATIVE COMMITTEE MEETING**  
**MINUTES**  
**APRIL 7, 2004**  
**DEPARTMENT OF HEALTH PROFESSIONS**  
**RICHMOND, VA**

**TIME AND PLACE:** The meeting was called to order at 8:20 a.m. on Wednesday, April 7, 2004 at the Department of Health Professions, Conference Room 4, Richmond, VA.

**MEMBERS PRESENT:** Andrew F. Horner, DVM – Chair  
Jerry A. Hinn, DVM  
George H. Siemering, DVM

**STAFF PRESENT:** Elizabeth Carter, Executive Director  
Terri H. Behr, Administrative Assistant  
Elaine Yeatts, Senior Regulatory Analyst  
Sammy Johnson, Deputy Director, Enforcement Division  
Howard Casway, Senior Assistant Attorney General

**PURPOSE:** The purpose of the meeting was to aid staff in preparing the Notice of Intended Regulatory Action to begin the regulatory review process to address the issues of providing advance notice of routine inspections and to incorporate into the regulations the Board's guidance document on the definition of "surgery." The later would specify that veterinary technicians may extract single rooted teeth and multi-rooted teeth that have first been sectioned by a veterinarian and that surgical closures performed by veterinary technicians may only be skin closures. In addition, the purpose was to discuss how to enhance communications between the Board and the Inspections Unit of the Enforcement Division.

**CLOSED SESSION:** On properly seconded motion by Dr. Siemering, the Board voted unanimously to convene a closed meeting pursuant to §2.2-3711(A)(7) of the Code of Virginia (1950), as amended, for the purpose of consultation with legal counsel regarding the promulgation of proposed regulations. 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 meeting and continued its discussion of proposed regulations.

**DISCUSSION:**

Ms. Yeatts requested the Committee to articulate the rationale for amending the regulations so that it can be described as required in the NOIRA. The need to clarify the definition of surgery is requested simply to better reflect the Board's consistent interpretation of this term from its inception in the regulations. The request for providing advance notice is requested because advance notice is currently offered to veterinarians-in-charge of mobile practices, out of practical necessity, but not all others. Similar treatment for all facilities is sought.

With regard to enhancing communication with inspectors, Dr. Horner referred to the positive outcome of the last inspector training in the Fall of 2003 to which he and Ms. Lakie attended. He emphasized the importance of Board members periodically meeting with inspectors during their training sessions to provide a good venue for communication in both directions. Mr. Johnson invited Board members to attend and stated that Board member participation in these training sessions could easily be accomplished on an ongoing basis. No regulatory change is required.

Ms. Yeatts stated that it might be advantageous to separate the surgery definition and inspection issues. No controversy is expected with the former, so the surgery definition issues may be addressed through the new "fast track" provisions for regulatory review. However, the advance inspection notice issue will likely face opposition since no other known state routine inspections have such notice and since the Joint Legislative Audit and Review (JLARC) report of 1999 specifically recommended unannounced inspections of veterinary practices. Ms. Yeatts will report regulatory review progress at the Board's next meeting on May 26, 2004.

**ADJOURNMENT:**

The meeting adjourned at 9:50 a.m.

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Andrew F. Horner, DVM – Chair

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