

**VIRGINIA BOARD OF VETERINARY MEDICINE  
MINUTES  
MAY 21, 2003**

**TIME AND PLACE:** The meeting was called to order at 8:50 a.m. on Wednesday, May 21, 2003 at the Department of Health Professions, Conference Room 1, 6603 W. Broad St., Richmond, VA

**PRESIDING OFFICER:** Jerry A. Hinn, DVM, President

**MEMBERS PRESENT:** Patricia Jones-Jackson  
George H. Siemering, DVM  
Henry McKelvin, DVM  
John T. Wise, DVM  
Jennifer Alden-Tassin, LVT  
Andrew Horner, DVM

**STAFF PRESENT:** Elizabeth A. Carter, Ph.D., Executive Director  
Terri H. Behr, Administrative Assistant  
Howard Casway, Assistant Attorney General  
Elaine Yeatts, Senior Regulatory Analyst

**OTHERS PRESENT:** Taryn Singleton, LVT, Va. Assoc. of Licensed Veterinary Technicians  
Susan Seward, Virginia Veterinary Medical Association  
Stuart Porter, DVM, Blue Ridge Community College  
Leslie Sinn, DVM, Northern Va. Community College  
Terri Champney, DVM, Northern Va. Community College  
Ken Clever, DVM, Blue Ridge Community College  
Jane Casey, Casey Animal Hospital  
Herb Haskins, Casey Animal Hospital  
Shannon Roberson, DHP  
Peter Oppen, Office of the Attorney General  
Kevin Hudson, Office of the Attorney General

**QUORUM:** With seven members of the Board present, a quorum was established.

**PUBLIC COMMENT:** Dr. Stuart Porter, Coordinator of the Veterinary Technology Program at Blue Ridge Community College (BRCC) presented an update and overview of the distance education program at BRCC and in particular, students working under a preceptorship while in the distance education

program. He stated that there are four distance programs that are AVMA accredited. The distance program at BRCC involves live classes that are transmitted to various community colleges around the state. The students do the majority of their practical training in veterinary hospitals where the supervising veterinarian has signed a contract as a faculty member of the college. The distance education program involves a prolonged preceptorship that was approved by the board and the Attorney General's office. Dr. Porter stated that the other three distance education programs around the country do not have the same control over their distance students that BRCC does.

The Board questions whether the distance education program students from the other three programs, in Florida, Texas and Indiana, are practicing legally in Virginia in a preceptorship as the supervising veterinarians may not be faculty members.

Dr. Leslie Sinn added that they are receiving questions from veterinarians wanting to supervise students in their hospitals but want to make sure that they are doing so within the law.

Dr. Porter stated that veterinarians probably are not aware of the need to be faculty members of the school where the preceptor is coming from. The Board agreed that this information needs to be disseminated to veterinarians and the distance education programs.

Dr. Jane Casey, of Casey Animal Hospital, spoke Regarding some concerns she had over an inspection which was conducted at her hospital. Dr. Carter asked Dr. Casey if she could return at the Board's next scheduled meeting on August 13, 2003 so that Faye Lemon, Director of the Enforcement Division, could be present to address her concerns. Dr. Casey agreed that she could be present at that meeting.

Taryn Singleton, LVT, spoke regarding her views as to what the Board should be doing to equally serve veterinarians, veterinary technicians and

the public. She stated that veterinarians and veterinary technicians need to be able to work together effectively in order to do their jobs. She asked that before the Board makes any changes in the regulations they need to ask themselves if it is in the best interest of the public and the animal and are they strengthening the bonds between the veterinarian and veterinary technician.

**FORMAL HEARING:**

A quorum of the Board held a Formal Hearing in the case of **William J. Streett, DVM**. Board President Jerry Hinn, DVM, presided. James Schliessman, Assistant Attorney General, represented the Commonwealth. Howard Casway, Assistant Attorney General, was present as counsel for the Board. Dr. Streett was present and was not represented by counsel.

**CLOSED SESSION:**

On properly seconded motion by Dr. Horner, The Board voted unanimously to recess open session and immediately reconvene in closed session pursuant to §2.1-344(A)(7) of the Code of Virginia (1950), as amended, for the purpose of deliberation to reach a decision in the case of William J. Streett, DVM. It was also moved that Elizabeth Carter, Howard Casway and Terri Behr remain in closed session as their presence was deemed necessary and would aid the Board in its deliberation.

**OPEN SESSION:**

On properly seconded motion by Dr. Horner, the Board recessed closed session and reconvened in open session and unanimously voted to certify that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the previous closed meeting and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Veterinary Medicine, as required by §2.1-344.1 of the Code of Virginia.

**BOARD DECISION:**

On properly seconded motion by Dr. Horner, the Board voted unanimously to accept the following Findings of Fact:

- On January 21, 2003, in the United State District Court, Western District of Virginia, William J. Streett, DVM was convicted of one count of filing a fraudulent tax return, a felony violation of Title 26 United States Code 7206(1). Dr. Streett was placed on six months of home detention with electronic monitoring, placed on probation for a term of three years and ordered to pay an assessment and fine of two thousand one hundred dollars.
- By Order entered March 3, 2003, Dr. Streett's license to practice veterinary medicine in the Commonwealth of Virginia was mandatorily suspended based on his felony conviction.
- Dr. Streett testified that he has made full restitution to the U.S. Government and has filed amended state income tax returns for the years 1992-1994.

Based on the foregoing Findings of Fact and on properly seconded motion by Dr. Horner, the Board voted unanimously to reinstate the license of Dr. Streett and to issue him a reprimand.

#### **BOARD DISCUSSION:**

The Board discussed a handout from Dr. Jerry Hinn regarding among other questions, the placement of IV catheters and who can legally place them.

On properly seconded motion by Ms. Alden-Tassin, the Board voted unanimously that the placing of IV catheters is considered an invasive procedure and as such they can only be placed by veterinarians or licensed veterinary technicians.

Dr. Hinn's second question was who is allowed to write in the control drug log and are two signatures needed?

The Board determined that anyone could write in the drug log, but each entry must be initialed by the veterinarian.

Dr. Hinn also wanted clarification as to who can count drugs and also, under the supervision of a licensed veterinarian or licensed technician, can an assistant double check and count a controlled

drug?

The Board determined that Schedule II drugs cannot be counted, accessed or handled in any matter by unlicensed personnel. Unlicensed personnel may count Schedule III-V controlled drugs when a licensee is on premises and directs them to do so.

**APPROVAL OF MINUTES:**

On properly seconded motion by Ms. Jones-Jackson, the Board voted unanimously to approve the minutes of the Board meeting of February 12, 2003 as presented.

On properly seconded motion by Dr. Wise, the Board voted unanimously to approve the minutes of the Informal Hearings of February 13, 2003 as presented.

**MOTION TO ACCEPT PAVE:**

The Board discussed the Program for the Assessment of Veterinary Education Equivalence (PAVE) of the American Association of Veterinary State Boards as a means of credentialing for licensing graduates of non-AVMA accredited but AVMA approved programs in addition to the current AVMA Educational Commission for Foreign Graduates (ECFVG) program.

On properly seconded motion by Dr. Horner, the Board voted unanimously to accept PAVE, in addition to the ECFVG as a means of credentialing veterinary graduates from non-AVMA accredited programs.

**VOLUNTEER PRACTICE REGULATIONS:**

On properly seconded motion by Dr. Horner, the Board voted unanimously to adopt the final Voluntary Practice Regulations.

**EXECUTIVE DIRECTOR'S REPORT:**

Dr. Carter explained to the Board that some of the guidance documents on the agency website for veterinary medicine are outdated and need to be removed. She also pointed out that the minutes of February 12, 2003 need to be added as a guidance document.

On properly seconded motion by Dr. Horner, the Board voted unanimously to rescind the newsletter of June of 1997, the minutes of May

28,1997 and the minutes of February 10,1993 as guidance documents.

On properly seconded motion by Dr. Horner, the Board voted unanimously to adopt the minutes of February 12, 2003 as a guidance document and post it on the website as such.

Dr. Carter also discussed the need to update the Board's disciplinary matrix guidance document. The Board agreed that it should be updated, but did not want it used as a guidance document.

She also discussed the disciplinary caseload and the types of cases that the Board is reviewing.

**LEGISLATIVE UPDATE:**

Ms. Yeatts gave a brief synopsis of legislation that affects the agency and/or the Board of Veterinary Medicine.

**BOARD DISCUSSIONS:**

The Board discussed a letter from Elizabeth Ann Davis, DVM, regarding her concerns about receiving renewal forms for people in the military so that they can get them back to the board office in a timely fashion and avoid a late fee. It was discovered by board staff at the meeting that Dr. Davis's renewal fee did arrive in a timely manner and that she did not owe a late fee. Her license had not been updated. It was determined that Dr. Davis's license would be updated and the Board did not further discuss this issue.

The Board discussed an e-mail from Betsy Dayrell-Hart regarding "animal communicators." The Board directed Dr. Carter to draft a letter to Dr. Dayrell-Hart informing of the process of filing a complaint if she has knowledge of the unlicensed practice of veterinary medicine.

**CONFIDENTIAL CONSENT**

Mr. Casway discussed the legal basis and background of the new complaint resolution mechanism, the Confidential Consent Agreement which will be available for use by all health regulatory boards beginning July 1, 2003.

**EXECUTIVE SESSION:**

On properly seconded motion by Dr. Wise, the Board voted unanimously to recess open session and immediately reconvene in closed session

pursuant to §2.1-344(A)(7) for the purpose of consultation with legal counsel regarding requests for waivers or extensions for continuing education (CE). It was also moved that Elizabeth Carter, Howard Casway and Terri Behr remain in closed session as their presence was deemed necessary and would aid the Board in its deliberation.

**OPEN SESSION:**

On properly seconded motion by Dr. McKelvin, the Board recessed closed session and reconvened in open session and unanimously voted to certify that, the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the previous closed meeting and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Veterinary Medicine, as required by §2.1-344.1 of the Code of Virginia.

**REQUESTS CONCERNING CE:**

On properly seconded motion by Dr. Horner, the Board voted unanimously to grant an extension, until May 31, 2003 to **Dianne L. Buhrman, DVM** to acquire the additional CE she needs in order to satisfy the requirement for renewal of her license. Dr. Wise recused himself from the voted because Dr. Buhrman is employed by him.

On properly seconded motion by Ms. Jones-Jackson, the Board voted unanimously to grant an extension until May 31, 2003 to **Greg Lindamood, DVM** to acquire the additional CE he needs in order to satisfy the requirement for renewal of his license.

On properly seconded motion by Dr. Horner, the Board voted unanimously to grant an additional sixty days from the date of today's meeting (May 21, 2003) to **Deborah L. Wingate, LVT** to provide documentation from her treating physician of the surgery and complications and to acquire her CE for the February 28, 2003 renewal of her license.

On properly seconded motion by Ms. Jones-Jackson, the Board voted unanimously to grant a waiver to **William S. Rokus, DVM** for his CE for

the renewal of his February 28, 2003 license due to medical reasons.

**MOTION ON PRECEPTORSHIPS:** On properly seconded motion by Ms. Jones-Jackson, the Board voted unanimously to create a guidance document which states that any AVMA accredited Distance Education Program of veterinary technology with students working in a Virginia licensed veterinary establishment, must have a Virginia licensed veterinarian on premises, who is registered as a faculty member of the program which the student is enrolled in, supervising the student. All preceptorship programs must meet the requirements of the Commonwealth of Virginia.

**MEETING ADJOURNED:** There being no further business, the meeting adjourned at 2:55 p.m.

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Jerry A. Hinn, DVM, President

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