

May 19, 2021
Virtual Meeting
2:00 p.m.

Agenda
Virginia Board of Veterinary Medicine
Inspections Committee Meeting

VIRTUAL MEETING

******Refer to Page 2 of the Agenda for Meeting Access Information******

Call to Order – Tregel Cockburn, D.V.M., Chair

Page 1

- Welcome and Roll Call
- Mission Statement

Ordering of Agenda – Dr. Cockburn

Public Comment – Dr. Cockburn

The Committee will receive all public comment related to agenda items at this time. The Committee will not receive comment on any regulatory process for which a public comment period has closed or any pending or closed complaint or disciplinary matter. (See instructions on page 2 for providing public comment during virtual meeting.)

Approval of Minutes – Dr. Cockburn

Pages 2-4

- February 19, 2021 – Committee Meeting

Discussion Items – Dr. Cockburn

Pages 5-8

- Review Guidance Documents – **Leslie Knachel**
 - 150-12 Administration of Rabies Vaccination (Pages 5-7)
 - 150-15 Disposition of Routine Inspection Violations (Page 8)
- Trainings provide by Drug Enforcement Administration (DEA) – **Leslie Knachel**

New Business – Dr. Cockburn

Next Meeting – Ms. Knachel

Meeting Adjournment – Dr. Cockburn

This information is in **DRAFT** form and is subject to change.

Instructions for Accessing May 19, 2021 Virtual Committee Meeting and Providing Public Comment

- **Access:** Perimeter Center building access remains restricted to the public due to the COVID-19 pandemic. To observe this virtual meeting, use one of the joining options below. Participation capacity is limited and is on a first come, first serve basis due to the capacity of CISCO WebEx technology.
- **Written Public Comment:** Written comments are **strongly preferred** due to the limits of the electronic meeting platform and should be submitted by email to leslie.knachel@dhp.virginia.gov no later than 12:00 noon on May 18, 2021. The written comments will be made available to the committee members for review prior to the meeting.
- **Oral Public Comment:** Oral comments will be received during the full committee meeting from persons who have submitted an email to leslie.knachel@dhp.virginia.gov no later than 12:00 noon on May 18, 2021, indicating they wish to offer oral comment at the committee meeting. Comment may be offered by these individuals when their names are announced by the meeting chair.
- Public participation connections will be muted following the public comment periods.
- Should the Committee enter into a closed session, public participants will be blocked from seeing and hearing the discussion. When the Committee re-enters into open session, public participation connections to see and hear the committee meeting will be restored.
- Please call from a location without background noise.
- Dial (804) 597-4129 to report an interruption during the broadcast.
- FOIA Council *Electronic Meetings Public Comment* form for submitting feedback on this electronic meeting may be accessed at <http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>.

JOIN THE INTERACTIVE MEETING (NOTE: WebEx is a video and audio platform and best accessed by connecting with a mobile device which has a built-in microphone and camera. Laptops and desktop computers will work provided an external microphone and camera are available. However, audio and video quality may vary depending on internet speed and use of a web browser other than Internet Explorer is required.)

JOIN THE INTERACTIVE MEETING

To log-in to the Webex session click on the below link:

Wednesday, May 19, 2021 at 2:00 PM

<https://covaconf.webex.com/covaconf/j.php?MTID=m5ff93d2bac2fd2cd0eb41c55958fd6a0>

Join with audio only

+1-517-466-2023 US Toll

+1-866-692-4530 US Toll Free

When prompted enter access code.meeting number: 161 764 4827

When prompted enter password: CEuDE3YGb23

MISSION STATEMENT

Our mission is to ensure safe and competent patient care by licensing health professionals, enforcing standards of practice, and providing information to health care practitioners and the public.

**VIRGINIA BOARD OF VETERINARY MEDICINE
VETERINARY ESTABLISHMENT INSPECTIONS COMMITTEE
MEETING MINUTES
FEBRUARY 19, 2021**

TIME AND PLACE: A virtual meeting via Webex of the Veterinary Establishment Inspections Committee (Committee) was called to order at 2:00 p.m. All attendees participated virtually.

PRESIDING OFFICER: Tregel Cockburn, DVM, Committee Chair

COMMITTEE MEMBERS: Jason Bollenbeck, DVM, Virginia Medical Association of Virginia
Bayard Rucker, DVM, Board Member
Taryn Singleton, LVT
Wendy Ashworth, DHP Senior Inspection

STAFF PRESENT: Leslie L. Knachel, Executive Director
Kelli Moss, Deputy Executive Director
Celia Wilson, Disciplinary Case Specialist
Heather Pote, Disciplinary Case Specialist
Kelly Gottschalk, Veterinary Review Coordinator
Melody Morton, Inspections Manager

INTRODUCTIONS: Ms. Knachel introduced Heather Pote to the Committee

ORDERING OF AGENDA: No changes were made to the agenda.

PUBLIC COMMENT: No public comment was received.

APPROVAL OF MINUTES: Dr. Bollenbeck moved to accept the minutes from the December 17, 2020, meeting as presented. The motion was properly seconded by Dr. Rucker.

A roll call vote was taken by Ms. Knachel. The motion carried with a unanimous aye vote.

DISCUSSION ITEMS: **Guidance Document Review**

150-6, Ambulatory Mobile Service Establishments

Ms. Knachel asked the Committee to considered recommending that the full board reaffirm Guidance Document 150-6 without any changes.

Dr. Bollenbeck moved to recommend to the full board that Guidance Document 150-6, Ambulatory Mobile Service Establishments be reaffirmed. The motion was seconded by Dr. Rucker.

A roll call was taken by Ms. Knachel. The motion carried with a unanimous aye vote.

Guidance Document 150-7

Ms. Knachel asked the Committee to consider recommending that the full board reaffirm Guidance Document 150-7 without any changes.

Ms. Ashworth moved to recommend to the full board that Guidance Document 150-7, Disposition of Cases Involving Failure of Veterinarian-in-Charge to Notify Board of Veterinary Establishment Closure be reaffirmed. The motion was seconded by Dr. Bollenbeck.

A roll call was taken by Ms. Knachel. The motion carried with a unanimous aye vote.

Review Working Draft of Guidance Document for Veterinary Inspections

Ms. Knachel reviewed the draft guidance document. The Committee discussed the draft. Dr. Gottschalk recommended the following changes to clarify responses:

- Question #5 – add the response “Yes”
- Question #6 – add the regulatory requirement regarding 10 days to identify a new VIC
- Question #9 – change wording on question to identify form.

Dr. Bollenbeck moved to recommend to the full board that the new guidance document be adopted with the discussed changes. The motion was seconded by Ms. Singleton.

A roll call was taken by Ms. Knachel. The motion carried with a unanimous aye vote.

Ms. Knachel indicated that she would send the draft with the recommended changes to the Committee members to ensure that the discussed changes were captured as requested.

Review of the Types of Deficiency Responses to Veterinary Establishment Inspections

Ms. Knachel provided recommendations for the type of responses needed, written or proof of correction, for deficiencies identified during an inspection.

The Committee discussed the recommendations made by staff for written response or proof of corrective action. The Committee requested a change to proof of corrective action for the following inspection items:

- #16 – 18VAC150-20-190(D)(5)/§54.1-3404(E)
- #18 – 18VAC150-20-190(F)
- #51 – 18VAC150-20-200(A)(6)(b)

Dr. Rucker moved to recommend to the full board to adopt the changes made to Guidance Document 76-21.2.1, Veterinary Establishment Inspection Report. The motion was seconded by Dr. Bollenbeck.

A roll call was taken by Ms. Knachel. The motion carried with a unanimous aye vote.

NEW BUSINESS: No new business was presented.

NEXT MEETING: Ms. Knachel will send out an availability poll to Committee members for future meetings. She anticipates the need for approximately three additional meetings before the end of the year.

ADJOURNMENT: With all business concluded, the meeting adjourned at 3:41 p.m.

Tregel Cockburn, DVM
Chair

Leslie L. Knachel, M.P.H
Executive Director

Date

Date

VIRGINIA BOARD OF VETERINARY MEDICINE**Administration of Rabies Vaccinations****Q: Who is authorized to administer a rabies vaccination?**

A: Pursuant to Virginia Code § 3.2-6521, a rabies vaccination is to be administered by a *licensed* veterinarian or *licensed* veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises.

Code of Virginia – Comprehensive Animal Care

§ 3.2-6521. Rabies inoculation of companion animals; availability of certificate; rabies clinics.
A. The owner or custodian of all dogs and cats four months of age and older shall have such animal currently vaccinated for rabies by a licensed veterinarian or licensed veterinary technician who is under the immediate and direct supervision of a licensed veterinarian on the premises unless otherwise provided by regulations. The supervising veterinarian on the premises shall provide the owner or custodian of the dog or the cat with a rabies vaccination certificate or herd rabies vaccination certificate and shall keep a copy in his own files. The owner or custodian of the dog or the cat shall furnish within a reasonable period of time, upon the request of an animal control officer, humane investigator, law-enforcement officer, State Veterinarian's representative, or official of the Department of Health, the certificate of vaccination for such dog or cat. The vaccine used shall be licensed by the U.S. Department of Agriculture for use in that species. At the discretion of the local health director, a medical record from a licensed veterinary establishment reflecting a currently vaccinated status may serve as proof of vaccination.

Q: Where may rabies vaccination clinics occur?

A: Pursuant to 18VAC150-20-180 of the *Regulations Governing the Practice of Veterinary Medicine*, veterinary medicine may only be practiced out of a registered veterinary establishment except in emergency situations as provided in 18VAC150-20-171. Rabies vaccination clinics may be offered outside of a registered veterinary establishment if the requirements found in § 3.2-6521 of the *Code of Virginia* are met which includes approval by the appropriate local health department and governing body.

Regulations Governing the Practice of Veterinary Medicine***18VAC150-20-180. Requirements to be registered as a veterinary establishment.***

A. Every veterinary establishment shall apply for registration on a form provided by the board and submit the application fee specified in 18VAC150-20-100. The board may issue a registration as a stationary or ambulatory establishment. Every veterinary establishment shall have a veterinarian-in-charge registered with the board in order to operate.

1. Veterinary medicine may only be practiced out of a registered establishment except in emergency situations or in limited specialized practices as provided in 18 VAC 150-20-171. The injection of a microchip for identification purposes shall only be performed in a veterinary establishment, except personnel of animal shelters or pounds may inject animals while in their possession.

18VAC150-20-171. Specialty practice in a limited setting.

A licensed veterinarian may conduct drug testing at animal shows and events or examine any animal and express a professional judgment as to its health at (i) genetic screening clinics where animals are examined for cardiac, ophthalmic and auditory diseases, (ii) agricultural fairs, (iii) 4-H or other youth organization competitions, (iv) livestock auctions, (v) horse races, (vi) hunt club events, (vii) pet adoption events, or (viii) animal shows including, but not limited to dog, cat, and horse shows.

Code of Virginia – Comprehensive Animal Care**§ 3.2-6521. Rabies inoculation of companion animals; availability of certificate; rabies clinics.**

B. All rabies clinics require the approval by the appropriate local health department and governing body... However, the county or city shall ensure that a clinic is conducted to serve its jurisdiction at least once every two years.

Q: What are the recordkeeping requirements for rabies vaccinations administered in a registered veterinary establishment?

A: The recordkeeping requirements for patients receiving rabies vaccinations administered in a registered veterinary establishment are found in the Regulations.

Regulations Governing the Practice of Veterinary Medicine**18VAC150-20-195. Recordkeeping.**

A. A legible, daily record of each patient treated shall be maintained by the veterinarian at the registered veterinary establishment and shall include at a minimum:

- 1. Name of the patient and the owner;*
- 2. Identification of the treating veterinarian and of the person making the entry (Initials may be used if a master list that identifies the initials is maintained.);*
- 3. Presenting complaint or reason for contact;*
- 4. Date of contact;*
- 5. Physical examination findings;*
- 6. Tests and diagnostics performed and results;*
- 7. Procedures performed, treatment given, and results;*
- 8. Drugs administered, dispensed, or prescribed, including quantity, strength and dosage, and route of administration. For vaccines, identification of the lot and manufacturer shall be maintained;*
- 9. Radiographs or digital images clearly labeled with identification of the establishment, the patient name, date taken, and anatomic specificity. If an original radiograph or digital image is transferred to another establishment or released to the owner, a record of this transfer or release shall be maintained on or with the patient's records; and*
- 10. Any specific instructions for discharge or referrals to other practitioners.*

B. An individual record shall be maintained on each patient, except that records for economic animals or litters of companion animals under the age of four months may be maintained on a per owner basis. Patient records, including radiographs or digital images, shall be kept for a period of three years following the last office visit or discharge of such animal from a veterinary establishment.

Q: What are the recordkeeping requirements for rabies vaccinations administered in a rabies clinic approved by the appropriate health department and governing body?

Code of Virginia – Comprehensive Animal Care

§ 3.2-6521. Rabies inoculation of companion animals; availability of certificate; rabies clinics.
B. ...The licensed veterinarian who administers rabies vaccinations at the clinic shall (i) provide the owner or custodian a rabies vaccination certificate for each vaccinated animal and (ii) ensure that a licensed veterinary facility retains a copy of the rabies vaccination certificate. The sponsoring organization of a rabies clinic shall, upon the request of the owner or custodian, an animal control officer, a humane investigator, a law-enforcement officer, a State Veterinarian's representative, a licensed veterinarian, or an official of the Department of Health, provide the name and contact information of the licensed veterinary facility where a copy of the rabies vaccination certificate is retained...

§ 3.2-6529. Veterinarians to provide treasurer with rabies certificate information; civil penalty.
A. Each veterinarian who vaccinates a dog against rabies or directs a veterinary technician in his employ to vaccinate a dog against rabies shall provide the owner a copy of the rabies vaccination certificate. The veterinarian shall forward within 45 days a copy of the rabies vaccination certificate or the relevant information contained in such certificate to the treasurer of the locality where the vaccination occurs.

The rabies vaccination certificate shall include at a minimum the signature of the veterinarian, the animal owner's name and address, the species of the animal, the sex, the age, the color, the primary breed, whether or not the animal is spayed or neutered, the vaccination number, and expiration date. The rabies vaccination certificate shall indicate the locality where the animal resides

***B...**Any veterinarian that willfully fails to provide the treasurer of any locality with a copy of the rabies vaccination certificate or the information contained in such certificate may be subject to a civil penalty not to exceed \$10 per certificate. Monies raised pursuant to this subsection shall be placed in the locality's general fund for the purpose of animal control activities including spay or neuter programs.*

Q: Who should be contacted for questions about rabies vaccination clinics that held in the community?

A: For more information contact your local health department at <http://www.vdh.virginia.gov/LHD/index.htm>.

VIRGINIA BOARD OF VETERINARY MEDICINE

Disposition of Routine Inspection Violations

The Board of Veterinary Medicine (Board) conducts routine inspections of veterinary establishments every three years. The guidance document, [76-21.2:1 Veterinary Establishment Inspection Report](#) provides a checklist of the laws and regulations with which veterinary establishments must comply. For each violation found during an inspection, a point value is assigned. Point values are available on the veterinary establishment inspection report form. **Please note that violations cited during last and current inspections are repeat violations and receive double the assigned point value.**

Following an inspection in which one or more violations of the laws or regulations are cited, a veterinary establishment is required to submit a written response to the Board pursuant to [18VAC150-20-140\(18\)](#) ~~18VAC150-20-140(18)~~ within 14 calendar days of the inspection unless an extension ~~if is~~ granted by the Board. A response must detail the action(s) taken to correct each deficiency and may be submitted via mail, email or fax. Failure to provide a written response may subject a ~~veterinary establishment and a~~ veterinarian-in-charge to disciplinary action.

Veterinary Establishment Effective Date of July 1, 2014

Total Points*	*Possible Action
0 – 10 points	Routine inspection in three years
11 – 15 points	Confidential Consent Agreement <u>Advisory Letter</u> ; routine inspection in three years
16 – 20 points	Pre-hearing consent order <u>Confidential Consent Agreement</u> ; monetary penalty of \$250 ; unannounced inspection in two years
21 or more points	Pre-hearing consent order-; monetary penalty of \$500; unannounced <u>reinspection</u> in one year; <u>reinspection fees apply</u>

Veterinarian-In-Charge Effective Date of July 1, 2014

Inspection Points	*Possible Action
11—15 points	Confidential Consent Agreement
16 points or more	Pre-hearing consent order; monetary penalty of \$250

*Violations found during a required re-inspection may subject the establishment and the veterinarian-in-charge to additional action by the Board.