

UNAPPROVED DRAFT
VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
DEPT. OF HEALTH PROFESSIONS
RICHMOND, VA
MAY 24, 2006

- CALL TO ORDER:** A quorum of the Board of Veterinary Medicine was called to order at 9:30 a.m. at the Dept. of Health Professions, 6603 W. Broad St., Conference Room 2, Richmond, VA
- PRESIDING OFFICER:** John T. Wise, DVM, President
- MEMBERS PRESENT:** Henry McKelvin, DVM
Rebecca Lakie, LVT
George Siemering, DVM
Jana Froeling, DVM
James DeBell, DVM
- MEMBER NOT PRESENT:** Dorothy Blackwell
- STAFF PRESENT:** Elizabeth A. Carter, Ph.D.
Terri Behr, Administrative Assistant
Emily Wingfield, Assistant Attorney General
Elaine Yeatts, Senior Policy Analyst
- OTHERS PRESENT:** Taryn Singleton, LVT
Kelly Gottschalk
Jayme Leonard
Dale Cupp, DVM
Robin Schmitz
Lindsay Potts
B.A. Rucker, DVM
Scott Pleasant
Susan Seward
Ken Fletcher
- PUBLIC COMMENT:** Public comment was presented by Jayme Leonard. She asked that the Board postpone their vote on the proposed guidance document for equine dental technicians. She stated that since the Committee drafted the language, horse owners and veterinarians have raised questions regarding the sedation portion. Ms. Leonard further stated several veterinarians have offered suggestions and are willing to attend the next meeting of the Ad Hoc Committee on Equine

Dental Technicians to discuss this document further. She stated that more time is needed before the proposed guidance document is accepted, to further clarify the Board's position.

Public comment was presented by Dale Cupp, DVM, who is a member of the Ad Hoc Committee on Equine Dental Technicians. He feels that this issue should be done with and has progressed into a political platform for horse owners and VEDTA. He stated that this Board needs to take a stand that sedation has to be under the control of a veterinarian. Dr. Cupp further stated that indiscriminate use of sedation by horse owners cannot be allowed. Dr. Cupp stated that he feels that the guidance document should be accepted as proposed.

Public comment was presented by Kelly Gottschalk representing the Va. Veterinary Medical Assoc. Dr. Gottschalk read the position statement of the VVMA which is attached (Attachment #1).

Public comment was presented by Scott Pleasant, DVM, a faculty member of VA-MD College of Veterinary Medicine. Dr. Pleasant stated the college's position, which is attached (Attachment #2).

APPROVAL OF MINUTES:

On properly seconded motion by Ms. Lakie, the Board voted unanimously to approve the minutes of the meeting of February 1, 2006 with one correction under New Business to change the wording of "one on one" to "face-to-face." On properly seconded motion by Ms. Lakie, the Board voted unanimously to approve the minutes of February 2, 2006, March 23, 2006, April 5, 2006 and April 13, 2006 as presented.

AD HOC COMMITTEE ON EQUINE DENTAL TECHNICIANS:

A motion was made by Dr. Siemering, and properly seconded, to accept the guidance document as proposed, except to reinsert the stricken language which states "for planing and leveling." The matter was then opened for discussion before the vote was taken. The Board discussed whether to strike "for planing and leveling" because it is redundant or to retain it.

Dr. Froeling stated that there is much controversy still surrounding this issue and that the guidance document attempts to clarify what a non-licensed person can do. By unanimous vote, the following was adopted as the revised Guidance Document 150-15:

The planing or leveling of equine teeth by the use of non-motorized hand tools is not considered the practice of veterinary medicine and does not require a license. The use of motorized tools to level or plane equine teeth must be performed under the direct supervision and with the concurrence of a Virginia licensed veterinarian. If sedation is required for planing and leveling, the sedation must be administered by a Virginia licensed veterinarian who remains responsible for the animal while it is under sedation.

Dr. Froeling reported that the committee discussed extractions, but decided not to include extractions of even single rooted teeth. She stated that the Committee also had a recommendation for regulatory review to discuss licensure for equine dentists. Dr. Carter stated that there are no established standards at this time for the training of equine dentists or equine dental technicians.

NEW RETURNED CHECK FEE:

Ms. Yeatts explained to the Board what an exempt action to conform to statute is and that the Code requires a returned check fee of \$35. The current veterinary regulations state that the returned check fee is \$25. Ms. Yeatts stated that this is not consistent with the Code and the Board should adopt the new fee of \$35. On properly seconded motion by Dr. Siemering, the Board voted unanimously to adopt the amended fee of \$35 as the returned check fee in the regulations.

Ms. Yeatts also stated that a notice needs to be filed with the Registrar that will go out to the Public Participation Guidelines list that the Board is beginning the periodic review of its regulations. The notice will be published on June 25, 2006 for a 30 day comment until July 25, 2006. At the Regulatory/Legislative Review Committee

meeting on August 9, 2006, the Committee will look at comments received during this period. On properly seconded motion by Dr. Siemering, the Board voted unanimously to publish the notice to begin periodic review of the regulations with a public comment period from June 25, 2006 until July 25, 2006.

BOARD DISCUSSION:

CE COMPLIANCE

Dr. Carter explained that all the Boards within the Department that require CE have a mechanism used to check compliance with CE. This is done as an audit of 2% to 5% of the licensees of that board. The Board of Veterinary Medicine used to check CE during routine inspections, but this was too time consuming and was not cost effective. Dr. Wise approved conducting a 3% audit of the board's licensees. Dr. Siemering suggested putting this information regarding random audits on our website under FAQ's.

MINIMUM PASSING SCORE

Dr. Siemering had some concerns about the passing score of the Species Specific Examinations that the Board can utilize in disciplinary proceedings. He is concerned that the passing score on an exam with 100 questions is only 51 correct answers. Dr. Carter explained how the criterion referenced pass/fail score is arrived at and that it tests for minimal competency. Dr. Siemering suggested that the Board table this discussion until the next Board meeting so that more information can be obtained from Dr. Boyce and possibly obtain some sample questions for the Board to review.

RABIES VACCINATIONS FOR STAFF MEMBERS:

The Board discussed a letter from Dr. Cheryl Simpson-Freeman regarding requiring the veterinarian-in-charge to provide rabies vaccinations to their staff members. The Board stated that it is not under their jurisdiction to require the veterinarian-in-charge to provide rabies vaccinations to all of their staff members. They directed Dr. Carter to send Dr. Simpson-Freeman a letter to this effect.

PRECEPTORSHIPS:

The Board reviewed documents submitted by the VA-MD Regional College of Veterinary Medicine in response to the discussion at the winter meeting regarding veterinarians confusion with the preceptorship issue. Ms. Wingfield advised the Board that it is not this Board's role to issue an advisory opinion to a college of veterinary medicine as to whether forms that the university uses do or do not comply with the regulations. The university should consult with their counsel to insure that they are in compliance.

SANCTION REFERENCE UPDATE:

Neal Kauder advised the Board on the current status of the Sanction Reference Study. He presented a slide presentation as to how the information is being collected and formulated. The Ad Hoc Committee on the Sanction Reference Study will meet on June 15, 2006 and review the proposed worksheets by case category.

EXECUTIVE DIRECTOR'S REPORT:

Dr. Carter updated the Board on the current statistics and budget.

Dr. Wise stated that he would attend the AAVSB meeting in Kansas City in September. On properly seconded motion by Dr. McKelvin, the Board voted unanimously that Terri Behr should also attend the meeting in Kansas City to attend the Board administrator meetings that Dr. Wise would not be attending because he will be in the Board member meetings.

Dr. Carter reported on the current activities of the Board of Health Professions. She advised the Board that there would be an Issues Forum in the fall and that the agency has begun to look at the feasibility of conducting background checks on all applicants. A report on the reviews progress will be presented to the Board of Health Professions at its July meeting and will shared with the Board of Veterinary Medicine also.

MEETING ADJOURNED:

There being no further business, the meeting adjourned at 11:35 a.m.

John T. Wise, DVM, President

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