

**VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
DEPARTMENT OF HEALTH PROFESSIONS
BOARD ROOM 3
HENRICO, VA
FEBRUARY 19, 2015**

TIME AND PLACE: A quorum of the Board of Veterinary Medicine (Board) was called to order at 10:05 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 3, Henrico, Virginia.

PRESIDING OFFICER: Joseph A. May, DVM, President

MEMBERS PRESENT: Kelly Gottschalk, DVM
Ellen Hillyer, DVM
Bayard Rucker, DVM
Taryn Singleton, LVT

MEMBERS NOT PRESENT: Mark Johnson, DVM
Carole Stadfield, Citizen Member

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

STAFF PRESENT: Elaine Yeatts, Senior Policy Analyst
Leslie L. Knachel, Executive Director
Terri Behr, Operations Manager
Brandy Gasparotto, Administrative Assistant
Charis Mitchell, Esq., Board Counsel

OTHERS PRESENT: Lee Henkel
Robin Schmitz
Jennifer Daly

ORDERING OF AGENDA: Ms. Knachel indicated that Ms. Yeatts was attending another meeting and would arrive late to the Board's meeting. She requested that Ms. Yeatts' Legislative/Regulatory Update be moved to later in the meeting following her arrival. On properly seconded motion by Dr. Rucker, the Board voted unanimously to re-order the agenda as requested.

PUBLIC COMMENT: No public comment was presented.

APPROVAL OF MINUTES: On properly seconded motion by Dr. Rucker, the Board voted unanimously to approve the minutes of the meeting of October 22, 2014, and the conference call of December 8, 2014, as presented.

DISCUSSION ITEM: **Clarification on writing prescriptions for Schedule II drugs**
Ms. Knachel stated that the Board had received questions about writing prescriptions for scheduled drugs. She commented that a representative from the Board of Pharmacy was asked to attend the meeting to answer questions about prescription writing. She introduced Sammy Johnson, Deputy Executive Director for the Board of Pharmacy. Mr. Johnson reviewed the differences in writing prescriptions for Schedule II and Schedule III-V drugs. Following the discussion, Ms. Knachel was asked to draft a guidance document on this subject to present to the Board at their next meeting.

LEGISLATIVE/REGULATORY UPDATE:

Legislative update from 2015 General Assembly Session

Ms. Yeatts provided an update on the bills in the General Assembly that affected the agency overall and the bills specific to veterinary medicine (HB1813). She indicated that HB1813 did not pass in the Senate for reasons that did not involve the content of the bill.

On properly seconded motion by Dr. Gottschalk, the Board voted unanimously to include the requested amendments to §§ 54.1-3801 and 54.1-3807 of the Code of Virginia that were requested in HB1813 be included in the agency's package for the 2016 General Assembly Session.

Regulation Update

Ms. Yeatts commented that the Board's has two regulatory actions that are pending approval by the Governor.

Consideration of draft legislation for 2016 General Assembly Session

Ms. Knachel provided background on the following two suggested legislative changes for the agency's package for the 2016 General Assembly Session:

- Amend § 54.1-3806 to allow other entities, such as a corporation or governmental agency, to pay a licensed veterinary technician. However, the licensed veterinary technician may only perform act relating to the maintenance of the health or treatment of any animal under the immediate and direct supervision of a person licensed to practice veterinary medicine.

On properly seconded motion by Dr. Rucker, the Board voted unanimously to include an amendment to § 54.1-3806 in the agency's package for the 2016 General Assembly Session.

- Amend §54.1-3812 to include veterinary technicians and equine dental technicians to this section to provide immunity from any civil or criminal liability or administrative penalty for making a report of animal cruelty.

On properly seconded motion by Ms. Singleton, the Board voted unanimously to include an amendment § 54.1-3812.1 in the agency's package for the 2016 General Assembly Session.

Petition for rulemaking/Finkler

Ms. Yeatts presented a Petition for Rulemaking from Mark Finkler, DVM, which proposes that a definition of "specialist" be added to 18VAC150-20-10 and that it shall be considered unprofessional conduct to identify oneself as a specialist without the possessing the proper credentials.

On properly seconded motion by Dr. Rucker, the Board voted unanimously to accept the petition for amendments to the regulations and initiate rulemaking by adoption of a Notice of Intended Regulatory Action.

DISCUSSION ITEMS:

Committee Reports

Ms. Knachel reported on the following committee activities:

- Ad Hoc Committee on Drug Control - this Committee was formed in response to the Governor's Taskforce on Drug Abuse to review veterinary medicine laws and regulations related to controlled drugs. Highlights of the meeting included: Ralph Orr, Director of

the Prescription Monitoring Program (PMP), provided an overview of the PMP; a discussion on strengthening the regulations related to drug security and storage; and the reporting of theft and loss of drugs. Recommendations for regulatory changes were made and will be reviewed at its next meeting.

- Legislative/Regulatory Committee - the Committee met to discuss possible regulatory changes related to owner consent, delegation of duties and preceptorships/externships. Recommendations for regulatory changes were made and will be reviewed at its next meeting.

Board meeting date change

Ms. Knachel reported that she would not be able to attend the June 18, 2015, Board meeting due to a conflict. She asked the Board to consider rescheduling the meeting. At the request of the Board, alternate dates will be circulated by email following the meeting.

Disposal of Deceased Animals

Ms. Knachel reported on research conducted regarding the proper disposal of deceased animals. She referred the Board to several guidance documents published by the Dept. of Environment Quality (DEQ) that were included in the agenda packets. Ms. Knachel was asked to prepare a guidance document on the acceptable methods of disposal of deceased animals for the Board's review at its next meeting.

Revision of Guidance Document 150-2 on Expanded Duties for Licensed Veterinary Technicians

Based on the Board's request from its last meeting, Ms. Knachel presented a draft of revisions to Guidance Document 150-2 for consideration.

On properly seconded motion by Dr. Rucker, the Board voted unanimously to adopt the amended guidance documents as presented by Ms. Knachel.

Litigation update

Ms. Mitchell provided an update on a recent court decision related to an appeal of a Board Order.

American Association of Veterinary State Boards (AAVSB)

Call for nomination

Ms. Knachel stated that she was appointed to fill an unexpired term on the AAVSB Board of Directors. She indicated a desire to serve a full term on the AAVSB Board of Directors and asked that the Board consider making that nomination.

On properly seconded motion by Dr. Gottschalk, the Board voted unanimously to nominate Ms. Knachel to serve on the AAVSB Board of Directors.

Ms. Knachel stated that the 2015 AAVSB annual meeting would be in September. A board member may attend as the voting delegate for Virginia. In addition, she indicated that there were elected position openings on AAVSB committees. Dr. May expressed interest in serving on the Nominating Committee.

On properly seconded motion by Dr. Gottschalk, the Board voted

unanimously to nominate Dr. May to serve on the Nominating Committee.

Ms. Knachel discussed the new continuing education (CE) tracking system that the AAVSB recently launched. The tracking system allows licensees to upload all their CE documentation for storage in one central location. Usage is voluntary.

EXECUTIVE DIRECTOR'S REPORT:

Statistics

Ms. Knachel updated the Board on the current numbers for licensees in all categories.

Budget

Ms. Knachel updated the Board on the current revenue and expenditure figures.

Cases

Ms. Knachel updated the Board on the current number of cases for the Board.

Presentations

Ms. Knachel stated that presentations were made to the following entities:

- Veterinarians attending a seminar sponsored by the Wildlife Center of Richmond; and
- Veterinary Technician students at Blue Ridge Community College.

No new business was presented.

NEW BUSINESS:

ADJOURNMENT:

The meeting adjourned at 12:21 p.m.

Joseph A. May, DVM
Chair

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

Date

Date