

**VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
DEPARTMENT OF HEALTH PROFESSIONS
RICHMOND, VA
MAY 9, 2007**

- CALL TO ORDER:** A quorum of the Board of Veterinary Medicine was called to order at 9:05 a.m. at the Department of Health Professions, Richmond, VA
- PRESIDING OFFICER:** George H. Siemering, DVM, President
- MEMBERS PRESENT:** Henry McKelvin, DVM
Rebecca Lakie, LVT
Jana Froeling, DVM
James DeBell, DVM
John Wise, DVM
Dorothy Blackwell
- STAFF PRESENT:** Elizabeth Young, Executive Director
Terri Behr, Administrative Specialist
Jack Kotvas, Assistant Attorney General
Sandra Ryals, Director, Dept. of Health Professions
Elaine Yeatts, Senior Policy Analyst
Emily Wingfield, Chief Deputy Director
- OTHERS PRESENT:** Taryn Singleton, LVT, Va. Association of Licensed Veterinary Technicians
Melinda Freckleton, DVM
Kim Fletcher
Susan Seward, Va. Veterinary Medical Assoc.
Kelly Gottschalk, DVM
Steve Escobar, DVM
Debra Linten
Lindsay Potts
Jayme Leonard
- PUBLIC COMMENT:** Comment was received from Taryn Singleton, LVT of the VALVT who suggested that the language on the application for a license to practice veterinary technology is incorrect in that it states that a technician can apply for a waiver of the VTNE.
- APPROVAL OF MINUTES:** On properly seconded motion by Dr. McKelvin, the Board voted unanimously to approve the minutes of the Board meeting of February 7, 2007 with one correction. Dr. Wise's name was listed

on the signature line as Board President. It was corrected to reflect Dr. Siemering as Board President.

On properly seconded motion by Dr. Wise, the Board voted unanimously to approve the minutes of the Informal Hearings of February 8, 2007 as presented.

On properly seconded motion by Dr. Wise, the Board voted unanimously to approve the minutes of the Informal Hearing of March 8, 2007 as presented.

On properly seconded motion by Ms. Lakie, the Board voted unanimously to approve the minutes of the Conference Call of April 6, 2007 as presented.

EXECUTIVE DIRECTOR'S REPORT:

Ms. Young reported to the Board on the current number of licensees under the Board of Veterinary Medicine. She also updated the Board on the current disciplinary caseload and turn around time for adjudication of cases. She stated that the delay continues to be in the investigations stage and not at the Board level. The Board has 100% in meeting its standards at the Probable Cause target level. Ms. Young also updated the Board on their budget and stated that it remains in line with past reports.

NOIRA FOR PERIODIC REGULATORY REVIEW:

Ms. Yeatts explained what the NOIRA accomplishes and that it states the intent to amend the regulations and outlines amendments the Board will be considering. She stated that the Board needs to adopt the NOIRA to begin the process of periodic regulatory review. On properly seconded motion by Dr. DeBell, the Board voted unanimously that §150-20-70(B)(2)(k) should be deleted and that under §150-20-140 they should consider adding under Unprofessional Conduct that slander or false accusations can be considered unprofessional conduct, as well as refusal to release medical records if the refusal puts the animal at risk. On properly seconded motion by Ms. Lakie, the Board voted unanimously to adopt the NOIRA with the amendments as stated in the previous motion.

FAST TRACK ACTION FOR APPROVAL OF PPG:

On properly seconded motion by Dr. Wise the Board voted unanimously to adopt the proposed amendments to the PPG regulations for

fast track action.

PETITION FOR RULEMAKING:

The Board discussed a Petition for Rulemaking submitted by Danell Beisner-Creasey. Her request for the Board's consideration was to amend section 120 on the requirements for licensure by endorsement. She requested allowing the Board to grant a license to a foreign-trained applicant who has completed clinical education in a prescribed formal agreement between an unaccredited veterinary medicine school and an accredited veterinary medicine program, which assures equivalency in length and content to the clinical training received by students in the accredited programs. On properly seconded motion by Dr. Wise, the Board voted unanimously to deny the request.

2007 LEGISLATIVE SESSION:

Ms. Yeatts reported on the Bills that were passed into law during the 2007 session of the General Assembly, that affect the Dept. of Health Professions.

HB1682 – requires the Boards to be more specific about how probably cause decisions are made. Ms. Yeatts stated that the Boards' closure letters will need to be revised to be more explicit about the process of arriving at the decision to close a complaint.

HB2157 – currently applies to the Board of Medicine, but a portion of the bill will require some changes at some point for all of the depts. boards. It states that notices not resulting in disciplinary action should not be posted on the website, as they currently are. The Board of Medicine will be the pilot project and the Dept. will assess if this policy should be carried across all boards.

HB2178 – adds Embutramide, which may be used to euthanize animals, is not listed as a Schedule III drug

HB2212 – a new authority for all Boards to summarily restrict a license, which allows the individual to continue to practice. An Informal Conference will be immediately scheduled.

HB2363 – need to set out a plan for implementation and will discuss later in the agenda

GUIDANCE DOCUMENTS:

150-1 – On properly seconded motion by Dr.

DeBell the Board voted unanimously to revise the last sentence to read “If the visiting veterinarian uses his own stock of drugs, he must make entries in his own log and patient records and shall leave a copy of the patient record at the full service facility.” On properly seconded motion by Ms. Lakie, the Board voted unanimously to re-adopt Guidance Document 150-1 as amended.

150-2 – No change

150-3 – No change

150-4 – On properly seconded motion by Ms. Lakie, the Board voted unanimously to re-adopt as is.

150-5 – On properly seconded motion by Dr. DeBell, the Board voted unanimously to repeal this Guidance Document.

150-6 – On properly seconded motion by Ms. Lakie, the Board voted unanimously to amend this Guidance Document to read “Mobile veterinary facilities are allowed to change location without an inspection and the inspection fee, but must inform the Board office of their change of address of record within thirty days.” On properly seconded motion by Dr. Wise, the Board unanimously to re-adopt Guidance Document 150-6 as amended.

150-7 – On properly seconded motion by Dr. Wise, the Board voted unanimously to re-adopt this Guidance Document.

150-9 – No change

150-12 – On properly seconded motion by Ms. Blackwell, the Board unanimously to repeal this Guidance Document.

150-13 - No change, but verify code cites for accuracy and reformat.

150-14 – No change

150-15 – On properly seconded motion by Ms. Blackwell, the Board voted unanimously to repeal this Guidance Document, effective 7/1/2007.

150-16 – No change, just re-format.

VIRGINIA PERFORMS:

Ms. Ryals presented a power point presentation (attached) on the Governor’s new Virginia Performs program and explained how it relates to the Department of Health Professions and the Board of Veterinary Medicine.

IMPLEMENTATION OF HB2363:

Dr. Siemering asked Ms. Yeatts to define the term “registered.” Ms. Yeatts gave the technical

definition, which is that a person is put on a list and identified to a regulatory board as being engaged in a profession. Ms. Yeatts stated that registration does not function at DHP in this manner. She clarified by stating that registrations at DHP have educational requirements, exam requirements and a scope of practice. Ms. Yeatts stated that in the case of HB2363, there are entry requirements, minimal competency requirements, scope of practice and there is a limitation on anyone who does not hold that registration from engaging in that scope of practice. Dr. Siemering stated that he would reconstitute the Ad Hoc Committee on Equine Dentistry consisting of Drs. Froeling and Wise. Ms. Yeatts stated that the Board's first step will be to adopt a NOIRA which sets out the general framework for the regulations and the statutory authority. She further stated that as of July 1, 2007, it will be illegal for anyone other than a licensed veterinarian to practice equine dentistry without being registered as an equine dentist.

BYLAWS:

Ms. Young stated that she learned that the Board of Veterinary Medicine did not have bylaws. She stated that she drafted some bylaws for the veterinary board to consider from bylaws used by some of the other boards. Ms. Young explained that generally Bylaws follow Robert's Rules of Order and are presented at one meeting and then voted on at the next meeting. The final draft will be presented for approval at the Board's August meeting.

MEETING ADJOURNED:

There being no further business, the meeting adjourned at 11:55 a.m.

George H. Siemering, DVM, President

Elizabeth C. Young, Executive Director