

**VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
DEPARTMENT OF HEALTH PROFESSIONS
BOARD ROOM 4
HENRICO, VA
November 6, 2018**

- TIME AND PLACE:** The Board of Veterinary Medicine (Board) was called to order at 9:00 a.m., at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room 4, Henrico, Virginia.
- PRESIDING OFFICER:** Autumn N. Halsey, L.V.T., President
- MEMBERS PRESENT:** Tregel M. Cockburn, D.V.M.
Ellen G. Hillyer, D.V.M.
Mark A. Johnson, D.V.M.
Steven B. Karras, D.V.M.
Bayard A. Rucker, III, D.V.M.
Mary Yancey Spencer, J.D., Citizen Member
- MEMBERS NOT PRESENT:** All members were present.
- QUORUM:** With seven members of the Board present, a quorum was established.
- STAFF PRESENT:** David E. Brown, D.C., Director
Barbara Allison-Bryan, M.D., Chief Deputy Director
Leslie L. Knachel, Executive Director
Charis Mitchell, Assistant Attorney General, Board Counsel
Elaine Yeatts, Senior Policy Analyst
Kelli Moss, Deputy Executive Director
Anthony C. Morales, Licensing Operations Manager
Carolyn McKann, Program Deputy for Operations, Prescription Monitoring Program, (PMP)
Desire Brown, PMP
- OTHERS PRESENT:** Robin Schmitz, Virginia Medical Association of Virginia (VVMA)
Taryn Singleton, Virginia Association of Licensed Veterinary Technicians
- ORDERING OF AGENDA:** Ms. Knachel asked the Board to amend the agenda by adding the following under "New Business":
- Consideration of requests for modification of two consent orders - Case Nos. 170370 and 170371; and
 - Ratification of consent order for Case Nos 176999 and 180916.
- Dr. Johnson moved to accept these changes.
- The motion was seconded and carried.
- INTRODUCTION OF NEW STAFF:** Ms. Knachel introduced new staff members.
- PUBLIC COMMENT:** No public comment was presented.

APPROVAL OF MINUTES:

Dr. Rucker moved to approve the meeting minutes for the following meetings as presented:

- March 14, 2018, Opioid Advisory Panel
- March 15, 2018, Full Board Meeting
- April 16, 2018, Consideration of Possible Resolution (Case No 155670)
- April 17, 2018, Formal Hearing (Case No. 179011)
- June 29, 2018, Regulatory Advisory Panel - Telehealth
- October 2, 2018, Conference Call (Case No. 189441)

The motion was seconded and carried.

DIRECTOR'S REPORT:

Dr. Brown provided an update on the opioid crisis.

Dr. Allison-Bryan provided an update on reported on the following items:

- Updates on changes to security measures and procedures for Department of Health Professions building.

LEGISLATIVE/REGULATORY UPDATE:**Petition for Rulemaking – Amendment to continuing education requirements**

Ms. Yeatts provided information on the petition for rulemaking submitted on behalf of the VVMA requesting that the Board amend 18VAC 150-20-170 of the Regulations to allow practice management courses to be accepted to meet CE requirements.

The Board discussed the issue.

Dr. Cockburn made a motion to accept the petitioner's request to allow practice management courses to be accepted to meet CE requirements. The motion was seconded and carried.

The Board engaged in additional discussion. The Board acknowledged the need for owners of veterinary practices to be well informed about technology, marketing and business management. However, they did not believe practice management continuing education should be substituted for courses in animal care. The purpose of licensure and the Board is protection of the public. The Board found that most other states that accept business management courses typically require have more total CE hours than Virginia. While there was discussion about increasing the total number of hours and accepting practice management, the Board rejected that alternative as an increased burden on veterinarians and technicians who do not want to take such courses.

A roll call vote was taken. With two yes votes and five no votes, the motion failed.

Regulatory Advisory Panel on Telehealth

Ms. Knachel reported the RAP met on June 29, 2018, to discuss issues related to veterinary telehealth. The Committee identified an issue related to veterinary establishments. Pursuant to the Regulations, veterinary medicine may only be practiced out of a veterinary establishment that has been registered with the Board. The Committee asked staff to explore this issue to identify regulatory requirements for a telehealth veterinary practice.

DISCUSSION ITEMS:**Prescription Monitoring Program Presentation and Update**

Ms. Carolyn McKann provided the Board with an update on veterinary prescription reporting.

Use of Agency Subordinate

Ms. Knachel provided information on the use of an agency subordinate in the disciplinary process. She commented that the Board has regulations and a guidance document regarding the use of an agency subordinate, but it has never used this process. She indicated that she and Ms. Moss are becoming familiar with the process and believe it is beneficial for the Board to move in this direction. Additional information will be provided at a future meeting.

Ms. Knachel provided information on the duties of the Veterinary Review Coordinator. She commented that many of the Boards' staff include licensees that prepare or complete probable cause reviews as delegated by the Board. Ms. Knachel asked that the Board consider delegating authority to the Veterinary Review Coordinator to make probable cause decisions for certain types of cases that do not involve standard of care.

Dr. Karras motioned that Veterinary Review Coordinator be delegated authority to make probable cause decisions in consultation with board staff for the following types of cases:

- Impairment;
- Inspection violations;
- Compliance; and
- PMP reporting.

The motion was seconded and carried.

Inspection Process

Ms. Knachel provided an overview of the veterinary establishment inspection process. She informed the Board that the routine inspection process will focus on the most frequent types of violations which are related to drug stocks and surgical suites. Focused inspections will be a better utilization of resources and improve efficiency of the inspection process. A focused inspection will not preclude an inspector from citing a violation related to other areas. Per the Board's by-laws Ms. Knachel will work with the Board's President to update the inspection form to identify the items that will be the subject of the focused routine inspections.

Ms. Knachel stated that she received a question asking if an ambulatory veterinary establishment could have a letter or email documenting the use of an autoclave at another practice. Pursuant to the regulations, a letter or email would not satisfy the requirement to have a form of sterilization process within the veterinary establishment.

Attendance of 2018 Annual Meeting of the American Association of Veterinary State Boards

Ms. Halsey provided a recap of the meeting.

Guidance Document

Ms. Knachel stated that Guidance Document *150-5: Use of Compounded Drugs in Veterinary Medicine* was update to reflect a 2018 legislative amendment.

Ms. Knachel presented the changes to Guidance Document *150-13: Controlled*

Substances (Schedule II – VI) in Veterinary Practice.

Dr. Hillyer moved to accept the changes as presented to Guidance Document 150-13: *Controlled Substances (Schedule II – VI) in Veterinary Practice.*

The motion was seconded and carried.

BOARD MEMBER TRAINING: **Health Practitioners' Monitoring Program**
Ms. Wood provided information on the HPMP program.

Confidentiality

Ms. Moss and Ms. Knachel provided information on a board member's need to maintain confidentiality in certain circumstances.

Freedom of Information Act (FOIA)

Ms. Knachel provided information on FOIA.

Virtru Encryption

Mr. Morales provided information on the new encryption program that board staff will use to ensure confidentiality of sensitive information sent via email.

Per Diem Policy

Ms. Knachel briefly reviewed the per diem policy.

Access Badges for Board Members

Ms. Knachel reviewed the changes being made regarding access badges.

PRESIDENT'S REPORT:

Ms. Halsey had no report to present. She thanked the Board for the opportunity to service as the Board President for the last year.

**BOARD OF HEALTH
PROFESSIONS' REPORT:**

Dr. Johnson did not have a report because he was not able to attend the last Board of Health Professions meeting.

STAFF REPORTS:

Executive Director's Report

Ms. Knachel provided updates on the following topics

- Licensure statistics and budget
- Paperless Workgroup
- Board Member Handbooks
- Travel & Hotel Reservations
- Participation at the 2019 VVMA meeting

Update on faculty/intern/resident licensure

Ms. Knachel stated that the regulations for licensing faculty/interns/residents became effect on May 20, 2018. She commented that board staff and the Virginia-Maryland College of Veterinary Medicine have worked well together to issue the licenses.

Board Calendar

Ms. Knachel indicated that the board calendar was included in the agenda package.

Discipline Update

Ms. Moss provided an overview of the caseload statistics.

NEW BUSINESS:

Officer Elections

Dr. Johnson moved to nominate Dr. Karras for President.

The motion was seconded and carried.

Dr. Karras moved to nominate Dr. Cockburn for Vice-President.

The motion was seconded and carried.

Ms. Halsey moved to nominate Dr. Hillyer for Secretary.

The motion was seconded and carried.

Disciplinary Matters

- Consideration of requests for modification of two consent orders - Case Nos. 170370 and 170371 – Ms. Knachel stated that the modification were being rescheduled and will tentatively be considered on December 12, 2018.
- Ratification of consent order for Case Nos 176999 and 180916 - Ms. Moss asked the Board to consider ratifying the proposed consent order to resolve these two cases.

Dr. Johnson moved to ratify the consent order as presented.

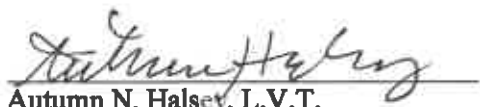
The motion was seconded and carried.

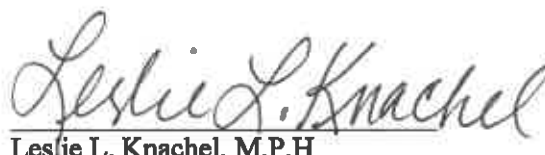
NEXT MEETING:

The next full board meeting is scheduled for March 7, 2019.

ADJOURNMENT:

The meeting adjourned at 2:11 p.m.


 Autumn N. Halsey, L.V.T.
 Chair
 Date 3 / 7 / 19


 Leslie L. Knachel, M.P.H
 Executive Director
 Date March 7, 2019