

Board of Veterinary Medicine
Secretary of State, Office of Professional Regulation
National Life Building, North, Floor 2, Montpelier, VT 05620-3402
Unapproved Minutes
Meeting of December 10, 2009

1. The meeting was called to order at 9:02 A.M.

Members present: Mark A. Basol, D.V.M., Chairman; Robert Bergmann, V.M.D., Vice-Chair; Ronald S. Svec, D.V.M., Secretary; Kristin Haas, D.V.M.; Terry York; and Ad Hoc member Emma Pudvah. Absent: Linda Johnston.

OPR Personnel present: Larry S. Novins, Board Counsel; Carla Preston, Unit Administrator, and Kristy Kemp, Administrative Assistant.

2. The Chair called for approval of the Minutes of the October 8th meeting. Ms. York made a motion, seconded by Dr. Haas, to approve the Minutes of the October 8, 2009 meeting as presented. The question was called and the motion passed unanimously.

3. Reports

4. Hearings/Stipulations and Consent Orders

At 9:30 A.M. the Board reconsidered a *Stipulation and Consent Order* in the matter of Ben B. Dow, D.V.M., Docket Number 2008-224 (VE 16-0608). Neither the Respondent nor his Attorney was present. Larry Novins presided for the Board. (Edward Adrian was available by phone to answer questions but did not participate). The Order was amended to be more specific about the dates of the two week suspension. Dr. Svec made a motion, seconded by Dr. Basol, to accept the *Stipulation and Consent Order* as revised. The question was called and the motion passed. Dr. Haas, Investigating Member, did not participate in the vote.

5. Statute/Rulemaking

The Board discussed proposed changes to its administrative rules to agree with the statutes. Developing jurisprudence examination on its statutes and rules as a prerequisite for licensure was discussed. Attorney Novins said other professions have an open book examination which applicant stake online and submit their responses with their application. The Board discussed continuing veterinary medical education requirement for endorsement applicants and concluded that states requiring no fewer than 20 hours of CVM would be considered substantially equivalent. The Board discussed rein statement requirements for inactive licenses in two situations, not currently licensed or practicing in any jurisdiction or currently licensed and practicing in another jurisdiction. The Board also discussed whether to adopt or reference the American Veterinary Medical Association's Principles of Veterinary Medical Ethics. The intent of adding that Principle is to have it as a resource as well as the ability to find unprofessional conduct in cases involving ethical issues versus unprofessional practice issues. These topics will be revisited at the next meeting.

6. Complaints/Follow-up cases

2007-219 (VE 02-0707) – The Board reviewed the Report of Concluded Investigation. Dr. Haas made a motion, seconded by Ms. Pudvah, to accept the Investigative Team's recommendation and conclude this case without formal prosecution. The question was called and the motion passed. Dr. Basol, Investigating Member, did not participate in the vote.

6. Complaints/Follow-up cases - continued

2008-292 (VE01-0808) and 2008-293 (VE02-0808) – The Board reviewed the Report of Concluded Investigation. Dr. Haas made a motion, seconded by Ms. York, to accept the Investigative Team's recommendation and conclude these cases without formal prosecution. The question was called and the motion passed. Dr. Svec, Investigating Member, did not participate in the vote.

7. The Board reviewed the following applicants for licensure and took action as indicated.

Dr. Svec made a motion, seconded by Dr. Bergman, to formally approve the following applicants for licensure based on their completed applications. The question was called and the motion passed unanimously.

John G. Hynes, D.V.M. (Endorsement) Nancy G. Lefavour, D.V.M. (Examination)
Grace Ma-Steenbergen, D.V.M. (Endorsement) Josef M. Steenbergen, D.V.M. (Endorsement)

8. Continuing Veterinary Medical Education

9. Newsletter Topics!

Topic to be included in the next newsletter include the Chairman's report, communication among the veterinarian, his or her staff, and the client/patient, OPR's new licensing system (eLicense), online renewals in 2011, prescriber consent information, statistics, notice of CVME audit, update of statutory changes, rule making process, etc. The Board will also include recent changes in federal accreditation.

10. Miscellaneous Correspondence

- a. The Board reviewed the Email from Kathy Finniew with the Vermont Veterinary Medical Association (VVMA) requesting pre-approval of CE programs offered by the New England Veterinary Medical Association (NEVMA). The Board noted that adding to pre-approved sponsors would require a rule change under the current law. Attorney Novins suggested that the Board maintain a list of pre-approved continuing education providers where additional providers could be added as approved by the Board at a meeting. The list of pre-approved providers would be posted on the Board's web page.
- b. The Board discussed the August 27, 2009 Update from the National Board of Veterinary Medical Examiners (NBVME) regarding the North American Veterinary Licensing Examination (NAVLE) Administration. The NBVME mentioned a fee increase and its plan to allow candidates to apply directly to the NBVME, thus eliminating the separate licensing board application and approval process. The Board had no objection to this change. Ms. Preston will contact the NBVME for more information regarding these proposed changes and to follow-up on limiting the number of retakes of the NAVLE.
- c. The Board reviewed the December 10, 2009 Email from Dr. Andrea Gilbert regarding signature requirements on health records and vaccination certificates. She will be referred to the Department of Agriculture for specific requirements. Members indicated that they actually sign health certificates, and that electronic or stamped signatures were common practice for vaccination certificates. Dr. Gilbert also asked about reasonable emergency coverage and inventory requirements for controlled drugs. Practitioners must provide alternative options for coverage in their absence but mileage or distance is not addressed. Dr. Gilbert will be referred to the Drug Enforcement Administration regarding acceptable means of inventorying controlled drugs.

10. Miscellaneous Correspondence - continued

- d. The Board reviewed and noted the November 2009 issue of the National Board Report, a quarterly newsletter of the NBVME.

11. Other Business Introduced by the Board

12. Election of Officers

At the last meeting, the same slate of officers was approved noting that the position of Vice-Chair would be verified. Dr. Bergman indicated that he was willing to continue serving as Vice-Chair but would not be able to fill the role as Chairman.

Dr. Haas made a motion, seconded by Ms. York, to nominate Dr. Bergman as Vice-Chair with no expectation that he would later become Chairman. Motion passed.

13. The next meeting is scheduled for **Thursday, February 11, 2010** at 9:00 AM. Additional meetings in 2010 are scheduled as follows: April 8th, June 10th, August 12th, October 14th and December 9, 2010.

14. There being no further business, the meeting was adjourned at 1:01 P.M.

Respectfully submitted,

Carla Preston, Unit Administrator
Office of Professional Regulation