

Vermont Secretary of State
Office of Professional Regulation
STATE VETERINARY BOARD
UNAPPROVED MINUTES
MEETING of THURSDAY, SEPTEMBER 11, 2003

vice chair
for sec.

1. The meeting was called to order at 9:08 a.m.

Members present: Michelle Tulis, D.V.M., Chair, Mark Basol, D.V.M., Robert Bergman, D.V.M., Emma Pudvah, Ad Hoc, and Philippa Maloney, Ad Hoc. Absent: Ronald Svec, D.V.M., Heather Hoisington and Eveleen Cecchini.

OPR Staff Present: Larry S. Novins, Board Counsel; Carla Preston, Unit Administrator; and Diane Lafaille, Board Administrator.

Others present: Dr. John McDermott, Dr. Heather Skilling and Mark Rowley, Esq. with the Office of Child Support.

2. The Board welcomed Dr. Robert Bergman to the Board.
3. Dr. Tulis made a motion to accept the Minutes of the July 10th meeting, as presented, seconded by Dr. Basol. Approved

4. **Hearings/Stipulations**

- A. Dr. Heather Skilling came before the Board for discussion on renewing her license. Dr. Skilling had not been in compliance with regard to child support. Dr. Skilling and Mark Rowley of OCS came to an agreement before Dr. Skilling came before the Board, which was to pay 351 plus 40 toward arrears.. Based on the information, the Board agreed it would be a hardship for Dr. Skilling to pay the amount owed in arrears. Dr. Basol moved, seconded by Dr. Tulis to reinstate Dr. Skilling's license to practice.

5. **Proposed Legislation or Rules**

- A. Ms. Preston noted that the Office of Professional Regulation has its own Attorneys to prosecute cases. The Attorney General's Office is no longer handling the prosecution. She said that things are much better now and that the Veterinary Board's concerns regarding cases will be considered and taken seriously.

6. There were not any candidates scheduled to attend the meeting to complete the licensure process.

7. **COMPLAINTS**

The following reports of concluded investigations were presented for closure:

VE18-0403 and VE19-0403, Dr. Basol moved, seconded by Ms. Pudvah, to close these complaints without charges. Approved.

VE16-0403, Ms. Maloney moved, seconded by Ms. Pudvah, to close this complaint without charges. Approved.

8. **Continuing Education:**

1. Aeolus Animal Hospital and Equine Center requested approval of the course entitled, "Equine Ophthalmology." Dr. Bergman moved, seconded by Dr. Basol, to approve this course as presented for 4 hours. Motion passed unanimously.
2. The National Committee on VE Economic Issues requested approval of the course entitled, "NCVEI On-Line Education Models." Dr. Bergman moved, seconded by Dr. Basol, to approve this course for 3 hours. Motion passed unanimously.

9. **Miscellaneous Correspondence**

- A. Dr. Donald Thompson wrote the Board regarding oxytocin and formaldehyde. Dr. Basol reported that oxytocin is a prohibited drug. He also reported that formaldehyde is not illegal to purchase, but it is illegal to use. Dr. Basol consulted with Dr. Thompson regarding these issues.

10. **Other**

- A. The Board reviewed the application of Corrine Brown, D.V.M. Dr. Brown, by Vermont standards, had not passed one section of the examination. However, it is noted that Dr. Brown had previously met the standards for licensure in 3 other states, and that all 3 licenses are current and in good standing. Dr. Tulis moved to accept her application on the basis of endorsement from 3 other states, seconded by Dr. Basol. Approved.
- B. Dr. John McDermott came before the Board to discuss the application of Dr. Kirk Ayling. Dr. Ayling graduated from Ross University, an unaccredited institution and is currently licensed in New York. He had requested that a temporary license be issued to him until he was able to successfully complete PAVE or ECFVG. The Board laws state that Dr. Ayling is exempt under section 2403(10). It states that he can work in a Veterinary Clinic under direct supervision without a temporary license. The laws and rules do not allow for a temporary license for Dr. Ayling to work independently.

Dr. McDermott came before the Board to see if there was a way around this ruling. The specialty in which Dr. McDermott's practice is, is in Dairy Medicine and it is not possible for direct supervision under these circumstances. He indicated that this was a hardship for their clinic. He stated that there was always someone within reach of another veterinarian by phone or they could be on the premises with the veterinarian within 20 minutes if needed.

Attorney Novins informed Dr. McDermott that this is the way the law read, and that the Board did not have the authority to change law, only the Legislature could change law. However, until the law was changed, the Board had to abide by it. Therefore, Dr. Ayling is not eligible for a temporary license under the current circumstances.

11 **American Association of Veterinary State Boards (AAVSB) Correspondence**

- a. Correspondence noted.

12. **National Board of Veterinary Medical Examiners (NBVME) - Correspondence**

- a. Correspondence noted.

13. **American Veterinary Medical Association (AVMA) Correspondence**

- a. Correspondence noted.

14. **Strategic Planning**

What's next? Discuss topics to be addressed at future meetings.

- a. The Board will discuss at future meetings whether to submit legislation regarding a provisional, special or courtesy license.
- b. The Board will begin reviewing their laws and rules in order to be sure that they match up.
- c. Attorney Novins was requested to draft a policy for the Board. This policy will define pass as excepting what another state determined was a passing score on an examination. This is for endorsement applicants.

15. **Agenda items for the Board's next meeting:**

- a. Stays on Continuances
- b. Election of Officers

16. **Public Comment**

17. The date of the next meeting is scheduled for **Thursday, November 13, 2003.**

18. The meeting was adjourned at 1:00 p.m.

Respectfully submitted,

Diane Lafaille, Board Administrator
Office of Professional Regulation