

1 *State of Alaska*
2 *Department of Commerce, Community and Economic Development*
3 *Division of Corporations, Business and Professional Licensing*
4

5 **BOARD OF VETERINARY EXAMINERS**

6
7 *MINUTES OF THE MEETING*

8 *Tuesday, October 27, 2020*

9
10 ***By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.61, Article 6,***
11 ***a scheduled meeting of the Board of Veterinary Examiners (BOVE) was held by***
12 ***teleconference.***
13

14
15 ***Agenda Item 1a*** ***Call to Order/ Roll Call*** ***Time 9:00 a.m.***
16

17 *The meeting was called to order by Board Chair, Dr. Rachel Bergartt, at 9:00 a.m.*
18

19 Board Members present, constituting a quorum:

20 Rachel Bergartt, DVM- Juneau
21 Hal Geiger, PhD- public member- Juneau
22 Chris Michetti, DVM- Anchorage
23 Scott Flamme, DVM- Fairbanks
24 Denise Albert, DVM- Denali Park
25

26 Division Staff present:

27 Ilsa Lund, Occupational Licensing Examiner (Hereafter denoted OLE)
28 Laura Carrillo- Executive Administrator to The Alaska Board of Pharmacy (Hereafter
29 denoted EA)
30 Harriett Milks- Department of Law
31 Erika Prieksat- Investigator
32 Amber Whaley- Senior Investigator
33
34

35 In accordance with AS 44.62.310(e) and AS 44.62.175, this meeting of the Board of Veterinary
36 Examiners was public noticed in the Alaska Online Public Notice System and in the Anchorage
37 Daily News on October 16th, as well as on the board webpage on October 12th. Notification was
38 also sent to interested parties via the board ListServ on October 14th, 2020.

39 Dr. Bergartt began the meeting by reading the mission statement of the Board of Veterinary
40 Examiners:

41 **To protect the health, safety, and welfare of Alaskans by ensuring that**
42 **veterinarian practitioners possess and maintain a level of skill and knowledge**

43 necessary to provide safe, competent professional veterinary services to consumers
44 and to protect the public from veterinary practitioners who pose a risk to the
45 public's health, safety, and welfare.

46
47 *Agenda Item 1b* Review Meeting Agenda *Time 9:04 a.m.*

48 On a motion duly made by Dr. Michetti seconded by Dr. Flamme, and with unanimous
49 approval it was:

50 RESOLVED to APPROVE the agenda for this meeting as written.

51
52 *Agenda Item 1c* Review Past Meeting Minutes *Time 9:05 a.m.*

53 On a motion duly made by Dr. Geiger, seconded by Dr. Flamme, and with unanimous
54 approval it was:

55 RESOLVED to APPROVE the minutes of the July 7, 2020 meeting as written.

56
57 *Agenda Item 1d* Ethics *Time 9:06 a.m.*

58 Dr. Bergartt spoke to the Alaska Veterinary Medical Association (AKVMA) during their
59 October 4th meeting. OLE Lund was also present. Dr. Bergartt spoke about only things that are
60 a matter of existing public record including but not limited to the Prescription Drug Monitoring
61 Program (PDMP) and the board's desire to continue to seek legislative exemption for
62 veterinarians from the program, upcoming license renewals, and the newly launched board
63 ListServ.

64 No further action is required regarding this matter and no other board members had anything to
65 disclose.

66
67 *Agenda Item 2* Regulations *Time 9:08 a.m.*

68 Recently Instated Regulations

69 Since the meeting held on July 7th, the board had some regulations go into effect.

70 12 AAC 68.015(c) regarding the Jurisprudence Exam;

71 12 AAC 69.045 (a)(3) and 12 AAC 68.046(a)(3) allowing the board to accept official
72 transcripts towards issuance of a temporary permit or temporary license.

73 The updated regulations booklet can be found on the board webpage:

74 <https://www.commerce.alaska.gov/web/portals/5/pub/VeterinaryStatutes.pdf>

75 **Veterinary Medical Facility**

76 In the past, there had been some confusion as to whether or not the board could define
77 “veterinary facility” or “veterinary medical facility.” It was clarified during the last meeting that
78 the board does have the authority to define those terms in regulation; however, the board does
79 not have the authority to regulate facilities, so there cannot be any language within the regulation
80 as to how the facility must be managed or operated.

81 **On a motion duly made by Dr. Geiger and seconded by Dr. Albert, it was unanimously:**

82 **RESOLVED to ACCEPT the drafted regulation to define “veterinary facility” or**
83 **“veterinary medical facility,” and to send it along to the Regulation Specialist.**

84 12 AAC 68.990 "Veterinary facility" or "veterinary medical facility" means any premises or
85 facility where the practice of veterinary medicine is performed, including but not limited to a
86 mobile clinic, temporary clinic, outpatient clinic, veterinary hospital or clinic, emergency
87 facility, specialty facility, referral facility, or veterinary center, but shall not include the premises
88 of a veterinary client, research facility, or a federal military base.

89 **Veterinarian-Client-Patient Relationship**

90 Several drafts of VCPR regulatory language were submitted by the VCPR Regulations
91 Workgroup –comprised of Dr. Geiger and Dr. Albert. The first of the three examples is the most
92 extensive. The VCPR regulations project has been in the works for the last several years and
93 there has been a lot of public comment received by the board on this particular regulation
94 project, including from the American Veterinary Medical Association (AVMA) and members of
95 the AKVMA.

96 Dr. Albert expressed the need to incorporate language to account for veterinary care in remote
97 communities and not just in the event of an emergency. However, in a community off the road
98 system with no locally available veterinarian, any veterinary care need may constitute an
99 emergency. She went on to explain that a VCPR could not be established via telephone, but an
100 Alaska licensed veterinarian could provide service telephonically without an established VCPR
101 in an emergency.

102 In accordance with federal law, any prescription for an extra-label or off-label drug is not
103 permitted unless an in-person physical exam is conducted. Therefore, in a telemedicine
104 situation, a veterinarian would not be able to use any of the many standardly used medications
105 because they are not specifically a veterinary product. This is why a physical exam is required to
106 establish a VCPR. Dr. Albert stated that standard of care in Alaska could be compromised if the
107 regulation was made too general. This also takes into account the public testimony that was
108 received on this issue.

109 Dr. Geiger explained that “Example 2” of the VCPR regulation draft is the absolute bare
110 minimum, just to get something into regulations, and is taken from the American Association of
111 Veterinary State Boards (AAVSB) Model Practice Act. Dr. Geiger is in favor of the third
112 example draft that would leave decisions regarding a physical exam up to the discretion of the

113 veterinarian. This is consistent with statements that Dr. Geiger has made during past meetings
114 regarding this topic. He is concerned that, despite the copious amount of public testimony
115 received, there were no comments received from members of the public –i.e. veterinary clients –
116 who these regulations would greatly affect. In some instances, a physical exam before a client is
117 able to get veterinary services will be impractical.

118 Dr. Flamme stated that he agrees with Dr. Geiger. Most of the public comment received seemed
119 to be from veterinarians from the Anchorage area that specialize in small animal practice;
120 therefore, the public comment was biased. Being a veterinarian in Fairbanks, he often handles
121 emergency cases from remote communities that would not be able to comply with mandates that
122 a physical exam be conducted in a timely manner.

123 Dr. Albert reminded the board that state regulation cannot conflict with federal laws, particularly
124 when it comes to prescribing medications. Federal law would override state regulation. Federal
125 law clearly states the requirement for a physical exam. Dr. Michetti concurred and went on to say
126 that she is in favor of accepting regulations that closely follow federal guidelines, making it
127 easier for Alaska’s veterinarians to adhere to.

128 Dr. Bergartt stepped in to add further clarification. Federal law mandates within the Veterinary
129 Feed Directive (VFD), which applies to animals that are intended for consumption, that extra-
130 label use drugs cannot be prescribed unless within an existing VCPR that was initiated by an in-
131 person physical exam and is maintained through regular and timely visits by a veterinarian to the
132 premises where the animals are housed. However, a veterinarian can prescribe medication to a
133 non-food producing animal that is a specific veterinary drug. Veterinarians cannot prescribe non-
134 food producing animals extra-label use drugs outside of a VCPR established through a physical
135 exam, as defined by federal law.

136 The board also discussed that they do not wish to exclude emergency situations caused by
137 natural disasters or acts of nature, such as if a community is on the road system, but the road is
138 temporarily blocked due to snow, landslide, or earthquake. The goal is to protect animals’
139 interest while serving remote communities. It is not the intent of the board to regulate bush
140 communities differently than communities that are on the road system. That would make
141 regulations less clear for how a veterinarian is expected to treat those patients and clients. It is a
142 delicate balancing act to protect the animals’ best interest, which is to get a physical exam, and
143 dealing with the reality of Alaska’s unique geography.

144

145 **On a motion duly made by Dr. Geiger and seconded by Dr. Michetti, it was:**

146 **RESOLVED to ACCEPT the drafted regulations (Example 1) regarding**
147 **Veterinarian- Client- Patient Relationship (VCPR).**

Board Member	Approve	Deny	Abstain
Rachel Bergartt	x		
Hal Geiger		x	
Chris Michetti	x		

Scott Flamme	x		
Denise Albert	x		

148

149

150 **Veterinarian-client-patient relationship.**

151 (a) A person may not practice veterinary medicine unless a veterinarian-client-patient
 152 relationship exists. “Patient” and “client” are defined in 12 AAC 68.990. A veterinarian-client-
 153 patient relationship exists if the licensed veterinarian or an associate of the licensed veterinarian:

154

155 (1) has assumed responsibility for making clinical judgements for the health of the patient
 156 and the need for medical therapy, has instructed the client on a course of therapy appropriate to
 157 the circumstance, and that client has agreed to follow the veterinarian’s recommendations.

158

159 (2) has sufficient knowledge of the patient to initiate at least a general or preliminary
 160 diagnosis of the medical condition(s). Sufficient knowledge means the veterinarian has seen the
 161 patient for a physical examination within the last 12 months, or is personally acquainted with the
 162 keeping and care of the patient through medically appropriate visits to the premises where the
 163 patient is maintained within the last 12 months.

164

165 (3) provides oversight of treatment and is readily available to provide, or has provided
 166 for, follow-up medical care in the event of adverse reactions or failure of the treatment regimen.

167

168 (4) maintains patient records.

169 (b) A veterinarian-client-patient relationship cannot be established solely by telephone or other
 170 electronic means; however, an established veterinarian-client-patient relationship as defined
 171 above may be maintained by electronic or telephonic means during a 12-month period.

172

173 (c) Both the licensed veterinarian and the client have the right to establish or decline a
 174 veterinarian-client-patient relationship.

175

176 (d) A licensed veterinarian who in good faith engages in the practice of veterinary medicine by
 177 rendering or attempting to render emergency or urgent care to a patient when a client cannot be
 178 identified, and a veterinarian-client-patient relationship is not established, shall not be subject to
 179 penalty based solely on the veterinarian’s inability to establish a veterinarian-client- patient
 180 relationship.

181

182 (e) In remote regions of Alaska that are without access to the road system, where there is no
 183 locally available veterinarian, it may be logistically impossible for the patient or veterinarian to
 184 immediately travel for in-person consultation. In these cases, an emergency exists and the patient
 185 is at risk of going untreated. In this situation, an evaluation of the patient or premises may be
 186 initially conducted through electronic or telephonic means, as long as the veterinarian requests
 187 that the patient be presented for an in-person examination or that the veterinarian conducts a
 188 medically appropriate visit to the premise when reasonably achievable. The veterinarian acting in
 189 this manner must be licensed in Alaska and engaged in active practice at the time the electronic

190 or telephonic evaluation is conducted. The veterinarian must provide the client with the
191 veterinarian’s identity, location, licensure status, and any privacy or security issues involved in
192 accessing veterinary services through electronic means.

193

194 **Records Retention**

195 **On a motion duly made by Dr. Geiger and seconded by Dr. Albert with unanimous**
196 **consent, it was:**

197 **RESOLVED to ACCEPT an amendment to 12 AAC 68.910(e) to read:**

198 Unless released to the patient’s owner, patient medical records must be retained by the veterinary
199 medical facility or licensed veterinarian for a minimum of five years. Records may be disposed
200 of by tearing, shredding, ~~or~~ burning, or other method for electronic disposal so that the records
201 are totally destroyed.

202

203 **Animal Massage by Layperson**

204 OLE Lund has been receiving an increase in the volume of inquiries regarding animal massage,
205 particularly equine massage, performed by individuals that are not licensed veterinarians. Statue
206 AS 08.98.120(a) says that a person may not practice veterinary medicine unless they are
207 licensed. AS 08.98.250 defines the practice of veterinary medicine as “for compensation to
208 diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, injury, or other
209 physical or mental condition...” This leaves much room for interpretation as to what could be
210 allowed in regard to animal massage.

211 Dr. Bergartt stated that a position statement would be the best plan of action. It would be
212 helpful to the public if the board clarifies what an individual that is not a licensed veterinarian
213 could do regarding animal massage. It’s the language of diagnosing and prescribing that have
214 the largest gray area. For example, an animal has a neck injury and someone prescribes massage
215 three times a week for the animal. That is something only a veterinarian would be able to do
216 because that’s diagnosing something and prescribing a treatment. Even in human medicine, a
217 massage therapist works in conjunction with a medical doctor when medical massage is
218 prescribed as part of a treatment plan.

219 Dr. Michetti stated that she fully agrees with that sentiment. If someone is just giving massages,
220 that is one thing, but the circumstance is entirely different when someone is telling a client to
221 bring a patient in three times a week for a specific problem. That is the practice of veterinary
222 medicine. Dr. Bergartt added that if an owner wants to seek massage because they think the
223 animal enjoys it, that perfectly fine, but if they are seeking treatment to correct an injury or
224 diagnose a problem, then that would be practicing veterinary medicine.

225 Dr. Albert asked how the Alaska Board of Massage Therapists feel about this issue. OLE Lund
226 will look at the regulations and inquire with division staff to find out more information to report

227 back to the board. Dr. Bergartt assigned the writing of a position statement on the topic to Dr.
228 Michetti and Dr. Geiger. The position statement was published on the board website and can be
229 found here:

230 [https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofVeterinaryExaminer](https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofVeterinaryExaminers/PositionStatementsandOtherMaterials.aspx)
231 [s/PositionStatementsandOtherMaterials.aspx](https://www.commerce.alaska.gov/web/cbpl/ProfessionalLicensing/BoardofVeterinaryExaminers/PositionStatementsandOtherMaterials.aspx)

232 *National Exam Deadlines*

233 Due to logistical challenges caused by COVID 19, many of the national exam organizations have
234 been adjusting or extending their respective testing windows. This has caused some hiccups
235 with licensing as the BOVE has explicit language in regulations mandating a deadline for when
236 an exam applicant must have all of their paperwork in to the division before the exam.

237 **On a motion duly made by Dr. Albert, seconded by Dr. Michetti and approved**
238 **unanimously it was:**

239 **RESOLVED to ACCEPT** amendments to 12 AAC 68.010(b) and 12 AAC 68.315(b).

240 **12 AAC 68.010(b)** An application for licensure by examination and all supporting documents
241 must be received by the department at least 15 days before the deadline to register for the exam
242 as set by the International Council for Veterinary Assessment (ICVA).

243 Editor's Note: <https://www.icva.net/navle/>

244 **12 AAC 68.315. (b)** An application for examination or reexamination must be received by the
245 department at least 15 days before the deadline to register for the next examination as set by the
246 AAVSB. Applicants who fail the examination may retake the examination within one year from
247 the date of their application. After the expiration of one year from the data of application,
248 applicants who wish to retake the examination must reapply for it.

249 Editor's Note: <https://aavsb.org/vtne-overview/the-online-application>

250

251 *Agenda Item 3*

PDMP

Time 10:30 a.m.

252

253 EA Carrillo presented a report to the Board. Alaska has 425 licensed veterinarians, 67% of
254 whom are registered in AWARe. In 2018, the division implemented an additional PDMP
255 registration including a \$25 initial registration fee and a \$25 biennial renewal fee. Only 40% of
256 licensed veterinarians are compliant with the division registration as well as having an active
257 account within the online PDMP database, AWARe. These percentages may seem startlingly
258 low, but not all veterinarians hold DEA registrations and, therefore, would not need to have an
259 account in AWARe and a division PDMP registration.

260 EA Carrillo reported that, during the last quarter, 171 veterinarians prescribed opioids. For every
261 prescription written for a scheduled II and III controlled substance over a three- day supply, a
262 practitioner is required (in accordance with Sec. 17.30.200(k)(4)) to query the client information

263 within the AWA^Rx^E PDMP database during the patient/ client consultation. From May to
264 October, zero queries were made for prescriptions written of schedule II and III controlled
265 substances over a seven-day supply.

266 As a reminder, all prescribers are required to report to the PDMP daily if they are directly
267 dispensing, even if no dispensations are made. There are likely very few veterinarians who do
268 dispense. EA Carrillo stated that exact data regarding veterinarians who dispense will be
269 gathered during the upcoming license renewal. This will result in the ability to track reporting
270 compliance more accurately.

271 The top three controlled substances prescribed by veterinarians are Phenobarbital, Tramadol
272 HCL, and Alprazolam. These are all schedule IV substances and a query is not required before
273 prescribing, but are required to be reported if dispensed. However, the fourth most prescribed
274 controlled substance is Hydrocodone bitartrate/ homatropine methylbromide, which is a schedule
275 II drug and the veterinarian would need to perform a query on this client before prescribing.

276 Currently, the BOVE allows licensees a 180-day grace period to register with the PDMP after
277 becoming licensed or obtaining DEA registration –whichever comes first. EA Carrillo
278 recommended that board staff send out notifications to licensees who are not yet registered with
279 the PDMP explaining that, while the BOVE does offer that 180-day allowance, it is illegal to
280 prescribe, dispense or administer schedule II or III controlled substances in Alaska without being
281 fully registered with the PDMP because the practitioner would not be able to review the
282 prescription information.

283 Dr. Albert asked for clarification about reporting and submitting reports for zero dispensations as
284 is required by AS. 17.30.200(b). Is a practitioner who dispenses required to submit zero reports
285 for all days that their clinic might be closed and well as for holidays and planned vacations, etc.?
286 EA Carrillo clarified that that is not something that is included in regulation. The guidance
287 received from Appriss, the state's PDMP database vendor, was for practitioners to notify PDMP
288 staff in advance of any planned absence so that the temporary reporting exemption can be added
289 to the licensee's file. She went on to further explain that if a prescriber is unable to make a
290 report because of bad internet connection, staff has provided a form for that and it is available on
291 the State PDMP webpage.
292 (<https://www.commerce.alaska.gov/web/portals/5/pub/pdmp4591.pdf>)

293 Dr. Albert followed up by asking for further clarification and giving an example. Say, a
294 veterinarian only works two days a month. Would that veterinarian need to contact the PDMP
295 about the other 28 days of the month in order to be exempt from reporting requirements? EA
296 Carrillo confirmed that would indeed be the case. She went on to explain that the way the
297 system is set up, the database will not automatically know when a practitioner is not working.
298 The reporting compliance function within AWA^Rx^E only has a few settings –completely
299 exempt, default to daily, or excluding weekends. Beyond that, the PDMP has to be specifically
300 notified for the practitioner to not be flagged as delinquent. A practitioner is responsible for
301 reporting their absences. PDMP staff can be contacted or notified of any absences through
302 akpdmp@alaska.gov.

303 There are provisions in Division Centralized Regulations that explain reporting requirements for
304 weekends and holidays.

305 **12 AAC 02.920. FILING DATE.** (a) Except as otherwise provided in this title, a
306 document submitted to the division will be considered filed as of the postmark date of the
307 document. If the document is submitted by a method that does not provide a postmark date, the
308 document will be considered filed as of the date stamped on the document,

309 (1) except as provided in (2) of this subsection, when it is received in the division office
310 in Juneau;

311 (2) for a document related to licensing for nursing under 12 AAC 44 or real estate
312 licensing under 12 AAC 64, when it is received in the division office in Anchorage.

313 (b) If a filing deadline established in AS 08 or this title falls on a Saturday, Sunday, or state
314 holiday, the deadline will be extended to the next regular state business day.

315 (c) For the purposes of this section, “postmark date” means the date of a document with prepaid
316 postage and correctly addressed to the division by the United States Postal Service or other
317 established domestic courier service.

318
319 Dr. Flamme asked if reports can be made retroactively. EA Carrillo confirmed that, through the
320 PDMP Clearinghouse, reports of zero dispensations can be made retroactively. OLE Lund
321 followed up by asking if a practitioner could submit reports of zero dispensations preemptively if
322 they knew they would be away from practice for a certain period of time. EA Carrillo said that
323 may be a system limitation and that, to her knowledge, reports cannot be submitted for future
324 prescription information. But she will confirm with Appriss. EA Carrillo recommended that the
325 board publish a position statement, FAQs, or send out a letter to licensees on reporting in order
326 to assist them with knowing what the requirements are.

327 The board has been working on drafting regulations regarding the PDMP in order to give clarity
328 on the subject to licensees. At the time of this meeting, the regulations are still in the very rough
329 draft stage. Harriet Milks from Department of Law joined the meeting to aid the board. Harriet
330 said the board has a really good start on their regulations, but a little fine tuning is needed before
331 being presented to the Regulation Specialist. Dr. Bergartt said that, while she wants the
332 regulations to be clear, they also must have a level of readability that makes them accessible. It
333 is likely that any regulations by the BOVE regarding the PDMP will be accompanied by a
334 position statement.

335
336 *Agenda Item 4* *Investigations* *Time 11:35 a.m.*

337 Erika Prieksat reported to the board that there are currently 55 open cases. Since the last report,
338 four cases have been closed. Dr. Geiger asked what the indicator “failure to other” means. Ms.
339 Prieksat clarified that usually means more than one violation has occurred within the same case.

340 Dr. Bergartt asked for Ms. Prieksat to discuss the amount of time that an investigator spends
341 investigating these alleged PDMP violations. Essentially, what exactly is the board being
342 charged for? Ms. Prieksat said that she could not speak to that specifically, but the Investigations

343 Division uses a separate time sheet billing code for time spent on PDMP related matters.
344 Veterinary PDMP investigative time is tracked separately from non-PDMP related
345 investigations. Separate and unique codes are used on staff timesheets for just veterinary matters
346 and PDMP related veterinary matters.

347
348 Before breaking for lunch, the board discussed the upcoming veterinary program license
349 renewal. Originally, it was thought that the division would charge PDMP affected practitioners a
350 back payment for delayed registrations; however, Department of Law opined that the PDMP
351 program does not possess the regulatory authority to collect back payments. Veterinarians will
352 only be accountable for the standard \$25 PDMP renewal fee in accordance with 12 AAC
353 02.107(2) at the time they renew their professional license.

354
355 *Off record for lunch: 12:00 p.m.*

356 *Back on record: 1:02 p.m.*

357
358 *Agenda Item 5* *Public Comment* *Time 1:00 p.m.*

359 **Dr. McKayla Dick:** Good afternoon everyone. I just want to take a second and introduce
360 myself. I'm Dr. Dick. I am Acting President of the Alaska Veterinary Medical Association
361 (AKVMA). I also work at a small animal practice in North Pole. I did want to make a couple
362 comments about the PDMP on behalf of the AKVMA as well as from a private practice point of
363 view. For starters, I think the statistics surrounding the compliance are unfair to Alaska
364 veterinarians. Definitely should be revisited for those that do hold a DEA license. I think those
365 percentages would be higher if that was rerun. Second big concern is the zero reporting.
366 Definitely alarming. I can use my own clinic as an example for that. I'm an end-of-the-week
367 doctor, so my work week is over the weekend. And if I understood that correctly, weekends and
368 holiday reporting isn't necessary unless we sign up our clinic as a seven-day-week practice. I feel
369 that's going to cause issues for multiple clinics including my own. Another example I have is
370 slightly similar to Dr. Flamme's. I do have a colleague who will be having surgery, and that's
371 going to take her out for a month. It just doesn't really seem fair that she would show up as a
372 delinquent in the system for not responding or reporting. The zero reporting –it seems like a
373 system failure. In general, I just want to say thank you guys for the opportunity to speak and for
374 working on the PDMP. The AKVMA takes it very seriously. So do our veterinarians. And the
375 AKVMA would be happy to coordinate with the board to distribute relevant information. Thanks
376 for your time.

377 **Dr. Sarah Coburn:** I just wanted to kind of piggy back off a couple things that Dr. Dick
378 mentioned. From those compliance numbers –and I know, Dr. Berngartt, you mentioned that as
379 well –that it's not clear. It concerns me that there's investigations and they have a number of
380 investigations but they don't know what the end point is that they are looking for. So, I just

381 looked up –like Dr. Holt mentioned today –you can go right on the site and download all the
382 licensees, which I did. There’s 427 Alaska veterinarian licenses right now. Out of those, 282
383 vets had an Alaska address. So, my question is, for the 145 veterinarians that live out-of-state –I
384 mean, some that I know come up for the Iditarod every year and maybe one other relief trip or
385 vaccine clinic –they don’t have DEA licenses here. For them to get two DEA licenses for an
386 occasional trip here when they are not dispensing any controlled medication... So, I mean, is
387 there a way to separate those out? Which, clearly, if they are not even looking at who has a DEA
388 license yet, they are not separating those out. But that’s a huge percentage. One hundred forty-
389 five. So that leave 282 vets with an Alaska license. So, out of those, as you mentioned, many
390 (myself included) don’t have a DEA license. So, fifty-five –we are looking at a huge percentage
391 of pending investigations when it concerns me that they don’t even know how many they expect
392 even to be registered based on the DEA license. So, I find that concerning. And I think that
393 compliance is actually –especially concerning for that registration piece –is actually higher than
394 what they think. I will add, too, that I did get the PDMP letter in the mail this summer (I don’t
395 remember if it was July or August), but I did get it. I don’t know why some people got it and
396 some didn’t. As I said, I have not had a DEA license for three years, so I’m not sure which list
397 they were using. So that’s all I had to comment on the PDMP.

398 A couple other things for food for thought. I’m really excited that you guys set up a listserv. I
399 think that’ll help get information out, or be an easier way, as you need to push information out to
400 a lot of people. The one thing I would say is I was going to share that with someone else and I
401 went to the licensing board page and I couldn’t find anywhere on there that even indicates that
402 there is a listserv to sign up for. So I had to go back to the original email that Ilsa had sent me
403 and then forward that on to some people. If you could put a notice on your main board page to
404 indicate that there is a new listserv available, that, I think, would be helpful so that people, as
405 they hear that it’s out there, they’ll be able to figure out how to find it. Because the listserv site
406 is very obscure. I know that from working for the State, too. An easier link to that would be
407 helpful.

408 I also want to introduce Dr. Tracy Ward. She was on the call this morning. For the AKVMA
409 she is the President Elect. She may be chiming back in this afternoon. She’s based out of
410 Juneau. So, I’m excited we’ve got good representation across the state, too, with Dr. Dick being
411 up in North Pole and then having someone in Juneau as well. Thank you, Dr. Bergartt and Ilsa,
412 for participating in our AKVMA meeting and presenting some updates on the PDMP in
413 particular. I appreciate your time.

414

415 *Agenda Item 6*

Board Business

Time 1:15 p.m.

416 *Division Update*

417 The board fiscal report was not available at the time of the meeting. That will be a lengthy
418 agenda item for the January meeting.

419 *Health Mandate 15*

420 Health Mandate 15 is still in effect. It is set to expire on November 15th, but it will likely be
421 extended by the Governor. As of now, BOVE guidance is still relevant and available on the
422 State webpage. <https://www.commerce.alaska.gov/web/cbpl/CBPLCOVID-19Information.aspx>
423 Board guidance is not enforceable by law, but established a baseline for what the board considers
424 to be best practices.

425 **Courtesy License Application**

426 In accordance with the provisions of Alaska Statute 44.62.310(c)(3), the board entered into
427 executive session for the purpose of discussing subjects that tend to prejudice the reputation and
428 character of any person.

429 **On a motion duly made by Chris Michetti and seconded by Hal Geiger, it was:**

430 **APPROVED** unanimously to enter into Executive Session. Staff was requested to
431 remain in the room.

432 *Off record at 1:24 p.m.*

433 *On record at 1:57 p.m.*

434 **Continuing Education**

435 There have been many continuing education (CE) courses submitted to the board lately. The
436 intent by the submitter is that the course is approved by the board so Alaska veterinary licensees
437 can obtain CE credit towards license renewal. That majority of submissions made are
438 incomplete and do not encompass the requirements the board has previously stated. That
439 information is publicly available on the board webpage. The board unanimously agreed that any
440 incomplete CE approval submission will be denied, outright.

441 **On a motion duly made by Dr. Geiger, seconded by Dr. Michetti, it was:**

442 **RESOLVED** to **APPROVE** the CE course packet submitted on behalf of
443 OnlineContinuingEd, LLC.

444

Board Member	Approve	Deny	Abstain
Rachel Bergartt		X	
Hal Geiger		X	
Chris Michetti		X	
Scott Flamme		X	
Denise Albert		X	

445

446 OLE Lund noted that the division can offer a CE Approval form that someone requesting board
447 review could fill out as a general guideline. Also, several other programs charge a processing fee
448 for this service. She recommended that the board consider this; however, the board was not
449 interested in pursuing that. The information on the board webpage will be updated in the hopes

450 of better guiding licensees and CE companies requesting this service from the board. Incomplete
451 submissions will be returned to the sender and not considered by the board.

452 **Board ListServ**

453 The BOVE listserv is now available and the subscription information is now on the board
454 webpage. <http://list.state.ak.us/mailman/listinfo/ak.vet.mail>

455 **Legislative Liaison**

456 **On a motion duly made by Dr. Geiger and seconded by Dr. Michetti:**

457 The board **APPOINTED** Dr. Bergartt as the board legislative liaison during last
458 session. Dr. Bergartt will continue in that role for 2021.

459 **On a motion duly made by Dr. Albert and seconded by Dr. Michetti:**

460 The board **APPOINTED** Dr. Geiger as the alternate legislative liaison in the event that
461 Dr. Bergartt is not available.

462 It was discussed that the fact that both Dr. Bergartt and Dr. Geiger are in Juneau will be
463 beneficial during the legislative session.

464 **Request from the ITC**

465 The Iditarod Trail Committee (ITC) requested that the board send out information to licensees in
466 the hopes of recruiting Alaska-based veterinarians for the 2021 race. Dr. Bergartt stated that
467 that would be a conflict of interest for the board to advertise on behalf of a private organization.
468 The ITC is welcome to access the publicly available information in the State database to reach
469 out to licensees.

470 **AAVSB Annual Conference**

471 The AAVSB held their annual conference virtually this year. The entire board was able to
472 register for the event and recordings of the sessions are available to registrant for at least the next
473 few weeks.

474 **Next Board Meeting**

475 **On a motion duly made by Dr. Michetti and seconded by Dr. Flamme with unanimous
476 approval:**

477 The board scheduled their next full day meeting for January 12, 2021.

478 The board also called for a special meeting to discuss PDMP regulations on Monday, November
479 16th, 2020.

480

481 *The board chair adjourned the meeting at 2:49 p.m.*

482

483 **Respectfully Submitted,**

484

485 *Ilsa Lund*

486

March 11, 2021

487 **Ilsa Lund, Licensing Examiner**

Date

488

489

490 *Rachel N. Bergartt, DVM JD*

491

March 10, 2021

492 **Rachel Bergartt, DVM**

493 **Board Chair, Board of Veterinary Examiners** **Date**

494