

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT  
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING  
4 ALASKA STATE BOARD OF VETERINARY EXAMINERS  
5

6 MINUTES OF MEETING  
7 January 11, 2022  
8

9 By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62  
10 Article 6, a scheduled meeting of the Board of Veterinarians was held via teleconference and  
11 videoconference and at State Office Bldg., 9<sup>th</sup> Floor, Conference Room A, January 11, 2022.  
12

13 **These minutes were approved by the board at their June 8, 2023, meeting.**  
14

15 **Item 1. Call to Order/Roll Call, Review Agenda, Ethics Disclosure**  
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17 a. Roll Call  
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19 The meeting of the Board of Veterinarians was called to order by Rachel Bergartt, Chair at 9:06 a.m.  
20 Members present were:  
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22 **Board Members Present, constituting a Quorum:**  
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24 Dr. Rachel Bergartt, Licensed Veterinarian  
25 Dr. Denise Albert, Licensed Veterinarian  
26 Dr. Hal Geiger, Public Member  
27 Dr. Chris Michetti, (joined at 11:06 a.m., left at 1:53 p.m.)  
28

29 **Division Staff present were:**  
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31 Lacey Derr, Records & Licensing Supervisor  
32 Cynthia Spencer, Records and Licensing Supervisor  
33 Warren Gordon, Occupational Licensing Examiner  
34 Sara Chambers, Director  
35 Amber Whaley, Senior Investigator  
36 Dawn Bundick, Investigator  
37 Michele Hern, Investigator  
38 Lisa Sherrell, PDMP Program Coordinator  
39 Laura Carrillo, Executive Administrator, Board of Pharmacy  
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41 **Members of the Public Present:**  
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43 Rachel Cole  
44 Caroline Landry  
45 Steven Landry  
46 Adam Landry  
47 McKayla Dick, Licensed Veterinarian  
48 Tracy Ward, Licensed Veterinarian  
49 Sarah Coburn, Licensed Veterinarian  
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51 b. Review Agenda

52 The board reviewed the tentative agenda.

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54 **On motion duly made by Dr. Hal Geiger, seconded by Dr. Denise Albert, and approved**  
55 **by majority consent, it was Resolved to approve the agenda as presented.**

56

57 The board briefly discussed including their mission statement in future packets as the board liked to read  
58 their mission statement at the start of a meeting.

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60 Dr. Rachel Bergartt read the mission statement into the record.

61

62 c. Ethics Disclosure

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64 No ethics disclosures.

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66 **Item 2. Prescription Drug Monitoring Program (PDMP)**

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68 Program Coordinator Lisa Sherrell and Executive Administrator Laura Carrillo greeted the board. Ms.  
69 Carrillo stated Ms. Sherrell would be presenting.

70

71 Ms. Sherrell provided updates to the PDMP; how data from the prescriber report cards was being used  
72 to pull PDMP reports. Ms. Sherrell stated prescriber report cards are now electronically interactive to  
73 the prescriber, available via email. Ms. Sherrell informed the board the prescriber report cards allow  
74 tracking purposes for thresholds of prescribed opioids metrics during the past 6 months, allowing  
75 prescribers to self-regulate. Ms. Sherrell stated that due to previous formatting issues there were no  
76 presentable written reports or metrics available at this time.

77

78 Ms. Sherrell announced license integration is scheduled to launch today; approximately 40 stale  
79 veterinarian accounts will be deactivated as they are not currently being used. Ms. Sherrell stated any  
80 users who have been deactivated will receive an email requesting they contact PDMP. Ms. Sherrell  
81 stated a provider communication module will launch in 2 weeks, January 25, 2022 and PDMP has  
82 upcoming scheduled announcements on the program's website. Ms. Sherrell stated the PDMP fees will  
83 be changed to \$0.00 and forms are being revised by the Division to reflect changes.

84

85 Dr. Bergartt asked if there had been any feedback from veterinarians regarding the fee change and  
86 prescriber report card notification services. Ms. Sherrell stated that feedback from users had been  
87 positive and that there would be documentation available for the board to review at their next meeting.

88

89 Supervisor Lacey Derr commended the PDMP team for their hard work and diligence on this project.

90

91 **Item 3. Licensing Report**

92

93 a. Introduction of New Examiner & Supervisor Team

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95 Supervisor Lacey Derr introduced the new Occupational Licensing Examiner, Warren Gordon, to the  
96 Veterinarian Board, as well as Cynthia Spencer, Records and Licensing Supervisor. Warren Gordon and  
97 Cynthia Spencer greeted the board.

98

99 Dr. Bergartt requested a brief legislative update and stated there are no legislative updates at this  
100 time. Dr. Bergartt stated that she is currently communicating and coordinating with Dr. McKayla Dick  
101 from the Alaska State Veterinary Medical Association (AKVMA) and plans on attending the Juneau Town  
102 Hall meeting tomorrow and will continue to push forward with House Bill (HB) 91 and Senate Bill (SB)  
103 132 which are being sponsored by Senators Elvi Gray-Jackson and Roger Holland.

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Dr. Bergartt informed the board that HB91 and SB132 currently held bipartisan support and have a good chance of being adopted this year.

b. Sled Dog Race & Iditarod Licensing Update

Supervisor Derr reported for the upcoming special events scheduled for 2022, including the Iditarod, Willow 300, Copper River, and Yukon Quest. The division had received 53 courtesy license applications. Supervisor Derr stated 28 courtesy license applications had been approved, 17 applications were still pending/under review, and seven courtesy applications were still missing required documentation.

Supervisor Derr stated that in comparison to previous year's invoices, the number of courtesy license applications appear to be less this year than in previous years; following previous year's procedures that when multiple courtesy licenses are finalized for the Iditarod, the invoices are prepared and sent to the Iditarod coordinator for collection of payment.

c. Tabled Applications

There were no tabled applications for consideration.

d. Open Ballot Review

Supervisor Derr informed the board that OnBoard had been checked at the start of the meeting; all previously submitted ballots had been finalized and there are no open ballots at this time.

After a brief discussion, it was mentioned to the board that, there are several draft ballots currently pending and will be added as open ballots to OnBoard later today. Dr. Hal Geiger notified the board that he had not receive email notifications for several open ballots that were recently added to OnBoard. Supervisor Derr stated she would follow up with the OnBoard coordinator to identify any potential issues concerning notifications.

*Recess The Board recessed at 9:43 a.m. for a short break; reconvened at 10:00 a.m.*

**Item 4. New Business**

a. Correspondence – Dr. Caroline Landry

The board reviewed the correspondence item from Dr. Landry and discussed Alaska Statute (AS) 08.98.125 and AS 08.98.120.

Dr. Albert stated she felt this request did fall under the exemption as the service would just be ultrasound, however an Alaska license veterinarian would request Dr. Landry for diagnostic services only and Dr. Landry must only communicate with the requesting veterinarian. Dr. Geiger agreed.

Dr. Bergartt also agreed but suggested the board add a definition to AS 08.98.125 addressing the boards interpretation of "advise" and "assist". Dr. Bergartt stated that the board should avoid devaluing Alaska licenses by being careful in the verbiage used to define "advise" and "assist" and also by clearing stating the intent of defining these.

Dr. Geiger stated diagnose is a broad definition, and with practical use and communication with a client, this should be done by the licensed veterinarian.

156 The board briefly discussed the aspects of “advise” and “assist” and Dr. Landry being licensed outside of  
157 the United States. Dr. Bergartt stated she would like to defer to Director Sara Chambers to put the  
158 interpretation of “advise” and “assist” in writing and requested a motion be made for this.

159  
160 Supervisor Derr informed the board that no motion was necessary as this discussion will be reflected in  
161 the meeting minutes and posted to the web and with Dr. Landry being proactive with her request, a  
162 copy of the meeting minutes would be sent to her.

163  
164 The board noted that it was time for public comment, and they would circle back to this discussion  
165 shortly.

166  
167 b. Schedule Next Meeting

168  
169 The board briefly discussed future meeting dates. The board set the following meeting dates and times.

- 170 • March 4, 2022 9:00 a.m. – Noon
- 171 • May 10, 2022 9:00 a.m. - Noon
- 172 • October 7, 2022 9:00 a.m. – Noon

173  
174 The board requested Supervisor Derr create a flyer for the October 2022 meeting to share at the AKVMA  
175 meeting which would be held around the same date.

176  
177 **Item 5. Public Comment**

178  
179 Dr. Caroline Landry:

180 Dr. Landry thanked the board for their time. Dr. Landry stated that as an addition to her  
181 correspondence item, she would only be in communication with the Veterinarian and would only be  
182 discussing her ultrasound diagnosis. Dr Landry also stated that she had submitted a bill to the  
183 legislature asking for acceptance of credentialing agency, Provider Application and Validation for  
184 Enrollment (PAVE), to be accepted for applicants with out of country licensing and education.

185  
186 The board thanked Dr. Landry for her participation.

187  
188 Dr. McKayla Dick, President of AKVMA:

189 Dr. Dick thanked the board for their time. Dr. Dick stated that the AKVMA is still working on HB91 and  
190 SB132 and will be having their next meeting January 20 – 25, 2022 in Juneau and will also be holding a  
191 townhall meeting January 16, 2022 beginning at 7:00 p.m. and would be held via Zoom.

192  
193 The board thanked Dr. Dick for her time and participation.

194  
195 **Item 6. Investigative Report**

196  
197 Dawn Bundick, Investigator and Michele Hearn, Probation Monitor joined the meeting.

198  
199 Investigator Bundick presented the investigative report for September 29, 2021 through January 5,  
200 2022. Investigator Bundick stated there were currently 12 open cases and three closed cases.

201  
202 Investigator Hearn presented the probationary report which reflects one licensee currently on  
203 probation.

204  
205 The board asked if there had been any reported PDMP violations for this program. Investigators stated  
206 they were unsure and would reach out to Senior Investigator Amber Whaley for information.

207

208 Senior Investigator Amber Whaley joined the board to discuss PDMP violations with the board.

209

210 Dr. Bergarttt stated she hasn't seen any investigative incidents related to possible PDMP violations and  
211 was wondering if there was a separate report or investigator for possible PDMP violations.

212 Investigator Whaley stated that a different PDMP investigator oversees the PDMP reports and there  
213 were no PDMP investigative reports available at this time and no PDMP violations currently reported.

214 Investigator Whaley informed the board that as soon as any PDMP reports became available they will be  
215 provided to the board.

216

217 Dr. Bergarttt requested once a PDMP investigative report was available it be sent to staff for  
218 dissemination to board members. Investigator Whaley sated she would.

219

220 Dr. Geiger stated the reports looked good and liked that there seemed to be no frivolous incidents.

221

222 The board had no further questions and thanked Investigators Bundick, Hearn, and Whaley for their  
223 time.

224

225 Supervisor Derr informed the board that their draft regulation verbiage for 12 AAC 68.010, 68.035,  
226 68.041, 68.045, and 68.046 which would accompany their legislative project for AS 08.98.165,  
227 08.98.184, had been reviewed by the Department of Law (DOL). The DOL made substantial changes to  
228 the drafted regulations which would need another board review and motion to accept.

229

230 The board requested additional time to review the changes and asked that this be moved to later in the  
231 meeting.

232

### 233 **Item 7. Division Update**

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#### 235 a. FY21 4<sup>th</sup> Quarter Budget Report

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237 Director Sara Chambers joined the meeting and greeted the board.

238

239 Director Chambers reviewed the Fiscal Year (FY) 2021 4<sup>th</sup> Quarter Budget Report with the board.

240 Director Chambers stated the FY 2022, 2<sup>nd</sup> Quarter Report would be published soon and made available  
241 to the board for their next meeting.

242

243 The board briefly discussed the 4<sup>th</sup> quarter report; Director Chambers asked if there were any questions.

244

245 Dr. Geiger asked how current staffing vacancies will affect report numbers. Director Chambers stated  
246 the current vacancies did not result to many reduced costs; however, she will be tracking PDMP  
247 investigative costs and how those will affect this board.

248

249 The board and Director Chambers briefly discussed how PDMP investigations are factored into  
250 expenditures and how the current Administration budget for next year may affect costs. Director  
251 Chambers also informed the board that the Governor's mandate against raising licensing fees was still in  
252 effect. The board asked if there is a possibility of general fund appropriation to help offset any licensing  
253 fee increases. Director Chambers stated there may be a possible general fund infusion for different  
254 licensing programs however, nothing has been finalized at this time.

255

256 Dr. Albert thanked Director Chambers for providing this information and stated she found this discussion  
257 very helpful. Dr. Geiger also thanked Director Chambers and stated he hoped a general fund infusion  
258 would occur.

259

260 Director Chambers asked the board if they would like her to stay online for the military licensing  
261 discussion.

262  
263 The board agreed and requested a 30-minute lunch break. Director Chambers state she had a prior  
264 scheduling conflict and would not be available at 12:30 p.m. but would be available later in the day. The  
265 board agreed they would circle back to Military Licensing discussion when Director Chambers could re-  
266 join the meeting.

267  
268 *Recess The board recessed at 12:06 p.m. for lunch; reconvened at 12:31 p.m. Four board members in*  
269 *attendance via roll call*

270  
271 b. New Proposed Legislation - Provider Application and Validation for Enrollment (PAVE)

272  
273 Supervisor Derr stated she had uploaded the proposed legislation to the OnBoard meeting packet for  
274 the board to review. The board reviewed the proposed legislation.

275  
276 Dr. Geiger stated he would like to all statutory sections, “or another credentialing program approved by  
277 the board”. Dr. Michetti agreed.

278  
279 Dr. Bergartt stated 12 AAC 68.010, 68.035, 68.041, 68.045, and 68.046 would also need to be amended  
280 with “or another program approved by the board”.

281  
282 Dr. Geiger stated keeping the reference to PAVE should also be kept in the proposed verbiage.

283  
284 **On motion duly made by Dr. Hal Geiger, seconded by Dr. Chris Michetti, it was**  
285 **Resolved to leave the statement of support in the proposed PAVE legislation changes.**

286  
287 Dr. Bergartt asked the board for discussion prior to voting on this motion.

288  
289 Supervisor Derr stated that this should be more of a motion to support this proposed bill for AS  
290 09.98.165(a)(1), 08.98.184(1) and add “or another certifying agency as approved by the board.”

291  
292 Dr. Bergartt asked if there was any further discussion or comments for the motion. Hearing none, Dr.  
293 Bergartt polled the board; hearing no disagreement the motion passed by a majority consent.

294  
295 Director Chambers rejoined the board at 1:06 p.m. to discuss military licensing.

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297 c. Military Licensing

298  
299 Director Chambers greeted the board and reviewed currently drafted military licensing regulations and  
300 December 2021 centralized regulations 12 AAC 02.956 and 02.957. Director Chambers informed the  
301 board that this legislation had passed, and the division was currently drafting accompanying regulations  
302 for all professions under the division.

303  
304 The board briefly discussed regulation options and stated that to approve new regulation(s) for military  
305 licensing, “substantially equivalent license and no license action(s)” would be required verbiage.

306  
307 **On motion duly made by Dr. Hal Geiger, seconded by Dr. Denise Albert, and amended**  
308 **by Dr. Albert, it was Resolved to move forward with division drafted military licensing**  
309 **regulation verbiage with the addition of “...military spouse and/or domestic partner”.**

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311 Dr. Bergartt asked the board if they would like to discuss this motion.

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The board briefly discussed would military expedited licensing be offered only to a military spouse or would a domestic partner also qualify. The board agreed that use of “military spouse OR domestic partner” should be included in regulatory verbiage.

Dr. Albert requested a friendly amendment to the original motion to approve the draft language with the addition of “military spouse and/or domestic partner”.

The board asked if continuing education (CE) had also been addressed in this project. Director Chambers informed the board that CE was addressed in their current statutes, so CE requirements are already set.

Dr. Bergartt asked if there was any further discussion or comments for the motion. Hearing none, Dr. Bergartt polled the board; hearing no disagreement the motion passed by a majority consent.

The board thanked Director Chambers for her time and assistance.

*Dr. Michetti signed off at 1:53 p.m.*

Supervisor Derr stated she would load the entire drafted military licensing verbiage for the board to review with no time restrictions which would also allow Dr. Michetti a chance to review as well. The board thanked Supervisor Derr.

Dr. Bergartt requested a brief discussion for new business. Dr. Bergartt stated there was an upcoming April 1 – 2, 2022 AAVSB meeting which she would like Warren Gordon, licensing examiner, to attend.

The board briefly discussed the education and learning benefits of attending AAVSB meetings.

**On motion duly made by Dr. Hal Geiger, seconded by Dr. Denise Albert, it was Resolved to support and recommend licensing examiner, Warren Gordon, attending the April 1 – 2, 2022 AAVSB meeting.**

Dr. Bergartt asked if there was any further discussion or comments for the motion. Hearing none, Dr. Bergartt polled the board; hearing no disagreement the motion passed by a majority consent.

*The Board adjourned at 2:11 p.m.*