



# Board of Veterinary Examiners

Alaska Division of Corporations, Business and Professional Licensing  
Feb 1, 2024 at 9:00 AM AKST via Zoom

**These minutes were approved at the March 8, 2024, meeting of the board.**

Members Present: Rachel Bergartt, DVM, Chair; Denise Albert, DVM; Hal Geiger, PhD; Ciara Vollaro, DVM

Staff Present: Sara Chambers, Boards and Regulations Advisor; Tami Bowman, Occupational Licensing Examiner; Rachel Billet, Program Coordinator; Melissa Dumas, Operations Manager; Dawn Bundick, Investigator; Jenni Summers, Senior Investigator; Stefanie Davis and Alison Osborne, Regulations Specialists

## Call to Order

The meeting was called to order at 9:04am by Dr. Bergartt. A quorum was established. She read the board's mission statement into the record. All members declared they had no conflicts of interest to report.

**Motion by Dr. Bergartt to approve the agenda. Passed by unanimous consent.**

**Motion by Dr. Geiger to approve the minutes of October 25, 2023. Seconded by Dr. Vollaro. Passed by unanimous consent.**

**Motion by Dr. Geiger to approve the minutes of November 9, 2023, with any typographical errors to be corrected by staff. Seconded by Dr. Albert. Passed by unanimous consent.**

## Public Comment

Dr. Geiger recognized Beth Venit, representative of The American Association of Veterinary State Boards (AAVSB), who was present to listen in to the meeting. Dr. Venit stated she was present to listen to the board's discussion and did not have any prepared comments.

Judy Montebano, DVM, director of the future veterinary technician program at UAA and treasurer of the Alaska Veterinary Medical Association (AKVMA), spoke to the AKVMA's letter previously emailed to the board regarding the association's support of continued on-the-job training for veterinary technicians. She asked the board to consider new regulations that would remove the requirement that students are "employed" by clinics during the time they are receiving training. She hoped the board would promote clinical training from school as credit toward the on-the-job training program and that the AAVSB would continue to allow students from these programs to sit for the Veterinary Technician National Exam (VTNE)—at least until such time as the state could produce enough qualified veterinary technicians to meet workforce needs.

The board recognized Sarah Coburn, DVM, and congratulated her on her new position as the State Veterinarian.

## Division Update

Ms. Chambers introduced Rachel Billiet, Program Coordinator 1, who would be transitioning into the role of board support staff. Ms. Billiet currently works with the Board of Dental Examiners and the dental licensing program and has been working with Ms. Bowman behind the scenes to become

familiar with the veterinary licensing program. Ms. Chambers mentioned that Ms. Billiet is slated to staff the next Board of Veterinary Examiners meeting; however, Ms. Chambers would remain engaged during the transition and look forward to continued support of the board in her official capacity as Boards and Regulations Advisor.

Ms. Chambers also mentioned that the live professional licensing board member training modules had completed in January and that four of seven modules are published online for board members to view in case they were unable to attend the live sessions. She reminded the board that the written *Guide to Excellence in Regulation* was available on the board’s web site.

**Licensing Report**

Ms. Bowman presented her licensing report:

License Issued:	YTD	7/1/23 to date	In Process:
Veterinarians	1	13	13
Veterinary Technicians	4	14	21
Courtesy	8	15	40 (Iditarod)
Student Permits	1	3	1
Temporary Permits	7	1	0
Temporary Licenses	0	4* 2 exp – 1 failed NAVLE	0

She stated that she is awaiting one last application for the Iditarod and plans to invoice the committee on Monday, Feb 5. She said the NAVLE deadline for applications is today, and the deadline for the VTNE is Feb 15. Her post-race projects include forms updates and auto-population updates, and she anticipates student permits will start coming in soon. She thanked the board for their prompt review and vote in OnBoard on courtesy licenses for the sled dog races and there were no applications for review by the board at this meeting.

**Correspondence**

The chair reviewed the AKVMA’s January 17, 2024, letter regarding on-the-job training for veterinary technicians. Dr. Albert recalled that the topic was of wide interest at the AAVSB annual meeting in 2023. She said the speaker from the *National Association of Veterinary Technicians in America (NAVTA)* sounded like the organization was promoting a change in VTNE qualification, but her discussion with him after the presentation helped inform him of Alaska’s current lack of an in-state educational pathway toward licensure. She said she had proposed to him that the on-the-job training programs be phased out over a longer period of time, such as five years, allowing for programs to be established in the state. She felt this would provide a balance that also recognized the board’s desire for veterinary technicians licensed in Alaska to become equivalent to other standards in the nation and maintain portability.

The chair requested that staff invite representatives of NAVTA and AAVSB to speak at the next board meeting. Dr. Vollaro agreed that would be beneficial and mentioned that there might be an opportunity to allow the first graduating class to be considered qualified even if the program has not completed accreditation yet. She stated that Alaska-trained veterinary technicians provide excellent service. Dr. Geiger reiterated his concerns about unintended consequences and disincentives to becoming licensed if licensure costs more and requires more work yet the net outcome doesn’t change. Dr. Albert said that the current Alaska veterinary technician-to-veterinarian ratio far exceeds

the national average, averaging 1 technician for every 2 veterinarians as opposed to 1:5 Outside. Chambers suggested the board might consider retaining on-the-job training as an additional pathway if a more nationally aligned standard is adopted, providing choices for technicians who may not wish to seek licensure in another state.

### **Fiscal Review and Fee Analysis**

Ms. Dumas presented the division's fee analysis, which reflected a declining cumulative surplus. The division recommended an increase in the initial veterinarian application fee, the fee for a courtesy license, and a slight increase in fees for new and renewing veterinary licenses. The board had requested the division eliminate the state examination fee when administration of the exam moves to AAVSB. They had also requested a reduction in the student permit application fee. Both reductions were reflected in the division's proposal.

Ms. Dumas showed the board how they could manipulate the Excel spreadsheet they had been provided prior to the meeting to see how their recommendations affect the bottom line. Dr. Geiger said an ongoing interest of the board was to reduce initial fees for veterinarians and technicians. Dr. Bergartt agreed. Dr. Albert said that she felt the renewals should be lower to help retain existing licensees. Dr. Vollaro said that veterinary technician fees are almost always paid by the employer, not the technician. Ms. Chambers provided a high-level review of fee-setting statutes and guidelines, including how the board and division collaborate on the final product. Dr. Bergartt said she preferred keeping fees the same. Dr. Geiger recommended that the board decline to vote so the board is not viewed as responsible for the outcome. Dr. Vollaro agreed.

### **Investigative Update**

Investigator Bundick reviewed the report covering October 27, 2023-January 18, 2024. She stated there were 20 open cases and five closed cases for this period. She thanked the reviewing board members for their prompt case review.

Paralegal Marilyn Zimmerman joined the meeting to discuss the investigation into three continuing education audits with the board.

**Motion by Dr. Geiger: In accordance with the provisions of Alaska Statute 44.62.310 (c), I move to go into executive session for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and matters which by law, municipal charter, or ordinance are required to be confidential. Board staff are requested to remain in executive session. Seconded by Dr. Vollaro. Passed unanimously by roll call vote.**

The board entered executive session at approximately 10:30 a.m. and went back on the record at 10:58 a.m.

**Motion by Dr. Vollaro to adopt consent agreement #2023-000751. Seconded by Dr. Geiger. Passed unanimously by roll call vote.**

**Motion by Dr. Vollaro to adopt consent agreement #2023-000890. Seconded by Dr. Geiger. Passed unanimously by roll call vote.**

**Motion by Dr. Vollaro to adopt consent agreement #2023-000747. Seconded by Dr. Geiger. Passed unanimously by roll call vote.**

The board took a break from 11:00 a.m. - 11:10 a.m. All members were present.

## **Regulations**

Ms. Chambers updated the board that the proposals from the last meeting to move forward with changes to state exam administration and veterinary technician requirements & temporary military licensing were on hold due to staff availability. She expected the drafts to be ready for board review and approval for public comment at their next meeting.

The board initiated a discussion regarding regulations project #2023-200407 regarding PAVE, PDMP, exams, and supervision. They expressed that their intent at this meeting was to move forward section-by-section to ensure careful review. The project had been publicly noticed and received no written comments.

**Motion by Dr. Geiger to adopt 12 AAC 68.010(a)(4), 12 AAC 68.010(b), and 12 AAC 68.010(d) and requested that any changes by Department of Law or by staff be referred to the board for approval before filing. Seconded by Dr. Albert. Passed unanimously by roll call vote.**

**Motion by Dr. Geiger to table discussion on 12 AAC 68.030 until the next meeting. Seconded by Dr. Vollaro. Passed unanimously by roll call vote.**

**Motion by Dr. Geiger to adopt 12 AAC 68.035(a)(4), 12 AAC 68.041(b) and 12 AAC 68.041(b)(4)(C)(i) and requested that any changes by Department of Law or by staff be referred to the board for approval before filing. Seconded by Dr. Vollaro. Passed unanimously by roll call vote.**

**Motion by Geiger to adopt 12 AAC 68.045(a)(3), 12 AAC 68.46(a)(3), and 12 AAC 68.300(d) and requested that any changes by Department of Law or by staff be referred to the board for approval before filing. Seconded by Dr. Albert. Passed unanimously by roll call vote.**

**Motion by Geiger to adopt 12 AAC 68.315(b), 12 AAC 68.315(c), and 12 AAC 68.315(d) and requested that any changes by Department of Law or by staff be referred to the board for approval before filing. Seconded by Dr. Albert. Passed unanimously by roll call vote.**

**Motion by Geiger to adopt 12 AAC 68.930 and 12 AAC 68.935 with special commendation to the chair for her work on the statutory change and requested that any changes by Department of Law or by staff be referred to the board for approval before filing. Seconded by Dr. Albert. Passed unanimously by roll call vote.**

The board went back to review the proposed language to 12 AAC 68.041(b)(4)(C)(i) and inquired why the phrase “another certification process as approved by the board” had not been part of the public notice. Ms. Osborne believed it was an oversight. Ms. Chambers agreed, adding that if the board wanted to include it, she did not believe it was a substantive change since it was in statute and elsewhere in regulations, so it should not require renoticing. Dr. Albert suggested that it be added for

consistency across all relevant regulations so it was clearer to the public. Ms. Chambers advised that it would not make a meaningful difference either way: The board would have to adopt regulations to implement a new certification standard for licensure, and a new process could not be instituted simply through a vote of the board. Ms. Osborne concurred, and the board agreed.

**Motion to amend 12 AAC 68.041(b)(4)(C)(i) to add “another certification process as approved by the board” to maintain consistency throughout regulations and requested that any changes by Department of Law or by staff be referred to the board for approval before filing.** Seconded by Dr. Vollaro. **Passed unanimously by roll call vote.**

The board spent considerable time reviewing options to refine the current VCPR regulations. Members wanted to ensure that the VCPR extended within the clinic where the patient’s records were accessible. They sought clarity with the word “notwithstanding” in 12 AAC 68.215(e) and felt it might not be understandable to veterinarians. Ms. Osborne explained it was a commonly used term in regulations but understood it might confuse some, so she offered to work with the Department of Law to see if rephrasing as “an exception to” or similar would be allowable. The board wanted to ensure it was clear that veterinarians working under 12 AAC 68.215(e) must still adhere to the requirements of 12 AAC 68.215(a)(2-5) and the rest of Alaska statutes and regulations pertaining to veterinary practice. They added subsections to 12 AAC 68.215(f) to add clarity.

The board took a break for lunch between 1:40 p.m. and 2:10 p.m. All members were present.

**Motion by Geiger to approve the draft changes to 12 AAC 68.215 to move forward to LAW.** Second by Albert. **Yea: Albert, Vollaro, Bergartt; Nay: Geiger. The motion passed.**

Given the late hour, Chair Bergartt suggested moving the following topics to the next meeting. There were no objections:

- Maintenance of Medical Records
- Euthanasia
- Time Limit on Complaints
- Statutory Changes

### **Board Administrative Business**

Ms. Chambers provided the board with an updated fee-setting spreadsheet from Ms. Dumas reflecting the board’s fee-setting discussion earlier in the day. The board discussed the updated division recommendation, which reflected a \$125 decrease in the student permit application fee, a \$200 decrease in the veterinarian exam fee, and an increase of \$100 in each of the following fees: temporary license, temporary permit, and courtesy license.

**Motion by Geiger to consider protecting new licensees and technicians when fee-setting.** No second. **Motion is not heard.**

**Motion by Albert to recommend the board support the fee changes provided from Ms. Dumas after the board discussion.** Second by Geiger. **Passed by unanimous consent.**

The board took up a request from Klevens Industries, Inc., to provide basic and intermediate abdominal ultrasound courses at Anchorage Veterinary Clinic and Urgent Care on May 4-5, 2024.

**Motion by Geiger to accept the ultrasound proposal. Seconded by Vollaro.** During discussion on the motion, members cited the following concerns:

- The course did not meet any of the stated standards under 12 AAC 68.230, so they have considerable leeway to determine whether the course is accepted.
- They held the course up against one of those standards, sponsorship by the American Association of Veterinary State Boards Registry of Approved Continuing Education (RACE Program) and did not believe the course would meet those standards.
- There was not enough information disclosed to determine whether the instructor had a conflict of interest that would specifically address whether she received funding from a drug or device manufacturer or other funding sources specific to the course of instruction.
- The instructor has very limited academic credentials or clinical experience higher than the standard of veterinarians. They felt the instructor's credentials might be appropriate for delivery to technicians, but not veterinarians.
- There was no veterinarian or veterinary radiologist on premises to interpret what is normal/abnormal in abdominal ultrasounds.

**Motion failed unanimously.**

Ms. Bowman said she would let Mr. Klevens know the board's decision.

Ms. Chambers reported that she hasn't heard any new information regarding filling Dr. Bergartt or Dr. Geiger's seats, which end March 1, 2024. Dr. Geiger said he knew someone had applied for the public seat, which has been vacant for some time. He and Dr. Bergartt have offered to continue past their terms if necessary, which is allowed under AS 08.01.020.

The board set their next meeting date as 9:00 a.m. on Friday, March 8. They hoped to take up the tabled items and move forward on more of their regulations at that time.

**Having no further business, the chair adjourned the meeting at 4:02 p.m.**