



## Board of Veterinary Examiners Special Meeting

Alaska Division of Corporations, Business and Professional Licensing

### **DRAFT MEETING MINUTES**

Friday, February 14, 2025, 9AM AKST via Zoom

**These minutes have not yet been reviewed or approved by the board.**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM; Robert Gerlach, DVM

Staff Present: Tami Bowman, Occupational Licensing Examiner; Rachel Billet, Program Coordinator 1; Reid Bowman, Program Coordinator II; Sara Chambers, Boards and Regulations Advisor; Melissa Dumas, Administrative Operations Manager 1; Glenn Saviers, Deputy Director; Roger Rouse; Investigator 3; Jennifer Summers, Investigator 3.

#### **Call to Order**

#### **Attendance**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM; Robert Gerlach, DVM

The meeting was called to order at 9:01 AM by acting Chair Dr. Geiger and a quorum was established; he then read the board's mission statement onto the record. When asked if any board members had any conflicts of interest to declare, Dr. Albert expressed that she would need to be recused from at least one investigative matter as the reviewing board member but might need staff to direct her as to whether she needs to be recused from other items. Program coordinator Rachel Billiet confirmed that Dr. Albert would need to request recusal from discussion and abstain from voting on the investigative memo as well as the consent agreement.

#### **Agenda**

Dr. Geiger pointed out that 45 minutes has been allotted on the agenda for the election of the new board chair and board secretary and that it likely will not take that long, and staff confirmed there were several agenda items that could be moved into any leftover time. Ms. Billiet also informed the board that she was unable to get a guest speaker to present on the Safe Haven project to the board, but that the topic is added to the end of the agenda so that the board may review the model regulation being proposed, and she will work to have a guest speaker on the topic at the next regularly scheduled meeting.

#### **Motion:**

RESOLVED to APPROVE the agenda with the understanding that time will be flexed where possible.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed

unanimously.

### **Review and Approve Meeting Minutes**

Dr. Geiger asked if any members had any edits to either the October 3<sup>rd</sup> or the November 8<sup>th</sup> meeting minutes, citing that his requested changes were sent to Ms. Billiet prior to the meeting. Dr. Albert said she reviewed both sets of minutes and trusted any needed changes had been made.

#### **Motion:**

RESOLVED to APPROVE the October 3<sup>rd</sup>, 2024 meeting minutes and the November 8<sup>th</sup>, 2024 meeting minutes.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously.

### **Appoint Delegate to Attend Board Basics and Beyond**

Introductions with new board member Dr. Robert Gerlach was next on the agenda, but due to technical issues causing Dr. Gerlach to drop off the meeting, the board chose to first discuss sending members to the AAVSB Board Basics and Beyond meeting while waiting for him to rejoin. Dr. Geiger, Dr. Albert, and Dr. Vollaro all spoke to the value of the training, especially for new board members, and encourage both Dr. Johnson and Dr. Gerlach to attend if they are able. Dr. Johnson said she is available, and knowing registration closes February 21<sup>st</sup>, Ms. Billiet informed the board that Dr. Gerlach was already registered as she'd spoken about the training with him previously, and she would work to get Dr. Johnson registered and submit the travel requests once she had board approval to do so.

#### **Motion:**

RESOLVED to APPROVE sending Dr. Gerlach and Dr. Johnson to the Board Basics and Beyond Training with AAVSB.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously.

### **Introductions with new board member Dr. Robert Gerlach**

The board was introduced to their newest board member, Dr. Robert Gerlach DVM, who fills one of the veterinarian seats open on the board. He and all board members gave brief introductions on themselves, as did staff. As the previous state veterinarian in Alaska, the board is excited about the knowledge and experience Dr. Gerlach brings to the board.

### **Election of Board Chair and Board Secretary**

The board needed to elect a new chair as Dr. Gerlach fills the seat held by the board's previous chair and needed to elect a secretary since the current secretary, Dr. Geiger, will be leaving the board once his seat is filled. Dr. Albert nominated Dr. Gerlach for board chair, acknowledging that though he is brand new to the board he brings years of valuable experience, and she believes he has been in contact with the board's previous chair Dr. Bergartt and has been briefed on current board business. This nomination was seconded by Dr. Vollaro. Dr. Gerlach

indicated he would accept the role if no one else wished to step forward, with the caveat that he will need some time to adjust and learn the role. Dr. Albert nominated Dr. Johnson for secretary, which was seconded by Dr. Vollaro, and though Dr. Johnson expressed she was concerned about the time commitment, Dr. Geiger assured her that his time as secretary has been a minimal time commitment, and she accepted the nomination. For the remainder of this meeting Dr. Geiger will continue as acting chair as Dr. Gerlach does not feel comfortable taking over right away.

**Motion:**

RESOLVED to APPROVE Dr. Gerlach as the new chair.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously via roll call vote.

**Motion:**

RESOLVED to APPROVE Dr. Johnson as the new secretary.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously via roll call vote.

**Safe Haven Program**

At the last meeting, the board heard briefly about the Safe Haven Project, which aims to get providers with substance abuse disorders into some kind of help as opposed to sanctioning their license. Dr. Beth Venit was not available to attend today's meeting to present on the topic to the board, so they opted to review some model regulation provided by her and discuss their interest in the project and will hear from Dr. Venit at the next meeting. The board agreed that the lack of availability for veterinary professionals to get help in the state is a problem, noting that the rising level of impairment and suicide in the profession is a constant topic at AAVSB annual meetings. The board is in support of implementing something like the Safe Haven Project in Alaska but would like to hear more from Dr. Venit first. There is some concern over how much involvement or knowledge the board would have when it comes to a practitioner utilizing the program, as the model regulation isn't completely clear, and board plans to discuss this further to ensure confidentiality is included in the program. What is important to the board is identifying ways to support and help those struggling. Ms. Billiet will get in touch with staff to have them on next meeting further explore how to implement this in Alaska. She will also explore whether such a program would require a statute creation or a regulation creation, and board members will do similar research.

**Division Update**

**Licensing Report, Examiner Update**

Licensing examiner Tami Bowman presented her licensing report ahead of the fiscal review from Ms. Dumas as the board was ahead of schedule. Ms. Bowman presented the licensing statistics for this fiscal year (FY 2025) in comparison with the FY24 numbers, as well as the renewal report numbers following the recent renewal period for the program. Ms. Bowman also updated the board on how licensing went for the Iditarod

and a few other smaller races, and provided data on how many applicants passed the NAVLE or VTNE last fall. The board thanked Ms. Bowman for her thorough report and efforts to streamline the licensing process and asked whether the number of licensees that lapsed after the renewal period (106 veterinarians and 67 veterinary technicians) was typical, and suggested calling a sampling of licensees in state and out of state to determine how many have retired vs how many have inadvertently let their license lapse, but staff informed the board this was not possible. The board was surprised to see less than 400 active veterinarians in the state based on Ms. Bowman's report as they remember the number being closer to 425, or at least over 400, in the last few years and are concerned that the shortage in the state is worse than they thought. Dr. Albert mentioned the renewal applications being presented to the board in OnBoard for late applicants that did not complete their continuing education (CE) in the required time frame and wondered why that is happening when she thought CE deficiencies went to investigations first. Ms. Billiet explained that there has not been a division policy change but explained that there is a regulation which allows applicants with deficient or late CE to request an exemption from the board, and the board is required to review those, but that there is time set later in the meeting to discuss this at length as the board needed to move on since Ms. Dumas joined the call to present the fiscal review.

### **Fiscal Review**

Administrative Operations Manager Melissa Dumas presented the fiscal year 2025 quarter 2 report (previously on the agenda as quarter 1, but a newer report has come out since then). The board questioned the significant increase in personal services for investigative expenditures in fiscal year 2024 to \$80,000 or so when it has previously been closer to \$40,000. Ms. Dumas explained that investigative staff codes their time to programs as they work on cases for them, and the increase is likely due to a new investigator or an increase in cases, but the board can ask for more information when they hear the investigative report later in the meeting.

### **Break**

The board went off the record at 10:27 am and returned at 10:42 am.

### **Attendance**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM; Robert Gerlach, DVM

### **Investigations**

#### **Investigative Report Presented by Roger Rouse**

Investigator Roger Rouse presented the investigative report for the period of September 26<sup>th</sup>, 2024, through January 31<sup>st</sup>, 2025. There are 24 cases open, 2 of which were veterinary technicians. The board asked about aged cases and when those will be completed, and Mr. Rouse explained that he reviews each open case every 30 days or so

and advances it as much as possible before moving on to the next one, and that he is trying to knock out as many of the easier old cases as he can. The biggest hold up on cases is often waiting on responses and additional information from licensees. He told the board that he'd be reaching out to them to ask about conflicts to select reviewing board members, and to expect cases to be uploaded to Onboard for review as they're ready. He also clarified for the board that cases are prioritized based on the severity of the complaint.

As the board was ahead of schedule, Ms. Billiet suggested that the board discuss the consent agreement in agenda item 6(C) before the investigative memo and application in agenda item 6(B) since she knows the applicant for item (B) wishes to be present for the discussion and he has not yet joined the meeting.

**Motion:**

RESOLVED to APPROVE entering into Executive Session in accordance with AS 44.62.310(c) to discuss agenda item 6(c), the consent agreement for L.B. As the reviewing board member, Dr. Albert requested recusal from the discussion, which was granted.

Motion moved by Dr. Vollaro and motion seconded by Dr. Johnson. The motion passed unanimously.

The board entered into executive session at 10:50 am and returned on the record at 10:53 am. A quorum was maintained.

**Attendance**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM;

Members Absent: Robert Gerlach, DVM.

Dr. Gerlach was absent for the roll call attendance but rejoined the meeting during the below motion.

**Consent Agreement - L.B. (Executive Session)**

**Motion:**

RESOLVED to APPROVE the consent agreement for for case number 2022-000810.

Motion moved by Dr. Vollaro and motion seconded by Dr. Johnson. The motion passed via roll call vote. Dr. Vollaro yes. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert abstain as reviewing board member.

The applicant for agenda item 6(B) had not yet joined, so Ms. Billiet suggested discussing the one piece of correspondence in agenda item 10. The board agreed.

## **Correspondence**

### **Clarification of Policy Regarding Animal Bodywork**

The board reviewed correspondence on behalf of the Academy of Animal Sport Science asking whether animal bodywork is allowed by a non-veterinarian, and if so, is supervision by a veterinarian required and to what extent. The board had received similar questions in the past regarding animal chiropractic and massage and concluded that treatment to bring improvement from an injury is the practice of veterinary medicine and therefore requires a veterinary license. Dr. Albert has been to the academy that is reaching out, and while it is RACE approved, it is made clear that completion of the program by non-licensed individuals does not indicate a qualification or approval to offer services to animals in the field of animal rehabilitation. The board acknowledges that the email said the practice of animal bodywork is to “provide wellness or performance management”, so if it is done on a fully sound healthy animal with no current medical issues then it is different from providing therapeutic services, but that’s a very fine line and the board believes that ultimately, they should be under DVM supervision. Ms. Billiet will draft a letter to the respondent detailing the board’s decision with the help of Ms. Bowman, and then the letter will be uploaded to OnBoard for board approval.

The board was still ahead of schedule, so Ms. Billiet suggested the board set their next meeting date. After discussion, and with the suggestion of Program Coordinator Reid Bowman that the board meet early enough to discuss the annual report, which is due June 30<sup>th</sup>, the board decided their next regularly scheduled meeting will be on Wednesday, April 23<sup>rd</sup>, 2025.

## **Investigations(resumed)**

### **Investigative Memo - R.R.**

Before discussion began, Ms. Billiet asked Dr. Rex Rammell if his original request from November 2024 to have the investigative memo and his application discussed on the record still stands and he confirmed yes. Dr. Albert requested she be recused from the discussion as the original reviewing board member, which was approved, and Dr. Gerlach asked to be recused from the discussion as he is brand new to the board and does not believe he has enough background to make an informed decision. Dr. Geiger initially stated he felt it was important for any members to participate in the discussion that aren’t otherwise conflicted out as reviewing board members but said that if he really did wish to be recused, he would allow it, and that is what Dr. Gerlach chose to do.

Investigator Jennifer Summers presented the investigative memo, including a background on Dr. Rammell's application history with the program, the matters investigated, and the findings. After her presentation, Dr. Rammell was given the opportunity to speak to the board and provide any additional information regarding the investigation and his application. He told the board that despite what is in the investigative memo, he did not practice in Alaska without a license, just helped a colleague in Kenai during the summer of 2021 assisting at their clinic while he awaited a temporary veterinarian license or full veterinarian license. He didn't do anything a licensed veterinarian does, but did anything a veterinary technician does, including lab work, cremation, x-rays, and dentals, but no surgery. He spoke to the misdemeanors he addressed in his letter to the board as well as his reprimand from Wyoming for treating an animal over the phone from another state but stressed that he does not have any misdemeanors relating to veterinary medicine. He mentioned that Alaska asks on the application about any misdemeanors on an applicant's record, whereas other states he is licensed in only ask about charges relating to practicing as a veterinarian. His goal is to retire and move to Alaska and practice full-time as a veterinarian in Delta where his family has purchased some land, stating that the area does not have a full-time veterinarian now and could greatly benefit from one.

Dr. Geiger spoke first on behalf of the board, stating that in his 7 years with the board he has never voted to withhold a license based on yes answers to professional fitness questions, but finds this situation to be different based on the long string of egregious violations and a perceived lack of remorse, insight, or demonstration of learning by the applicant. He is concerned that if licensed, the applicant will show contempt for both the board and any entity trying to regulate compliance given that every case on his record is explained by him to be someone else's fault, including an originally undisclosed contempt of court charge. Based on this history, Dr. Geiger does not find that he meets the requirement of 12 AAC 68.035(7)(B) of being professionally competent, reliable, and worthy of confidence. He explained that the board puts a great deal of trust in licensees to make good decisions and exercise good judgement in the moment while caring for animals, and that the benefit of the doubt has always been given when issues have arisen, but he does not think the applicant's history proves good judgement and finds that his unrepentant attitude regarding his disciplinary history shows a lack of good moral character as required for licensure under 12 AAC 68.048(8). Dr. Johnson and Dr. Vollaro both echoed Dr. Geiger's statements, stating that the 'worthy of confidence' part of the cited regulation is what sticks out to them most as reason for denial given the extensive disciplinary history.

Dr. Rammell was given the opportunity to respond, countering that he finds the charges on his record to be petty offenses and not "egregious" as the board would say. He



said that the board needed to table his application and give it further consideration and asked repeatedly whether the board called the veterinarians who completed his reference letters, stating they could speak to his moral character. Dr. Geiger explained that Dr. Rammell was not allowed to question the board about whether any phone calls were made and asked that he summarize his statements so that the board could continue. He requested again that the board table the application and spend more time researching his moral character before passing judgement. The board was ready for a motion, and at the suggestion of Mr. Bowman they went off record for a break so that Dr. Geiger could work with staff to craft a motion.

### **Break**

The board went off the record at 11:48 am and returned at 11:58 am.

### **Attendance**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM; Robert Gerlach, DVM.

When the board returned on the record a motion to deny the veterinarian application for Dr. Rammell was made, but before voting on the motion Dr. Geiger asked whether any board members had any final thoughts. Dr. Vollaro asked why Dr. Rammell signed an affidavit of active practice in Kenai, which was also signed by a veterinarian at that practice, if he claims he did not practice without a license. He said that if he signed something like that then it was in error, and he only did some dental work on animals which he says you don't need a license for, but Dr. Geiger clarified that you do need a license for that, and that this error further speaks to the board not being able to rely on his judgment. Dr. Johnson stated she was also concerned about the unlicensed practice, and Dr. Rammell's defensive responses and lack of ownership for his mistakes. Dr. Rammell had been given the chance to speak several times, but was asked to not interrupt other speakers, and to only speak when recognized by the chair. Following that admonishment, he continued to interrupt, and that he had to be placed on mute to allow the board to vote on their motion.

### **Motion:**

RESOLVED to APPROVE denying the Veterinarian application for Rex Rammell based on Alaska Veterinary Regulation 12 AAC 68.035(a)(7)(B) and Alaska Veterinary Regulation 12 AAC 68.048(a)(8).

Motion moved by Dr. Vollaro and motion seconded by Dr. Johnson. The motion passed via roll call vote. Dr. Vollaro yes. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach abstain. Dr. Albert abstain.



### **Senate Bill 98 - BOVE Sunset, Presented by Sara Chambers**

Boards and Regulations Advisor Sara Chambers spoke to the board regarding Senate Bill 98, the Board of Veterinary Examiners Sunset Bill, which is expected to have its first hearing next week on Monday, February 17<sup>th</sup>, another on Wednesday, February 19<sup>th</sup>, and likely several others to follow. The bill extends the board to June 30<sup>th</sup>, 2031, as recommended by the sunset audit report, and the board will need to designate a member able to call in for the hearings and provide testimony. Ms. Chambers went over the process and said we need to determine via a motion who will call in to the hearings, stating that it is typically the chair but doesn't have to be, and that if a board member isn't available, Dr. Berngartt has offered to speak as the former chair. Sara went over the sunset audit report findings, which contains several items that are division specific as opposed to board specific, but some items are board specific and will require board member presence. Dr. Geiger stated he is interested in attending, and Dr. Gerlach is as well.

#### **Motion:**

RESOLVED to APPROVE Dr. Geiger and Dr. Gerlach to be present for the Senate Bill 98 hearings.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously.

### **Lunch Break**

The board went off the record for lunch at 12:35 pm, and returned on the record at 12:58 pm to get settled before public comment began at 1 pm. A quorum was maintained.

### **Attendance**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM; Robert Gerlach, DVM

### **Public Comment**

Several members of the public were present for public comment; their comments are reflected below.

**Speaker #1** – Dr. Katrina Backus spoke on behalf of the Alaska Veterinary Medical Association (AKVMA) as their legislative liaison. The AKVMA believes that House Bill 70 (HB 70) poses a significant risk to veterinary medicine and public safety, as it would allow EMT's to practice unlicensed veterinary medicine on operational K9's and allowing them to do so poses serious risk to them and the dogs. Given that government dogs have trained handlers and staff veterinarians they think an instance where EMT involvement would be needed is quite rare, and that untrained, unlicensed individuals practicing veterinary medicine on privately owned animals is unacceptable. Without proper safety and oversight handlers and dogs are at risk. Dr.

Backus states that the AKVMA votes to oppose the bill as written and informed the board that Dr. Dick has been in contact with Representative Schrage's office and Mr. Webb to try and collaborate and create a bill everyone is happy with.

**Speaker #2** – Dr. Rachel Bergartt spoke to the board, thanking Dr. Gerlach for accepting the board chair position and Dr. Johnson for taking the secretary position, and offered to provide her institutional knowledge from her time on the board should it ever be needed. She echoed Dr. Backus's thoughts on HB 70 and did not wish to provide further comment on that and told the board that she in support of their earlier discussion to further explore the Safe Haven project. She commended the board for their handling of Dr. Rammell's application and said that it is her opinion as a public member that the board must follow the statutes and law enacted, and it's not the board's purview whether they are good or bad laws, further stating that they had great decorum during the review. She commented on the board's earlier mentioning of adding a veterinary technician seat on the board, and she believes that will have widespread support and as a member of the public she supports these efforts as well. It was mentioned by Sara Chambers earlier but she's available to speak on behalf of the sunset audit if needed as former chair

**Speaker #3** – Dr. James Delker echoed the earlier statements on HB 70.

A licensee whose application is being reviewed during the next agenda item began to speak to the board but was told by the chair that we have time set aside to hear from her after public comment concludes.

**Speaker #4** – Dr. McKayla Dick concurs with Dr. Backus's thoughts on HB 70.

**Speaker #5** – Dr. Patricia Anderson is the Executive Director for the AKVMA and is just present to listen to public comment.

**Speaker #6** – Dr. Sarah Coburn, who is currently the state veterinarian, asked whether the board has provided a statement on HB 70 and if they participated in the drafting of the bill. Ms. Billiet explained that the board will be seeing HB 70 and hearing from Mr. Webb later this afternoon, and they did not participate in drafting the bill.

**Speaker #7** – Dr. Mary Ann Hollick tried several times to speak to the board but was having difficulty unmuting herself. The board offered her the ability to email her comments, which she did. She wrote regarding HB 70 and stressed the importance of establishing clear guidelines for what can and cannot be performed in the field by EMT's, citing California Health and safety Code Section 1799.109 and suggested Alaska follow something similar. She stated that emergency responders should not be performing advanced procedures, placing IV catheters, or administering drugs, and should only be allowed to provide basic first aid under the real-time direct order on an on-the-phone veterinarian while transporting the animal.

## **Application Reviews**

The board reviewed 5 late renewal applications all relating to applicants that could not provide evidence of having completed their continuing education (CE) in the previous concluding licensing period of January 1<sup>st</sup>, 2023, through December 31<sup>st</sup>, 2024, and are therefore requesting CE exemptions. Before review began Ms. Billiet informed that board that 3 of the 5 applications were added to the agenda very late last night to expedite getting the licensees back to work, but that all applications were similar in the sense that they renewed late, could not provide CE, and thus have submitted exemption requests. Ms. Billiet was asked for confirmation that all applicants attested they completed their CE on time when they in fact hadn't, and she confirmed yes but clarified that applicants L.W. and S.W. weren't entirely at fault because the application was not yet updated to include the late renewal applicants section when they submitted their renewals, and the other applicants provided letters detailing their various reasons for their false attestations. Reid Bowman walked the board through their regulatory ability to review and approve CE exemptions as it relates to renewal application since there is confusion amongst members as to why the board is reviewing these before an investigation or disciplinary action has taken place which is what has happened in the past with failed audit – but these are not failed audits. Alaska Veterinary regulation 12 AAC 68.047 covers the renewal and reinstatement requirements, and subsection (e) gives licensee that has not completed their CE the right to ask the board for an exemption, but Mr. Bowman clarified that this would not apply to someone who was audited and failed to disclose that they had not completed CE and was found out by staff, this is only for someone trying to get relicensed. Alaska Centralized regulation 12 AAC 02.965 states that unless it is stated elsewhere, a licensee must complete their CE in the previous licensing period, but with board or division approval a licensee can earn CE hours after the license expiration date, giving the board legal authority to approve exemptions so long as licensees complete all required hours prior to being renewed or reinstated. Dr. Albert mentioned that previous cases of late or missing CE that she has reviewed involved reprimands, fines, and additional CE hours, and though those were related to audits she does think, to ensure fairness, similar discipline should be applied if the reasoning for the CE exemption request is not adequate based on 12 AAC 68.047(f). Dr. Vollaro agrees that the board should look carefully at the reasonings provided, as does Dr. Geiger, as there is a big difference between someone claiming CE has been completed when it was not, versus someone who openly discloses that they were busy and forgot. As a last thought before starting, Mr. Bowman did ask the board to consider whether the goal with their regulation is to ensure those being renewed have proper continuing education and competency/safety or if the goal to ensure adherence to perfect compliance.

### **Veterinary Technician Renewal – L.W. – Failure to Complete CE**

Ms. Billiet explained that the applicant went to renew online after realizing she forgot to, and as stated before did not have the option to attest she had completed CE late, and when she called the front desk to ask what to do, she was instructed by non-board staff to submit her renewal as-is with her late certificates. The applicant emailed the board address explaining the situation and provided her late certificates. L.W. spoke to

the board and explained that private medical issues toward the end of last year caused her to not complete her CE in time, and since she is only working in a volunteer capacity at a rescue, she did not have a full-time employer to remind her. Dr. Geiger asked for a motion to approve the application for the board to debate before voting, but Ms. Billiet wanted to clarify that they will need two separate motions; one to approve the renewal application, and one to approve the exemption, citing that the board is allowed to deny the exemption but approve the application so that licensees can return to work while their CE deficiency is reviewed. Mr. Bowman added that the board can't motion to request additional CE or fees to allow the renewal, that should be handled by investigations and a reviewing board member so that precedent can be considered. The board needs to decide if the applicant is eligible to be renewed and decide what they want to do about CE not completed during the concluding licensing period.

**Motion:**

RESOLVED to APPROVE the renewal application for L.W.

Motion moved by Dr. Vollaro and motion seconded by Dr. Johnson. The motion passed unanimously via roll call vote. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert yes. Dr. Vollaro yes.

After the motion to approve the renewal application passed, a motion was made to approve the CE exemption for L.W., but discussion took place before voting on the motion. Dr. Albert stated that regulation dictates the circumstances under which an exemption is applicable, and she does not think L.W.'s explanation meets those circumstances as she had 24 months to complete her CE, which is her duty for maintaining a license. Dr. Johnson and Dr. Vollaro were in agreement, while Dr. Geiger and Dr. Gerlach consider the explanation to be due to acute illness and thus a reasonable circumstance.

**Motion:**

RESOLVED to APPROVE the continuing education exemption for L.W. under 12 AAC 68.047(e) and (f).

Motion moved by Dr. Vollaro and seconded by Dr. Albert. The motion failed via roll call vote. Dr. Johnson no. Dr. Vollaro no. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert no.

**Veterinarian Renewal - S.W. - Failure to Complete CE**

**Motion:**

RESOLVED to APPROVE the renewal application for S.W.

Motion moved by Dr. Albert and motion seconded by Dr. Gerlach. The motion passed unanimously via roll call vote. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert yes. Dr. Vollaro yes.

After the motion to approve the renewal application passed, a motion was made to approve the CE exemption for S.W., but discussion took place before voting on the motion. Dr. Vollaro does not think the reason provided by the applicant is sufficient for granting an exemption, and the remaining board members were in agreement. The applicant spoke to the board, stating she is mostly retired but works one day a month at a clinic, and failed to realize she hadn't done her CE when she went to renew as she's been focusing on volunteer options, but she realizes that isn't an excuse. Dr. Albert disclosed that she knows this applicant very well, but in a similar situation where she is only working a few days a week, she is still responsible for caring for animals and adhering to regulatory requirements.

**Motion:**

RESOLVED to APPROVE the continuing education exemption for S.W. under 12 AAC 68.047(e) and (f).

Motion moved by Dr. Vollaro and motion seconded by Dr. Albert. The motion failed unanimously via roll call vote. Dr. Vollaro no. Dr. Albert no. Dr. Geiger no. Dr. Gerlach no. Dr. Johnson no.

The next three applications were added to the agenda late last night and board members have had minimal time to review. Ms. Billiet explained that all applicants have completed all required CE, though some or all of it is late, and that Ms. Bowman will be able to provide additional information as she was the primary contact for these applicants.

**Veterinarian Renewal – J.P. – Failure to Complete CE**

Ms. Bowman explained that this applicant thought she had completed her CE on time, so she attested as such on her renewal application, but when she went to download her certificates she found that only 19.5 hours of the 30 required had been recorded. As soon as she realized the error she wrote a letter requesting a CE exemption where she indicated what she should have attested on the application, and has completed the missing 10.5 hours. Staff confirmed that all hours completed are approved CE hours and that applications and certificates would not be presented to the board if not verified complete. Ms. Billiet did ask the chair whether the board wants to review the exemptions while

on record but have the applications for renewal uploaded to OnBoard for longer review and vote, but Dr. Geiger stated he is fine with proceeding with reviewing both.

**Motion:**

RESOLVED to APPROVE the renewal application for J.P.

Motion moved by Dr. Vollaro and motion seconded by Dr. Albert. The motion passed unanimously via roll call vote. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert yes. Dr. Vollaro yes.

After the motion to approve the renewal application passed, a motion was made to approve the CE exemption for J.P., but discussion took place before voting on the motion. Dr. Albert acknowledges that the applicant reached out as soon as she realized there was a deficiency, but despite that she still had not done all of her CE in the required time frame. Dr. Geiger agrees that her situation does not meet one of the circumstances for granting an exemption.

**Motion:**

RESOLVED to APPROVE the continuing education exemption for J.P. under 12 AAC 68.047(e) and (f).

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion failed unanimously via roll call vote. Dr. Vollaro no. Dr. Albert no. Dr. Geiger no. Dr. Gerlach no. Dr. Johnson no.

**Veterinarian Renewal – L.F. – Failure to Complete CE**

Ms. Bowman spoke on this applicant before a vote took place on the below motion. L.F. had completed 27 CE credits within the required time frame, and had another certificate that did not have a date so could not be counted. The applicant has completed the missing 3 hours and indicates she dealt with some serious health concerns last year.

**Motion:**

RESOLVED to APPROVE the renewal application for L.F.

Motion moved by Dr. Vollaro and motion seconded by Dr. Johnson. The motion passed unanimously via roll call vote. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert yes. Dr. Vollaro yes.

After the motion to approve the renewal application passed, a motion was made to approve the CE exemption for L.F., but discussion took place before voting on

the motion. Dr. Geiger noted that the applicant was both very ill last year and very close to meeting her required hours, and self-disclosed the deficiency, so he is in favor of approving this exemption. These sentiments were echoed by the other board members.

**Motion:**

RESOLVED to APPROVE the continuing education exemption for L.F. under 12 AAC 68.047(e) and (f).

Motion moved by Dr. Vollaro and motion seconded by Dr. Gerlach. The motion passed unanimously via roll call vote. Dr. Johnson yes. Dr. Gerlach yes. Dr. Geiger yes. Dr. Albert yes. Dr. Vollaro yes.

**Veterinary Technician Renewal – J.B. - Failure to Complete CE**

Ms. Bowman spoke on this applicant before a vote took place on the below motion. She was asked whether the applicant self disclosed that she could not fulfill the required CE or if this was discovered by staff, and Ms. Bowman stated that it was not disclosed until after staff asked for her CE.

**Motion:**

RESOLVED to APPROVE the renewal application for J.B.

Motion moved by Dr. Vollaro and motion seconded by Dr. Johnson. The motion passed unanimously via roll call vote. Dr. Johnson yes. Dr. Geiger yes. Dr. Gerlach yes. Dr. Albert yes. Dr. Vollaro yes.

After the motion to approve the renewal application passed, a motion was made to approve the CE exemption for J.B., but discussion took place before voting on the motion. Staff confirmed for the board that this was a late renewal application and that after sending it in the applicant realized she did not have her CE to provide as her computer was struck by a virus. Dr. Johnson was concerned about the reason provided for exemption as there are ways to obtain certificates after the fact, especially from online courses, so she is inclined to vote no on the exemption, as is Dr. Vollaro and Dr. Albert. Ms. Bowman did add that the applicant struggled to figure out how to email PDF's to staff, so though there is a way to obtain certificates the applicant is not particularly technologically savvy.

**Motion:**

RESOLVED to APPROVE the continuing education exemption for J.B. under 12 AAC 68.047(e) and (f).



Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion failed unanimously via roll call vote. Dr. Vollaro no. Dr. Albert no. Dr. Geiger no. Dr. Gerlach no. Dr. Johnson no.

### **House Bill 70 (Guests: Brian Webb)**

Brian Webb, as the principal author, presented House Bill 70 to the board, which would allow Emergency Medical Services authority to provide emergency care and transport to operational canines (OpK9s). Mr. Webb provided the board with background on his professional history and what led him to pursuing this bill. As of this meeting, he said that 13 states have enacted similar legislation to what he is proposing, and 7 other states are actively pursuing it. He explained that when he first started working on the bill in November of 2024, he reached out to Dr. Rachel Berngartt, the chair of the board at that time, and had a conversation with her going over some of the draft language. Based on feedback provided by Dr. Berngartt in that meeting, he said that several changes were made to minimize the impact the bill would have on veterinary statutes, and that most major changes that would come from the bill will now be to the EMS statutes. He explained the current training EMS providers go through for canine tactical emergency care via K9tecc.org, which is a very expensive 3-day long course, with an every 2 year requirement, and added that he does research every 2 years at the Special Operations Medical Association Conference down in Raleigh, North Carolina. The board asked about what services EMS providers will be permitted to perform, and Mr. Webb explained that the scope of practice depends on the level of the EMT professional, stating that there are 3 EMT levels, as well as an EMT advanced, and they have different levels of what they can do within their scope. He further clarified that in these emergency situations human care will always be prioritized first, and that a higher medical authority such as a doctor or veterinarian will always be used for guidance when one is present, assuring board members that the care is to be a multi-tiered approach. He explained that there are roughly 140 to 150 operational K9s in the state, and that the frequency of needing this emergency care is quite low compared to other states such as Texas, California, and Florida due to their size, but that the need is still there. He stated that if the bill is to pass, the implementation process will involve working out the details regarding veterinarian oversight or involvement when EMS must provide services to an OPK9 as well as additional planning around what local assets are available in different parts of the state when it comes to transportation of the animals. The board's main concerns are how these individuals will be trained and evaluated for competency, and whether they will be required to do continuing education, as well as how their success rates will be determined and who will making that determination to assess their effectiveness.

The board did not take a position on the bill at this time, and thanked Mr. Webb for his presentation.

## Potential Statute Changes

### Division Suggested Statute Change

Deputy Director Glenn Saviers presented division suggested statute changes to the board to get their opinion. She is aware that in the past the board has opted not to pursue statute changes related to the requirements for applying for a veterinary license either by examination or by credentials, but the division is concerned that the time specific language is a barrier to licensure and somewhat anecdotal. What the division is proposing is adding subsections to both 08.98.165 and 08.98.184 that allow the board to set additional licensing requirements in regulation and provide a little more flexibility for licensing. Being able to establish additional requirements in regulation also allows the board to more easily make changes to these requirements as opposed to only having requirements in statute which means the board must approach the legislature anytime they want to make changes. She referenced a real example the division faced regarding a veterinarian that had passed the NAVLE 62 months ago and had worked 4 and a half of the last 5 years, who was not eligible for a license based on the current statutes and their time constraints, which doesn't seem like a fair situation. The division hopes defining additional requirements can help license practitioners that have taken time off for a few years based on life circumstances and can remove unnecessary barriers. Board isn't largely supportive, but isn't staunchly against, agreeing that there is importance in creating regulations that allow reintegration into the profession after taking an extended absence for one reason or another. The board explained that when these statutes were written, extensive research was conducted to see what other states were requiring, and that Alaska's requirements were on par at the time with the national standard, and far from being the most extreme or stringent. The board is concerned about licensing practitioners that haven't practiced to X amount of time and whether they would be a competent clinician, but discussed a possible fix being those applicants to work under the supervision of another licensed veterinarian in the state for a period once licensed. It was asked whether they can state in the regulations that applicants must meet additional requirements 'set by the board' and not have anything definitive, but Ms. Saviers clarified that it's not fair to not tell licensees what to do to get licensed.

Ultimately the division wants to pursue these statutes changes and will likely be suggesting this to the legislation, but they are seeking board support. Ms. Saviers added that the only other board in the division with a similar requirement is the Board of Pharmacy, and they are in the process of repealing it due to concerns regarding barrier to licensure. The board was assured that if these statute changes go through, adequate time will be given to allow them to write the accompanying regulations.

**Break**

The board went off the record at 3:35 PM and returned at 3:45 PM.

**Attendance**

Members Present: Hal Geiger, PhD, acting Chair; Denise Albert, DVM; Ciara Vollaro, DVM; Sarah Johnson, DVM; Robert Gerlach, DVM

**Update on Legislative Efforts for 2025 session**

Ms. Billiet summarized the legislative changes the board has previously agreed on pursuing; adding a veterinary technician seat to the board, several small clean ups to 08.98.180, 08.98.150, 08.98.160, and 08.98.010, and possibly joining the Controlled Substances Advisory Board. She asked that they determine how to proceed now that Dr. Berngartt has left the board as she was handling the legislative efforts before her seat was filled. Mr. Bowman assisted in clarifying the next steps that need to happen and walked the board through the handbook that has been generated to assist board members in legislative efforts. It was decided that language needed to be drafted stating everything the board wants to do so that they may seek a sponsor; noting that Dr. Berngartt was previously in contact with Representative Ruffridge's office so that may be a good starting point. Dr Gerlach volunteered to craft a short memo with the assistance of Dr. Albert, and then they will engage Ms. Billiet and Ms. Chambers for additional edits before it goes to onboard for voting.

Ms. Billiet spoke on the remaining agenda items, namely the questions drafted by Dr. Vollaro and Dr. Albert to be sent to euthanasia permit holders and the entirety of the regulations section. In the interest of time the board decided it would be best to schedule a special meeting to allow them to focus solely on regulations and are considering escalating the hold up on VCPR regulations with LAW if no headway is made soon. The special meeting is scheduled for Friday, March 21st, 2025, from 9 am to 12 pm.

**Questions for Agencies providing Euthanasia**

The board reviewed questions drafted by Dr. Vollaro and Dr. Albert to be sent out to agencies providing euthanasia to conduct a survey before inviting agencies to a future meeting for further discussion.

**Motion:**

RESOLVED to APPROVE the questions drafted by Dr. Vollaro and Dr. Albert to be sent to EUT permit holders.

Motion moved by Dr. Johnson and motion seconded by Dr. Vollaro. The motion passed unanimously. Ms. Billiet will craft the letter.

**Motion:**

RESOLVED to APPROVE tabling the regulation discussion item for the scheduled special scheduled meeting.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously.

### **Board Administrative Business**

The next meeting date, appointing delegates to attend the Board Basics and Beyond training, and the Safe Haven Project were discussed earlier in the meeting as time allowed. There are no updates to board appointments. Ms. Billiet let Dr. Gerlach and Dr. Geiger know that they may be expected to present during the Senate Bill 98 hearing on Monday. Returning to the conversation on application reviews and CE exemptions, she asked as a last order of business that the board motion to allow staff to reinstate the license of a late renewal applicant with late CE if all requirements are met (including evidence the late CE has been completed) and have the CE exemption request to go to Onboard for a vote. This way, licensees can get back to work but will know their exemption is being reviewed and they will be sent to investigations if the exemption is not granted. Ms. Billiet is going to research whether future reviews of these exemptions need to be discussed in executive session.

#### **Motion:**

RESOLVED to APPROVE allowing staff to reinstate the license of a qualified late renewal applicant while their request for a continuing education exemption is being reviewed by the board in Onboard. If the exemption does not pass unanimously, the exemption will be tabled for discussion at the next regularly scheduled board meeting.

Motion moved by Dr. Albert and motion seconded by Dr. Vollaro. The motion passed unanimously.

The board made a request to staff that future agendas and meeting materials be finalized 5-7 days prior to a meeting to allow adequate time for review, and asked that meetings be scheduled shorter to ensure members can remain alert and engaged throughout the entire meeting.

### **Adjourn**

#### **Motion:**

RESOLVED to APPROVE adjourning the February 14<sup>th</sup>, 2025, meeting of the Board of Veterinary Examiners.

Motion moved by Dr. Johnson and motion seconded by Dr. Vollaro. The motion passed unanimously. The board went off the record at 4:39 pm.