

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

7  
8                                   **MINUTES OF VIDEO CONFERENCE MEETING**  
9

10                                   **May 5, 2017**

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12   **These minutes were prepared by the staff of the Division of**  
13   **Corporations, Business and Professional Licensing. They have not been**  
14   **reviewed or approved by the board.**

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16   By authority of AS 08.01.070(2) and AS 08.98.040, and in compliance with AS 44.62,  
17   Article 6, a scheduled videoconference meeting of the Board of Veterinary Examiners  
18   was held on May 5, 2017 at 333 Willoughby Ave., 9<sup>th</sup> FL, Conf Room B, Juneau, Alaska.

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20                                   **Call to Order/Roll Call**  
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22   The meeting was called to order by Dr. Tamara Rose, Chairperson, at 9:06 a.m.

23  
24   Those present, constituting a quorum, were:

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26           Tamara Rose, DVM - Fairbanks, AK  
27           Rachel Bergartt, DVM – Juneau, AK  
28           Hal Geiger, PhD Public Member – Juneau, AK  
29           James Hagee, DVM - Chugiak, AK

30  
31   Absent:

32           Teresa Beck, DVM - Palmer, AK - Excused  
33

34   In attendance from the Division of Corporations, Business and Professional Licensing,  
35   Department of Commerce, Community and Economic Development:

36  
37           Virginia Geary, Licensing Examiner  
38           Simon Ford, Investigator  
39           Sara Chambers, Deputy Director  
40

41   **Agenda Item 2           Review Agenda**

42  
43   The Board reviewed the agenda and approved it with no changes.

44  
45   **Agenda Item 3           Review/Approve Minutes**

46 The board reviewed the minutes for January 20 and February 28, 2017 and accepted them  
47 as written.

48

49 **On a motion duly made by Rose, seconded by Bergartt and approved**  
50 **unanimously, it was RESOLVED to approve the January 20 and February**  
51 **28, 2017 minutes as presented.**

52

53 **Agenda Item 4      Public Comment**

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55 No one was present for public comment nor did anyone call in.

56

57 **Agenda Item 7      Ethics Report**

58

59 There were no ethics violations to report.

60

61 **Agenda Item 8      Old and New Business**

62

63 The board elected new officers. They will begin official duties at the October 2017  
64 meeting. Hagee will be the new chair and Geiger will be the new secretary.

65

66 **On a motion duly made by Geiger, seconded by Bergartt and approved**  
67 **unanimously, it was moved to approve Hagee to be the Chair and Geiger to**  
68 **be the secretary for the next year.**

69

70 AAVSB Annual Meeting and Conference. The board recommended Geiger attend the  
71 AAVSB Annual Conference September 14-16, 2017 to be held in San Antonio, Texas.

72

73 **On a motion duly made by Bergartt, seconded by Rose and approved**  
74 **unanimously, it was moved to approve Geiger attend the September AAVSB**  
75 **conference.**

76

77 Correspondence. The board discussed a letter received from Kathleen Frederick, Chief  
78 Administrative Law Judge offering a one-hour training opportunity geared for  
79 administrative adjudicators for a fee of \$192 for the one-hour program. Geary will call to  
80 see if space is available for training at the next scheduled meeting in Anchorage.

81

82 **On a motion duly made by Rose, seconded by Bergartt and approved**  
83 **unanimously, it was moved to request adjudicator training at the October 6,**  
84 **2017 vet board meeting to be held in Anchorage if Ms. Frederick has an**  
85 **opening.**

86

87 **Agenda Item 10      Office Business**

88

89 The next scheduled veterinary board meeting will be October 6, 2017 to be held in  
90 Anchorage.

91

92 **Agenda Item 5      Budget Report**

93

94 Sara Chambers reviewed the 2017 3<sup>rd</sup> Quarter schedule of revenues and expenditures.  
95 Following the recent renewal the board has a revenue of \$209,615 as compared to FY 15  
96 being the previous revenue year with \$145,200. Chambers said the board was tracking  
97 well. Rose asked if Chambers anticipated the board staying above water instead of going  
98 in debt on non-renewal years. Chambers said she expects if expenses continue to remain  
99 low the board could end in a positive note. Bergartt asked if there was a cap on how  
100 high license fees can go up noting the veterinary profession saw a huge increase this year.  
101 Chambers noted state statute requires all programs must be self-supporting and there is  
102 no cap. She pointed out that mid-wives licensing fees are \$3,000 every two years.  
103 Chambers told the board there is a bill, HB 90, which proposes to peel investigation costs  
104 out of the licensing fee. Licensing fees would be calculated on administrative expenses  
105 and not legal appeals and investigative activities. Those expenses would be pooled and  
106 each licensee would pay a surcharge fee that would be across the board. Licensees would  
107 know what the fee would be each year and they could save for it. She said under this bill  
108 vets would pay \$60 less than they presently pay but that amount could change. Chambers  
109 said the intent of HB 90 would be to put a stabilizing factor on all programs. She noted it  
110 would be like an insurance policy and the board should discuss if this is something they  
111 would support or whether they are neutral and give the division feedback. Bergartt  
112 asked which license type would be paying these fees and if the fees were too high could  
113 the vet board opt out of the proposed bill. Chambers said the bill is written with  
114 flexibility as to which programs would pay. Chambers went on to say for now the bill is  
115 written for all programs or none because there is not accounting staff to piece out which  
116 of the 43 programs would opt for this. Bergartt asked if the fees could be passed on to  
117 applicants who may lose an appeal or have huge investigation fees. Chambers said the  
118 board would have to say they think a change is needed and pass a resolution and pursue a  
119 legislator who would be willing to take this on and hopefully other board chairs would  
120 join and gain traction. Geiger said the board had to be sure there was balance so vets  
121 would get a fair hearing without a devastating consequence if found in fault, noting  
122 animals can die under anesthesia or for no reason while in veterinary care. Hagee said if  
123 something like this happened, the veterinarian has malpractice insurance to fight this type  
124 of complaint and it wouldn't involve the state, it would be between the veterinarian and  
125 the complainant. Chambers said if a complaint was made to the board it would be passed  
126 to investigations and a case opened. The investigator would then be bound to review the  
127 complaint and bring in a board member to review that complaint. The statutes require due  
128 process for both parties, the applicant and the complainant.

129  
130 Chambers thanked the board for Chair Beck and Bergartt's time during the legislative  
131 process. She said SB51 which is to extend the veterinary board is still sitting in House  
132 Rules and now has barbers and hairdressers bills tied to it. She said she doesn't  
133 anticipate the board not being reauthorized this year. However, if the legislature adjourns  
134 without reauthorizing the board there would be legislation next spring which would be  
135 the last chance for the board to be reauthorized before its sunset in June of 2018.  
136 Chambers said statutes provide a one year wind down period but no one anticipates the  
137 board not being reauthorized.

138  
139 The board thanked Chambers for her time and had no further questions.

140  
141 **Agenda Item 6            Investigation Report**

143 Investigator Simon Ford reported that for the period from January 1 to March 31, 2017  
144 the division opened 6 new matters and closed 10 matters. Three matters remain on-going  
145 and are under active investigation. The board discussed a few questions they had with  
146 Ford and thanked him for his time and report.

147

148 Break:

149 Off the record at 10:38am

150 On the record at 10:48am

151

152 **Agenda Item 8      New and Old Business**

153

154 **Proposed Draft Concerning Euthanasia.**

155 Forrest Wolfe, Senior Policy Advisor and Committee Aide for Representative Dean  
156 Westlake addressed the board on a proposed draft concerning animal euthanasia for rural  
157 areas. Wolfe noted rural areas are not regularly covered by veterinarians, thus Westlake  
158 wanted to know if there were a way to get licensed veterinarians to mail a euthanasia kit  
159 along with fairly easy to administer instructions to rural pet owners when their pets  
160 needed to be put down humanely instead of the cost of traveling to a larger regional hub  
161 or by using a firearm or something even more horrific and traumatizing. Wolfe ask if the  
162 drafted bill might be a regulation the board would possibly support. Rose said the bill is  
163 not possible at least on the surface because all the drugs used for euthanasia require a  
164 DEA license and it is not legal for a vet to send out controlled drugs. She noted this is the  
165 most glaring problem with the draft. Hagee said to Wolfe, "You have used the word  
166 humanely several times." He asked if Wolfe had ever witnessed very many euthanasia's  
167 using the controlled drugs. Hagee said one of the most humane things you can do to  
168 euthanasia an animal in the bush without a controlled substance is with a firearm. Hagee  
169 said you called that horrific, my question is horrific for whom? The animal, absolutely  
170 not. Rose inserted absolutely, Dr. Hagee if it is done right absolutely. Hagee said it is  
171 horrific only for the person so this is a social issue not a humane issue. For the animal it  
172 is instantaneous. Hagee said he has euthanized his own animal with this method and said  
173 believe me there is a smile on their face as they are being petted and the next nanosecond  
174 they are gone. They are happy. Hagee said it is not the point of the examining board to  
175 pass judgment on what is humane for a person. Hagee said he is against the whole bill.  
176 Rose said if you don't know how to euthanize an animal it can be miserable for the  
177 animal and there is a huge problem with abusing the drugs and getting them in the wrong  
178 hands, which is purely illegal and puts the vet at risk. Geiger said he has witnessed  
179 several euthanasia's and has euthanized his own animal. Geiger noted it requires a  
180 technical skill to euthanize using controlled substances because you do not just inject the  
181 drug under the skin and call it good enough. He said the proposed bill would be creating a  
182 horrible mess if one didn't have technical training. Rose said the bill is just a bit naive to  
183 the process. Bergartt said there are AVMA guidelines for humane euthanasia and a  
184 gunshot is listed. She said she believed there is a three day training by National Animal  
185 Control Association just to train animal control officers to preform euthanasia. There is a  
186 big difference to giving a rabies shot than getting a vein and administrating the euthanasia  
187 drug without any of it going extravascular which would be painful for the animal.  
188 Bergartt said most veterinarians would use a sedative, anti-anxiety medicine or pain  
189 killer before administrating the euthanasia agent so the animal is already in a relaxed  
190 state. She said this is a very technical procedure and there isn't a pill or shot a vet can  
191 send to someone who calls requesting a kit. Bergartt said she is not in support of the

192 proposed bill. Wolfe thanked the board for their time and said he didn't think the bill  
193 would be finalized after meeting with the board. Wolfe said it sounded like a horrible  
194 idea whichever way you look at it and he would advise Representative Westlake to not  
195 proceed further. The board thanked Wolfe for coming to speak to them.

196  
197 **Regulation.**

198 The board moved on to discuss a new proposed regulation for veterinary technicians.  
199

200 **Present regulation reads:**

201 **12 AAC 68.310. VETERINARY TECHNICIAN LICENSING REQUIREMENTS.**

202 (B) employment verification forms completed by the supervising veterinarian verifying  
203 that the applicant has been working at least 700 hours a year for at least two of the  
204 previous three years immediately preceding the date of application, of which one year  
205 must be within this state;

206  
207 **Proposed regulation to read after adding 12 AAC 68.310 (4)(C):**

208 (b)(4)(C) If a technician is fully licensed in another state and meets the employment  
209 verification requirements listed under (b)(4)(B) then they are not required to work for one  
210 year within this state.

211  
212 **Further proposed regulation change for 12 AAC 68.310:**

213 (6) **Verification of licensure as a veterinary technician from all states where the**  
214 **applicant has ever held a veterinary technician license.**

215 (7) Submits any other documentation that the board determines is necessary to determine  
216 whether the applicant meets the requirements of this section.

217  
218 **On a motion duly made by Hagee and seconded by Bergartt and approved**  
219 **unanimously, it was resolved to send the regulation project to the regulation**  
220 **specialist for drafting.**

221  
222 **CE Preapproval for Sandra Willis Hematology and Optimizing Diagnostic Testing**  
223 **for Medical Workups.**

224  
225 The board preapproved 2 hours for veterinarians and veterinary technicians for  
226 Hematology continuing education and 1 CE hour for Optimizing Diagnostic Testing for  
227 Medical Workups for May 15 – 19, 2017.

228  
229 **On a motion duly made by Bergartt and seconded by Rose and approved**  
230 **unanimously, it was moved to approve Dr. Willis's request for 2 CE credits**  
231 **for veterinarians and veterinary technicians for Hematology and 1 CE credit**  
232 **for Optimizing Diagnostic Testing for Medical Workups for May 15 – 19,**  
233 **2017.**

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236 **Agenda Item 9      Annual Report**

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238 Beck is working on the annual report and will submit it to Geary when completed.  
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On a motion duly made by Rose, seconded by Hagee and approved  
unanimously, it was moved to keep the 2017 budget the same as 2016's  
Annual Report.

The next scheduled teleconference board meeting is May 5, 2017 at 9:00. The board  
hopes someone from the Pharmacy board can attend to address concerns and questions  
concerning Senate Bill 74 and the effects it will have on veterinarians.


Rose adjourned the meeting and Bergartt seconded it.

Off the record at 11:03am.

Respectfully submitted:

  
\_\_\_\_\_  
Virginia Geary, Licensing Examiner

Approved:

  
\_\_\_\_\_  
Teresa Beek, DVM, Chairperson  
James H. Hagee, Alaska State Board of Veterinary Examiners

Date: 10-27-2017