

1 **State of Alaska**

2 **DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**

3 **DIVISION OF CORPORATION, BUSINESS AND PROFESSIONAL LICENSING**

4
5 **BOARD OF VETERINARY EXAMINERS**

6 **Minutes of the meeting on Friday, May 24th, 2019**

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8 By the authority of AS 08.01.070(2) and AS 08.98.040, and in compliance with the provisions of AS
9 44.62, Article 6, a scheduled meeting of the Board of Veterinary Examiners was held via teleconference
10 on May 24, 2019.

11
12 **Written meeting minutes reflects a brief overview of the business conducted by the board during**
13 **their meeting. For a more detailed account, please request a copy of the meeting**
14 **recording.**

15
16 The Chair brought the meeting to order at 9:13 a.m.

17
18 **Board Members Present Constituting a Quorum:**

19
20 Present via teleconference

21 James Hagee, DVM- Board Chair

22 Scott Flamme, DVM

23 Chris Michetti, DVM

24
25 Present in person in Juneau

26 Rachael Bergartt, DVM

27 Hal Geiger, PhD

28
29 Staff Members present:

30 Dawn Hannasch- Records and Licensing Supervisor

31 Ilsa Lund- Occupational Licensing Examiner

32
33 **No members of the public were present for this meeting.**

34
35 **Agenda Item: Review Agenda**

36
37 As a new member of the Board, Dr. Flamme was asked by Dr. Hagee to introduce himself to the
38 Board. Dr. Scott Flamme graduated from the University of Saskatchewan- Western College of

39 Veterinary Medicine in Saskatoon. He has lived in Fairbanks for 17 years and works at the Mt.
40 McKinley Animal Hospital. Welcome to Dr. Flamme!

41
42 At this point, Dr. Hagee asked the group to take a few minutes to review the agenda. He asked if
43 there was anything anyone would have liked to add or remove from the agenda. Hearing none,
44 the Board quickly moved on to “Old Business”.

45
46 **Old Business-** Presented by Dr. Geiger: At the last meeting it was requested that information be
47 added to the Board website regarding Continuing Education (CE) courses. The Board would like
48 5 specific requirements for approval of CEs available to the public for reference. The Board
49 would also, eventually, like to see language for CE requirements in regulations.

50
51 Also, two letters were drafted after last meeting to be presented to the Legislature. The
52 Board is wondering what the progress is with that.

53
54 Dawn Hannasch asks for clarification about what letters are pertaining to.
55 Dr. Geiger stated that the letters pertain to previous discussions about the Prescription Drug
56 Monitoring Program (PDMP).
57 Staff will follow up and report back to the Board.

58
59 **Agenda Item: Ethics Reporting**

60
61 Dr. Hagee reported that a private citizen confronted him to ask about whether the Board was
62 concerned about an animal hospital that experienced a rash of animal deaths in their boarding
63 facility over a particular weekend. Dr. Hagee instructed the individual to not provide any details
64 about the incidence to him, but to file a report through Investigations. Let the investigators do
65 the work.

66
67 No other Board Members had anything to report.

68
69 Dawn Hannasch reminded the Board that the Board Chair is the ethics supervisor and normally
70 would determine if there was a violation. Since it is the Board Chair presenting the event, the
71 Board would need to decide if there was an actual violation. The Board brought up no concerns
72 about the reported event.

73
74 **Agenda Item: Review Meeting Minutes**

75
76 Dr. Geiger presented a few grammatical and punctuation corrections to staff. Dr. Geiger also
77 brought up a question about the last meeting minutes (around line 450). This will be reviewed by
78 staff after the meeting. The Board will be able to review and approve the minutes via OnBoard
79 once corrected.

80
81 **Agenda Item: Investigative Report**

82
83 Investigator Nina Ackers presented: Since the last report, 7 matters were opened and 10 matters
84 were closed. There are 4 cases that remain ongoing and one licensee is on probation but in good-
85 standing.

86
87 Dr. Hagee entertained a motion to go into Executive session to discuss further the licensee on
88 probation.

89 **In a motion duly made by Dr. Michetti, and seconded by Dr. Bergartt, in**
90 **accordance with the provisions of Alaska Statute 44.62.310(c): to discuss (2) subjects that**
91 **tend to prejudice the reputation and character of any person, provided the person may**
92 **request a public discussion; (3) matters which by law, municipal charter, or ordinance are**
93 **required to be confidential; and (4) matters involving consideration of government records**
94 **that by law are not subject to public disclosure, and by unanimous approval, it was:**

95
96 **RESOLVED to go off record and enter into Executive Session in accordance with AS**
97 **44.62.310(c).**

98
99 **Off the record: 9:31 a.m.**
100 **On the record: 9:42 a.m.**

101
102
103 **Agenda Item: Division Update**

104
105 Dawn Hannasch:

106 **Travel Issues:** The Governor has mandated, as of February 14th, 2019, that every Board
107 is only allowed one face-to-face (every member in the same room) meeting per fiscal year.
108 Otherwise, technology will be utilized. Zoom, the online video conferencing platform, has been
109 tested by several Boards over the last few months with good results. A Board can request a
110 waiver from Boards and Commissions if there is a necessity that they meet in person for a
111 second time.

112 Out-of-state travel is off-limits unless it is 100% funded by a third-party. There have
113 been instances in which these types of requests have been denied due to public perception. Any
114 questions?

115
116 Dr. Bergartt: Historically there is a meeting every fall concerning American Association of
117 State Veterinary Boards. They, usually, fully pay for two Board members to attend; including
118 airfare, hotels, etc. Sometimes staff can go as well. I'm wondering if that restriction applies to
119 unpaid Board members as well.

120
121 Mrs. Hannasch: We would work very hard on justifying cause and do whatever we can to make
122 that happen.

123

124 Dr. Bergartt stated that she is on the Regulatory Policy Task Force for the AASVB. From her
125 understanding, the Task Force would pay for her to attend, so then Alaska could send two other
126 Board members. Thus, Alaska would be able to have three representatives from the Board at the
127 AAVSB symposium.

128
129 Dr. Geiger brought up that at the last meeting, the Board voted to also send a staff member to the
130 Board Basics and Beyond training in Kansas City, MO that he attended. He found the
131 information extremely valuable and thinks it would be important to send a staff member to the
132 training as well. Dr. Geiger wondered if the vote motioned and passed at the last meeting to send
133 the previous Licensing Examiner to the conference would transfer to the current Examiner, or if
134 a new vote should be cast.

135
136 OLE Lund cited the previous meeting's minutes where the Board passed this motion.
137 As the meeting for this year has already passed, staff will look into sending a liaison to the
138 conference next year.

139
140 **Fiscal Update: Third Quarter for FY 2019:** The finances of the Board is looking well.
141 As a renewal year was just completed, the Board is in a great place financially with a surplus.
142 Next year, a fee analysis will be conducted before going into the next renewal period to assess
143 whether renewal and regular licensing fees should be adjusted.

144
145 At the end of the fiscal year last year, the Board had a deficit of \$37,776.00. However, at the end
146 of 3rd quarter FY 2019, the Board has a surplus of \$130,533.00. The fee analysis next year will
147 be very beneficial to fully assess how the Board is sitting financially. The law states that Boards
148 must be able to support themselves, financially, but having a large surplus could cause other
149 issues including financial hardship to licensees.

150 Dr. Hagee brought up that, last year and the year before, a comprehensive report was made about
151 the Board's finances and the Board made comprehensive recommendations that were then
152 ignored. He asked that if his advice on a matter is not wanted, then to not ask for it. The
153 comprehensive analysis that was ignored has resulted in the huge surplus of funds the Board now
154 has. As a practicing DVM, himself, Dr. Hagee does not want to pay the inflated renewal fees
155 that are now resulting in the surplus and would like to see renewal fees reduced to decrease the
156 surplus of Board funds.

157
158 Mrs. Hannasch: Statutorily, the Division (CBPL) is the setter of fees, but they certainly want to
159 hear feedback from the Board. That is why opinions on this matter are asked. Whether or not
160 they follow through on what your opinion is, she cannot say why they did not. She is new to
161 working with this Board; but, from her experience, she knows that since this year is not a
162 renewal year, the surplus will be eaten away from carrying on normal Board business by the end
163 of FY 2020. She pointed out that the way fees had been set, previously, so that every other year
164 (non-renewal years) the Board goes into a deficit. Ideally, this would be avoided.

165 A fee analysis takes a comprehensive look at the last four years to determine how to
166 proceed.

167
168 Dr. Hagee stated that Mrs. Hannasch is understood and her point is well taken. He then asked a
169 question about indirect expenditures, which seem to be steadily increasing. He inquired as to
170 what constitutes an indirect expenditure and why that expense keeps steadily increasing.

171
172 Mrs. Hannasch informed the Board that those expenditures are all things that are combined. Staff
173 time-keeps by 15-minute increments. The Division Director's salary, our Admin department,
174 employees who receive and process mail, etc. do not follow that process since they work with
175 every program. Every Board is billed based on the size of their program.

176

177

178 **Break from 10:00-10:08**

179

180 **Agenda Item: PDMP**

181

182 -Joining the meeting

183

184 Laura Carrillo- Executive Administrator for the Board of Pharmacy
185 Elaine Brewer- Prescription Drug Monitoring Program (PDMP) Manager

186

187 The third paragraph of the PDMP Vet report is about information updates and imminent changes.
188 - Number 7: Prior to May 15th, the Pharmacy staff was processing all registrations for all
189 professions, including Vets. Beginning May 15th, that process has been delegated to each
190 Licensing Board. Dawn and Ilsa will now be overseeing the licensing for all Vet related PDMP,
191 but will not be responsible for the data reports and compliance.

192 -Number 8: NaRx Care- An enhancement feature that is expected to be initiated within
193 the next month. It is a visual analytics feature that allows providers to see a snapshot of a
194 patient's risk score. It is noted that "patient" in Veterinary terms refers to the animal being
195 treated. But Veterinarians have legal authority to check the patient owner's history. A NaRx
196 Care report is meant to be an informative and helpful tool.

197

198 -Compliance Module feature: Allows the PDMP staff and effected Board's staff the
199 ability to monitor when a licensee has actually reviewed a patient owner's prescription history
200 prior to dispensing a controlled substance. Currently there is not a way to check on an individual
201 prescriber; to see if they are checking the database. It is mandated that prescribers register with
202 and check the database. This will help them know whether an individual needs to be forwarded
203 to investigations.

204

205 -Number 9: Awareness and Feedback Questionnaire is required by the CDC. This was
206 developed and disseminated to our licensees who are required to register. There were 21
207 Veterinarians who participated in the survey. Another survey will be developed, which will be
208 posted on the Vet Board's website and emails will be sent asking for participation. The survey
209 will be 40-50 questions and should only take about 20 minutes.

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-Number 10: Currently 5 initial application pending for Veterinarians in the AWARE platform. There are 7 pending for the paper registration. There could be an overlap, which staff will look into. Staff will get to renewals when they can.

Data: Veterinarians comprise 3.6% of the AWARE database; a number which has not changed in the last 2 years. There are 368 total licensees, 251 of which have registered. 68% are in compliance. 141 Veterinarians have prescribed an opioid since the end of March.

Dr. Hagee pointed out that if one has not registered with the DEA, then one does not need to register in AWARE.

Ms. Carrillo stated that staff should be tracking which licensees have registered with the DEA. OLE Lund confirmed that every initial application for Veterinarians has a checkbox to indicate whether the licensee candidate has a DEA registration number.

Ms. Carrillo then referenced a graph specific to Veterinarians. It shows that login activity in AWARE has been decreasing since January of 2018. The trend for querying is also going down. She wanted it to be noted that, even though 141 Veterinarians prescribed at least one opioid, only 26 queries were performed. That is an indicator as to the utilization of the PDMP and we want to encourage Veterinarian prescribers to check the database.

Dr. Flamme, as a PDMP user, wondered if logging into the system to update a password, as is required every few months, is what causes the increase in use indicated on the graph. Ms. Carrillo clarifies that a query is under a separate tab, therefore indicating a separate data point.

Dr. Geiger asked Ms. Carrillo what information will be in NaRx Care.

Based on three criteria: Sedatives, Stimulants and Narcotics.

Takes a patient's information that is already in the PDMP and displays it in a graphical visualization. Ms. Carrillo will provide further information to OLE Lund to disseminate to the Board. The Board must determine what information fields must be entered to check a patient's history. I.e.: Would a prescriber search the date of birth of the animal patient or the patient's owner. There is a separate tab within the PDMP for animals to inquire about the owner's prescription history.

Dr. Flamme brought up that Alaska is not the only state that has been having issues with logging in to look up owner's history using the DOB of the owner. It is not a very effective system. Many states have opted-out of this program because it is so complex and doesn't really pertain to Veterinarians.

Dr. Bergartt offers some information to bring Dr. Flamme up to speed as he is a new Board member. The Board had decided to write a letter to the Board of Pharmacy detailing the

253 problems with the current system; for example, having no unique patient identifiers as not all
254 animals have a microchip that would contain a number like that of a SSN. This program is
255 completely ineffective for veterinarians to use for drug diversion because of that. We are hoping
256 to hear something from the Board of Pharmacy in response to that letter. A letter was also drafted
257 and sent to the Governor. The software used in tracking this information, in her opinion, is
258 “garbage in, garbage out.”

259
260 Dr. Flamme agreed whole-heartedly and reports that many Vets in the Fairbanks area also agree.

261
262 Dr. Bergartt stated that nation-wide, based on speaking with other practitioners through
263 AAVSB, this is not a problem that is specific to Alaska. Animals don't have SSN, are not all
264 micro-chipped and no one will pay for all animals to be micro-chipped, so the system is
265 ineffective.

266
267 Mrs. Hannasch asks a clarifying question: Some states could opt-out of the PDMP. Who
268 determines what license types must report to the PDMP?

269
270 Laura Carrillo: State Legislation.

271
272 Dr. Hagee: All drug prescribers were painted with the same brush, and that was the point of the
273 letters; to demonstrate that Veterinarians are unique. All state Senators and Representatives
274 received a copy of the letter and a cover letter from Dr. Hagee. He has had a few responses. It's
275 the Legislature that will either approve or deny whether the Veterinary Board and licensees will
276 be exempt from the PDMP program. One Senator, so far, has confirmed that they will carry the
277 baton in our favor. At least we are starting to make some progress. This is a slow and frustrating
278 process, but we have a lot of Veterinarians talking to a lot of Representatives and their Senators
279 to get Alaska Veterinarians exempt from this process.

280
281 Dr. Bergartt: All 50 states have a PDMP in place, but only 16 states currently require
282 Veterinarians to report.

283
284 Dr Hagee said that in his letter to the Governor he stated that Alaska would like to join the
285 majority.

286
287 Ms. Carrillo: In response to the letter that was sent to the Board of Pharmacy: The Board of
288 Pharmacy has since responded, as well as the attorney. That email correspondence has been
289 forwarded to the Board several times. All of the information that the Veterinary Board has
290 requested has been addressed.

291
292 Elaine Brewer, PDMP manager, presented some anecdotal evidence about how the PDMP has
293 been effective in preventing drug diversion in Alaska. A pet owner had been prescribed
294 controlled substances 61 times in the past year and the attending Veterinarian was concerned that
295 animal abuse was involved for the owner to obtain controlled substances.

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- PDMP Renewals

At the last meeting, the Board had determined to have a 180-day grace period for PDMP renewals. The Board chose the long grace period in the hopes that Veterinarians would become exempt from having to register in the mean-time. Ms. Carrillo suggested amending the length of the grace period to keep licensees in compliance. Mrs. Hannasch also reminds the board that, until legislation changes, it is important to protect licensees and encourage them to comply.

Dr. Hagee said that yes, we encourage them to comply, but still give them a long grace period.

A letter was provided as a template to the Board for drafting letters to be sent to licensees about renewing their PDMP registration. Dr. Bergartt suggested that the language “statutorily mandated” be added to the letter. At the last meeting, the Board voted to include to 180 grace period and do not wish to update the length of time of the grace period now.

In a motion duly made by Dr. Rachel Bergartt, seconded by Dr. Chris Michetti with a unanimous vote, it was resolved to have Dr. Jim Hagee represent the Board in legislative matters regarding the PDMP registration exemption.

Agenda Item: New Business

- **Application Review**

The Board would like to continue reviewing applications electronically via redacted email or through the secure site OnBoard. During meetings, the Board would like to review only applications that require further discussion amongst members; for example, an application that was tabled in the online platform, or an application that had to be forwarded to Investigations due to a “yes” answer in the Professional Fitness section of the application.

- **Continuing Education**

-The Board was asked to consider accepting a course on Veterinary Chiropractic in the event of a continuing education audit. The Board has reservations about this because, from their experience, many of the chiropractors that teach these courses are not licensed veterinarians. A few members cited examples of this. Dr. Bergartt is tasked with finding out more information about the AKVMA. Dr. Bergartt pointed out that the Board is not restricting the trade of these individuals, but the Board will not accept the CE credit. If a course does not meet RACE criteria, it will not be accepted by the Board as credit for continuing education.

In a motion duly made by Dr. Hal Geiger, seconded by Dr. Rachel Bergartt with a unanimous vote, the Board resolved to table discussion of accepting Veterinary Chiropractic courses until further information is obtained about the subject.

332 Mrs. Hannasch suggested that the Board start a regulations project to get all the required
333 criteria for a course to be approved for CE into Statutes and Regulations.

334

335 **-Oiled Sea Otter training course:** The Board had previously discussed and passed this
336 matter about a year ago. It is unclear exactly why the topic has come up again.

337 **In a motion duly made by Dr. Hal Geiger, seconded by Dr. Chris Michetti, with a roll call**
338 **vote, it was resolved to accept this course for CE credit.**

339 **Dr. Rachel Bergartt- NO**

340 **Dr. Scott Flamme- YES**

341 **Dr. Hal Geiger- YES**

342 **Dr. Chris Michetti- YES**

343 **Dr. James Hagee- YES**

344

345 **-AKVMA Symposium 2018:** Dr. Hagee entertained a motion to accept the CE for the
346 AKVMA for 2018 ad infinitum. This motion was then duly made by Dr. Geiger for
347 Veterinarians and Veterinary Technicians. Dr. Michetti seconded the motion. However, Dr.
348 Bergartt expressed reservations about approving all future events by this organization. She
349 wonders if the AKVMA has a strong history of presenting speakers of a high caliber, or has it
350 been variable. She would like the AKVMA to submit a program of events every year for Board
351 approval. Dr. Michetti has previously been involved with this organization and can vouch for
352 them in the past, but she understands Dr. Bergartt's reservations about a blanket approval. The
353 previous motion was withdrawn and amended.

354

355 **In a motion duly made by Dr. Hal Geiger, seconded by Dr. Chris Michetti, and a “friendly**
356 **amendment” made by Dr. Rachel Bergartt with a unanimous vote, it was resolved to award**
357 **18 hours total CE credits for Veterinarians and Veterinary Technicians who attended of**
358 **the 2018 AKVMA Symposium.**

359

360 **-AKVTA Radiology:** Dr. Geiger expressed some reservations and requested more
361 information. Dr. Bergartt countered with the fact that the individual teaching the course is a
362 licensed Veterinarian that is known by some members of the Board to have extensive experience
363 in the field. The course is intended to teach Veterinary Technicians to perform radiological
364 exams on animals. Dr. Bergartt would have reservations if the class was intended for
365 Veterinarian, as the instructor is not ACVR certified; however, this is not the case.

366

367 **In a motion duly made by Dr. Hal Geiger, seconded by Dr. Rachel Bergartt with a**
368 **unanimous vote, the Board resolved to approve the request to grant Vet Techs 1 CE credit**
369 **for attending this course.**

370

371

372 **Lunch 11:45- 13:06**

373

374 **Agenda Item: Public Comment-** No members of the public were present to make comments.

375

376 **Agenda Item: Correspondence-** This has been addressed previously in the meeting regarding
377 the letters to Senators and the Board of Pharmacy about the PDMP. The letters written had been
378 brought back to the Board to read, but no follow-up was received about the letters from whom
379 the letters were addressed.

380

381 The Board went on to discuss who they would like to send as a representative to the next
382 AAVSB meeting taking place in St. Louis, MO in late September. Dr. Hagee suggested sending
383 Drs. Michetti and Flamme. Dr. Geiger recommended that a ranking list of alternates also be
384 voted on. That way, if there is a reason a representative is not able to attend, then the next Board
385 member will be given the opportunity to attend. Dr. Geiger gave a synopsis about his positive
386 experience in attending the last AAVSB meeting. Dr. Bergartt notes that AAVSB fully funds
387 travel and accommodation for Board members to attend.

388

389 **In a motion duly made by Dr. Hal Geiger, seconded by Dr. Rachel Bergartt with a**
390 **unanimous vote, the Board resolved to send Drs. Michetti and Flamme to the next AAVSB**
391 **meeting in St. Louis, with Dr. Michetti being the attending voting member. Dr. Flamme**
392 **will be the primary voting member if Dr. Michetti will be unable to attend. Dr. Geiger**
393 **being the alternate if one of them is unable to attend.**

394

395 **Agenda Item: Old Business**

396 **Drafted Regulations**

397 Dr. Hagee gave the floor to Sher Zinn, Regulations Specialist.

398 Zinn addressed the draft copy in the board packet. The reason it was brought back to the Board's
399 attention was because at the last Board meeting 68.045 and 68.046 were not voted on to go out
400 for public comment. Also included with the project was the repeal of the fees for the student
401 permit which was added by the board and approved at the last board meeting.

402 An additional change was also discussed. In the board packet, 12 AAC 68.990(4), under
403 definitions. Zinn noted she had found an error that she would like corrected. The division's
404 name changed, and so many of the definitions had to be changed in various regulations. The
405 change ended up in the not-official version, but it doesn't look like there was ever a regulation
406 project changing the name from Occupational Licensing to Corporations, Business and
407 Professional Licensing, so she would like to add that to this project if possible.

408 Dr. Hagee entertained a motion to accept all.

409 **In a motion duly made by Dr. Hal Geiger, seconded by Dr. Rachel Bergartt with a**
410 **unanimous vote, the Board resolved to accept all proposed regulation changes.**

411

412 **Agenda Item: Task List**

413 Dr. Hagee: Anything that we need to be doing for the next meeting? I think the only two things
414 on the last meeting's list were the two letters. Was there anything else that we were supposed to
415 have done but we haven't?

416 OLE Lund: As far as last meeting is concerned, I am unaware of anything that needs to be
417 followed-up on. From the notes I've taken from this meeting: A lot of it, so far, is general
418 housekeeping that I will be taking care of. The only other thing I have made note of is for Dr.
419 Bergartt to investigate the AVMA to see what qualifications they have to provide continuing
420 education.

421 Dr. Bergartt: I'll get that by the end of next week, hopefully. And, Ilsa, I'll send that to you and
422 you'll disperse it to the Board.

423 **Future Meeting Dates**

424 The Board will need to meet next in September or October. The Board wishes to coordinate
425 their one mandated in-person meeting for FY2020 to coordinate with the AKVMA Symposium,
426 which will be held October 4-6, 2019. The meeting was originally scheduled for October 19th.

427 Rachel Bergartt motions to reschedule the meeting for October 4th, 2019 in Anchorage.

428 The Board wishes to have a meet-and-greet table set up at the symposium as recommended by
429 the attorney for AAVSB and some of the policy directors. Dr. Bergartt made an addendum to
430 her previous motion that this upcoming meeting will be the one in-person meeting for the year.

431 No vote was taken on this matter, but all members are in agreement.

432 The Board also discussed possible future meeting dates: January 17th or 24th; May 15th or 22nd.

433 Dr. Hagee asked Dr. Michetti to coordinate the table for the upcoming Symposium.

434 **The meeting was adjourned at 1:41 p.m.**

435

436 Respectfully Submitted:

437 
438 _____

439 Ilsa Lund
440 Occupational Licensing Examiner

441 1/7/2020
442 _____

443 Date



Dr. James Hagee, Chairman
Alaska Board of Veterinary Examiners

12-2-2019

Date