

1 *State of Alaska*
2 *Department of Commerce, Community and Economic Development*
3 *Division of Corporations, Business and Professional Licensing*
4

5 ***BOARD OF VETERINARY EXAMINERS***

6
7 *MINUTES OF THE MEETING*

8 *Monday, November 16, 2020*

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10 ***By authority of AS 08.01.070(2), and in compliance with the provisions of AS 44.61, Article 6,***
11 ***a scheduled meeting of the Board of Veterinary Examiners (BOVE) was held by***
12 ***teleconference.***
13

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15 ***Agenda Item 1a*** ***Call to Order/ Roll Call*** ***Time 2:00 p.m.***
16

17 *The meeting was called to order by Acting Board Chair, Dr. Hal Geiger, at 2:00 p.m.*
18

19 Board Members present, constituting a quorum:

20 Hal Geiger, PhD- public member- Juneau

21 Chris Michetti, DVM- Anchorage

22 Scott Flamme, DVM- Fairbanks

23 Denise Albert, DVM- Denali Park
24

25 Division Staff present:

26 Ilsa Lund, Occupational Licensing Examiner (Hereafter denoted OLE)
27

28 In accordance with AS 44.62.310(e) and AS 44.62.175, this meeting of the Board of Veterinary
29 Examiners was public noticed in the Alaska Online Public Notice System and in the Anchorage
30 Daily News on October 30th as well as on the board webpage on November 12th.

31 Dr. Geiger began the meeting by reading the mission statement of the Board of Veterinary
32 Examiners:

33 **To protect the health, safety, and welfare of Alaskans by ensuring that**
34 **veterinarian practitioners possess and maintain a level of skill and knowledge**
35 **necessary to provide safe, competent professional veterinary services to consumers**
36 **and to protect the public from veterinary practitioners who pose a risk to the**
37 **public's health, safety, and welfare.**
38

39 ***Agenda Item 1b*** ***Review Meeting Agenda*** ***Time 2:05 p.m.***

40 There were no objections to the meeting agenda as presented.

41 ***Agenda Item 1c***

Ethics

Time 2:07 p.m.

42 There were no ethical concerns or violations to report.

43

44 ***Agenda Item 2***

Prescription Drug Monitoring Program (PDMP)

Regulation Draft Review

Time 2:08 p.m.

46 After the October 27, 2020 meeting, the PDMP Working Group –comprised of Dr. Berngartt and
47 Dr. Flamme –redrafted some of the PDMP regulations discussed during that meeting. There was
48 a brief discussion of the redrafted text.

49 **On a motion duly made by Dr. Michetti, seconded by Dr. Flamme and with unanimous**
50 **approval, it was:**

51 **APPROVED to ACCEPT** the regulations regarding the PDMP as drafted.

52 - A veterinarian may delegate PDMP responsibilities to another licensee within their
53 practice. A veterinarian may only delegate PDMP responsibilities to a person who is licensed
54 under 08.98 as a veterinarian or veterinary technician.

55 - A veterinarian’s delegate must be registered with a separate login in the PDMP. A
56 veterinarian is not permitted to give their login credentials to a delegate. The delegate shall
57 register specifically naming their delegating veterinarian when creating their account.

58 - A veterinarian (or their licensed designee) is NOT required to review (this means query,
59 and additionally the practitioner does not have to report) the client in the PDMP database before
60 dispensing, prescribing, or administering:

61 A) a controlled substance to patient who is receiving treatment

62 (i) in an inpatient setting;

63 (ii) at the scene of an emergency;

64 (iii) in an emergency veterinary hospital*;

65 (iv) immediately before, during, or within the first 48 hours after surgery

66 or a medical procedure**; OR

67 (B) a non-refillable prescription of a controlled substance that is in a quantity

68 intended to last for not more than three days. (AS 17.30.200)

69 - For the purpose of satisfying the requirement in AS 17.30.200(k), a veterinarian (or
70 their licensed designee) shall QUERY the client prior to **prescribing** any federally scheduled
71 controlled substance II-III.

72 - For the purpose of satisfying the requirement in AS 17.30.200(b), a veterinarian (or
73 their licensed designee) shall REPORT under the client when **DISPENSING** any controlled
74 substance (II-IV), unless excused under AS 17.30.200(u). This information must be submitted to
75 the PDMP at least on a daily basis.

76 -Veterinarians who directly DISPENSE federally scheduled II-IV controlled substances
77 must report on a daily basis, including days where no controlled substances were dispensed.

78 - “Query” is defined as accessing the veterinary client’s PDMP information.

79 - “Reporting” is defined as inputting prescription data for the client’s animal patient.

80 - “client” is defined as the person who owns or is responsible for the care of an animal

81 - An emergency veterinary hospital is defined as one with the primary function of
82 receiving, treating, and monitoring of emergency patients during its specified hours of operation.
83 A veterinarian is in attendance at all hours of operation and sufficient staff is available to provide
84 timely and appropriate care. Veterinarians, support staff, instrumentation, medications, and
85 supplies must be sufficient to provide an appropriate level of emergency care. A veterinary
86 emergency service may be an independent, after-hours service; an independent 24-hour service;
87 or part of a full-service hospital.

88

89

90 Dr. Albert commented that the intent of these drafted regulations is to make the PDMP
91 requirements very clear for veterinarians. There had been some feedback from the PDMP staff
92 that certain sections of these drafted regulations here are unnecessary because they are already
93 stated in statute; however, having these requirements restated in veterinary regulations will make
94 it much easier for Alaska veterinarians to find, and therefore comply with the laws.

95 Dr. Flamme noted that much more clarification of jargon is required considering the original
96 intent of AS 17.30.200 was to regulate the PDMP as it applies to human medicine. Because the
97 unique challenges that veterinarians are facing were not anticipated when the bill was passed, it
98 is extremely important to clarify the requirements of the PMDP as they pertain to veterinary
99 medicine.

100 Dr. Michetti commended Drs. Bergartt and Flamme for the work they put into these
101 regulations.

102

104

105 **Animal Massage Position Statement**

106 The working group assigned this task –comprised of Dr. Michetti and Dr. Geiger –drafted two
107 versions. One is a bit longer than the other and includes some sources documenting the benefits
108 of massage, but the core message is the same. Dr. Geiger wanted to ensure that the document
109 was not written in a way that would exclude any professional guild from performing their lawful
110 work. He would prefer to make a strong statement that the veterinary board is not trying to
111 interfere with the practice of animal massage, as long as massage practitioners do not encroach
112 into the area of diagnosis or proscription of treatment. He also felt there is an evidence-based
113 reason to actively state that animal massage has demonstrated benefits. However, he also
114 understands that other board members may want a statement that is more neutral on the topic.

115 Dr. Flamme stated that he liked that the second version of the draft was geared more towards
116 equine and sports medicine. He disclosed that he is acquainted with the author of one of the
117 sources used by Dr. Geiger in drafting the position statement.

118 Other board members briefly commented on the merits of the two drafts before the motion.

119 **On a motion duly made by Dr. Flamme, seconded by Dr. Albert and approved**
120 **unanimously, is was:**

121 **RESOLVED the ADOPT the second version of the letter.**

122 The board’s official position statement on animal massage is now posted on the board’s
123 [webpage](#).

124

125 **Application Review**

126 **On a motion duly made by Dr. Michetti in accordance with AS 44.62.310(c)(2), and**
127 **seconded by Dr. Albert, the board unanimously moved to enter executive session for the**
128 **purpose of discussing subjects that tend to prejudice the reputation and character of any**
129 **person, provided the person may request a public discussion.**

130 **RESOLVED to enter into executive session in accordance with AS 44.62.310(c)(2).**

131 Staff member OLE Lund was authorized to remain in the room.

132 *Off record at 2:26 p.m.*

133 *On record at 2:41 p.m.*

134

135 **Mat-Su Borough Euthanasia Ordinance (OR 20-102)**

136 This topic was brought to the board’s attention by a licensee that wished to remain anonymous.
137 The Matanuska- Susitna Borough Assembly has been proposed an amendment to a local
138 ordinance that would allow for individuals who are not licensed veterinarians –animal safety
139 officers and shelter staff –to perform euthanasia by injection without consulting a veterinarian.
140 The language of the amendment gives such an individual the authority to perform that specific
141 task if they are unable to reach and communicate with a veterinarian.

142 This raises concerns because allowing someone to perform that function and take the decision
143 making away from a veterinarian verges on allowing the unlicensed practice of veterinary
144 medicine. Additionally, there are 66 licensed veterinarians that reside within the Mat-Su
145 Borough (one of the highest concentrations of veterinarians in the entire state), so there should be
146 very few circumstances in which a veterinarian cannot be reached, and certainly not frequent
147 enough to warrant changing the existing laws.

148 The State of Alaska does have a Euthanasia of Domestic Animals Permit Program (Sec.
149 08.02.050) that allows a qualified agency to obtain a permit that then allows them to obtain the
150 injectable euthanizing solutions sodium pentobarbital and sodium pentobarbital with lidocaine.
151 However, it is believed that the intent of the program is to allow communities with little to no
152 access to any veterinarians the option to euthanize a domestic animal by other means besides a
153 firearm.

154 Acting Chair Geiger assigned the writing of a position statement on this topic to Drs. Bergartt
155 and Albert. The Assembly meeting will be held on December 1, 2020 to hear public comment
156 on this amendment. As a result, the final draft of the letter will be reviewed and voted on by the
157 board through electronic means.

158

159 **Other Topics- PDMP**

160 Drs. Flamme and Michetti expressed frustration about the Prescription Drug Monitoring
161 Program. The database is not user-friendly and both practitioners have spent hours over the past
162 few weeks trying to figure out the system and get in touch with the platform provider, Apriss, to
163 address any technical issues. Many practitioners have stopped directly dispensing controlled
164 substances just so they do not have to comply with the daily reporting requirements. Dr. Flamme
165 has made numerous attempts to reach out to PDMP staff and has gotten no response. OLE Lund
166 mentioned that she has, again, recommended to PDMP staff that a veterinarian specific PDMP
167 Town Hall be held as a training opportunity for PDMP affected veterinary licensees. Hopefully,
168 that will be forthcoming in 2021.

169 *Meeting adjourned at 3:13 p.m.*

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173 **Respectfully Submitted,**

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Ilsa Lund

March 11, 2021

177 **Ilsa Lund, Licensing Examiner**

Date

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181

Rachel K. Bergartt, DVM, JD

March 10, 2021

182 **Rachel Bergartt, DVM**

183 **Board Chair, Board of Veterinary Examiners** **Date**

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