

**STATE OF ALASKA  
DEPARTMENT OF COMMERCE COMMUNITY AND  
ECONOMIC DEVELOPMENT  
DIVISION OF CORPORATIONS, BUSINESS  
AND PROFESSIONAL LICENSING  
BOARD OF VETERINARY EXAMINERS**

**MINUTES OF MEETING  
MAY 19, 2006**

By authority of AS 08.01.070(2) and AS 08.98.040, and in compliance with AS 44.62, Article 6, a scheduled meeting of the Board of Veterinary Examiners was held on May 19, 2006, at the State Office Building, 330 Willoughby Ave., Conference Room A, Juneau, Alaska.

**Call to Order/Roll Call/Agenda Review**

The meeting was called to order by Dr. Steve Torrence, Chairperson, at 9:05 a.m.

Those present, constituting a quorum of the board, were:

Dr. Steve Torrence  
Dr. Timothy Bowser, Veterinarian  
Dr. Cynthia Trout, Veterinarian  
Dr. David Hunt, Veterinarian  
Alfred Agree, Public Member

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

Brenda Donohue, Licensing Examiner – Juneau

**Agenda Item 1**

**Review Agenda**

Dr. Torrence reviewed the agenda and asked for updates or additions.

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 2**

Ms. Donohue noted additions to:

- Item #5, Investigative Report
- Item #8, Review FY 2005 Annual Report in Preparation to do FY 2006 Annual Report
- Item #10, Application Review
  - Temporary Permit – James C Ballow
  - Vet Tech & VTNE – Jill Grogan
- Item #13, Office Business
  - Elect New Chairman

**Agenda Item 2**

**Review/Approve Minutes**

**On a motion duly made by Dr. Bowser, seconded by Dr. Hunt, and approved unanimously, it was**

**RESOLVED to approve the January 20, 2006 minutes as presented.**

**On a motion duly made by Dr. Bowser, seconded by Dr. Hunt, and approved unanimously, it was**

**RESOLVED to approve the February 8, 2006 minutes as presented.**

**Agenda Item 3**

**Ethics Disclosure**

There were no ethics violations to report from any board members.

**Agenda Item 4**

**Budget Report**

Upon review of the budget it was noted that to-date FY 2006 expenses are \$47.4 thousand, and revenues are \$27.2 thousand. This is a non-renewal year, and it's normal to have greater expenses than revenues. The board reviewed the budget and had no corrections.

They did ask for clarification of "Nontax Reimbursement" and "Mgmt/Consulting". Ms. Donohue consulted with Cathy Mason who provided the following explanation. "Nontax

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 3**

Reimbursement” is miscellaneous travel expenses, and  
“Mgmt/Consulting” is contracts for examinations and testing.

**Agenda Item 5**

**Investigative Report**

As the board was ahead of schedule, and Mr. Faulkenburry was not in attendance, the board moved on to Item #6.

**Agenda Item 6**

**Correspondence**

The board reviewed all correspondence presented at the meeting and noted there were several items needing a response.

- American Assoc of Veterinary State Boards, (AAVSB), – “Proposal for Veterinary Technician Professional Standard (VTPS). This is a survey to gather input from state boards regarding the professional development of veterinary technicians and ranking of issues in order of priority, cost and their ability to achieve the desired results. Ms. Donohue will fax a copy of the Board’s response to the survey to AAVSB following the meeting.
- Email from AAVSB introducing Dottie Martin as the new RACE Coordinator and providing her contact information. No action required.
- Memo from AAVSB advising state boards there has been a breach of security involving the NAVLE in that examination questions have been posted to an online bulletin board by two candidates. Both candidates were taking the NAVLE as part of the requirements for certification by the AVMA’s Education Commission for Foreign Veterinary Graduates (ECFVG). No action required.
- Letter from AAVSB outlining updates on the Program for the Assessment of Veterinary Education Equivalence, (PAVE). No action required.
- VTNE Newsletter. No action required.
- Email from Kathy Hunt, AAVSB, advising of the update to the Definition of Discipline, which was last adopted by the AAVSB Board of Directors in 1996. The new definition clarifies final board action, changes the name from “National Disciplinary Databank” to “Licensure Information Database” and revises the entity responsible for this database from PES to AAVSB. Ms. Donohue will forward a copy of this correspondence to Jasmin Bautista in the Division’s Investigative Unit.

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 4**

- AAVSB Nominating Form for positions on the Board of Directors, term 2006-2007. Following discussion the board made the following motion:

**On a motion duly made by Mr. Agree, seconded by Dr. Hunt and approved unanimously, it was**

**RESOLVED to nominate Dr. Timothy Bowser for a Director position on the AAVSB Board of Directors.**

Ms. Donohue will fax the nomination form to AAVSB following the meeting.

Upon further discussion the board moved to send a representative to the AAVSB Annual Conference.

**On a motion duly made by Dr. Torrence, seconded by Dr. Trout and approved unanimously, it was**

**RESOLVED to have Dr. Timothy Bowser attend the AAVSB Annual Conference in Kansas City, MO., Sept. 15-17, 2006.**

A list of correspondence reviewed will be attached as an integral part of the minutes.

**Recess**

**The board recessed at 9:52 a.m.; reconvened at 10:10 a.m.**

**Agenda Item 8**

**Goals and Objectives FY 06**

The board moved on to Agenda Item 8 while waiting for Mr. Faulkenburry to join the meeting for the Investigative Report.

The first item for review is to update the Jurisprudence Exam and answers to assure it is aligned with updated laws. To maintain the security of the exam the board decided to go into Executive Session.

**On a motion duly made by Dr. Bowser, seconded by Mr. Agree and approved unanimously, it was**

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 5**

**RESOLVED to enter executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Right to Privacy Provisions, for the purpose of reviewing and updating the Jurisprudence Exam.**

**Entered into executive session at 10:15 a.m.**

**Out of executive session at 10:55 a.m.** The board came out of executive session because Mr. Faulkenburry joined the meeting via teleconference. They will go back into executive session following the presentation of the Investigative Report to continue to review the Jurisprudence Exam.

**Agenda Item 5      Investigative Report**

Mr. Faulkenburry joined the meeting via teleconference from Anchorage at 10:55 a.m. to present the Investigative Report.

There are currently seven (7) open cases and two (2) cases have been closed since the last meeting.

Open Cases

3100-05-003 Continuing education issues. Case opened by the Juneau Paralegal.

3100-05-007 Alleged negligence or incompetence.

3100-05-009 Alleged negligence or incompetence.

3100-05-010 Alleged negligence or incompetence.

3100-05-011 Alleged negligence or incompetence.

3100-05-013 Alleged negligence or incompetence.

3100-06-001 Alleged negligence or incompetence.

Closed Cases

3100-05-01 Alleged failure to maintain records. The Division forwarded a letter of advisement based on review and recommendations of Dr. Bowser.

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 6**

3100-05-07 Alleged negligence. The Division forwarded a letter of advisement based on review and recommendations of Dr. Trout.

**On a motion duly made by Dr. Hunt, seconded by Mr. Agree and approved unanimously, it was**

**RESOLVED to accept the Investigative Report as presented.**

**On a motion duly made by Dr. Torrence, seconded by Dr. Hunt and approved unanimously, it was**

**RESOLVED to return to executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Right to Privacy Provisions, for the purpose of reviewing and updating the Jurisprudence Exam.**

**Entered into executive session at 11:03 a.m.**

**Out of executive session at 11:16 a.m.**

Ms. Donohue will update the Jurisprudence Exam.

**Agenda Item 7 Public Comment**

There were no public members present.

**Agenda Item 8 Goals and Objectives FY 06**

The board continued to review their Goals and Objectives for FY 2006.

The board reviewed the FY 2005 Annual Report in preparation for compiling the FY 2006 Annual Report. Dr. Torrence will draft the Narrative Statement, and Dr. Hunt will draft the Legislative Recommendations. Ms. Donohue will compile the statistical data.

Discussion followed regarding the board adopting PAVE guidelines on foreign graduated veterinarians. The board requested Ms. Donohue forward to them all PAVE correspondence received prior to the October board meeting. They will review this

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 7**

item again at that meeting, incorporating any new information received.

The board will review the Veterinary Handbook at the October 2006 meeting to ensure it includes the most current technical and clinical information available.

**Agenda Item 10**

**Application Review**

**CONTINUING EDUCATION RENEWAL AUDIT REVIEW**

The board reviewed CE documentation submitted by Ellen Budahl, who had been chosen in the random audit of veterinary license renewals.

**On a motion duly made by Dr. Bowser, seconded by Dr. Trout and approved unanimously, it was**

**RESOLVED to approve the continuing education documentation submitted by Ellen Budahl as meeting the requirements of the renewal audit.**

Discussion followed and the board set a policy that starting with the upcoming license renewal, a list of courses attended at a conference or association annual meeting will be required along with the certificate of completion for that conference to verify continuing education activities.

When license renewals are sent out the board requested the division to include a form the licensees can use to keep a record of their continuing education activities.

**CONTINUING EDUCATION COURSE APPROVAL APPLICATION**

At the January 20, 2006 meeting the board reviewed an application for a continuing education course approval submitted by Jeanne Olson, DVM, entitled "The Immune System Under Siege: New Clinical Approaches to Immunological Imbalances in the 21<sup>st</sup> Century", sponsored by The Institute for Functional Medicine. This course provides continuing medical education for physicians, and the board tabled further discussion to the May 19, 2006 meeting. Ms. Donohue posted a question on the AAVSB list-serve inquiring what other state's policy is on continuing education not

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 8**

directed specifically to animal care. She included the responses in the board packet.

**On a motion duly made by Dr. Bowser, seconded by Dr. Hunt and approved unanimously, it was**

**RESOLVED to approve the course if it is approved by the Accrediting Council for Continuing Medical Education, (ACCMA).**

**On a motion duly made by Dr. Bowser, seconded by Mr. Agree and approved unanimously, it was**

**RESOLVED to disapprove the course if it is not approved by the Accrediting Council for Continuing Medical Education, (ACCMA).**

Ms. Donohue will follow-up on this item and advise the board of the results of her research.

**VETERINARY TEMPORARY PERMIT**

The board reviewed the application file for James C. Ballow for Veterinary Temporary Permit.

**On a motion duly made by Dr. Bowser, seconded by Mr. Agree and approved unanimously, it was**

**RESOLVED to approve the application for Veterinary Temporary Permit for James C. Ballow.**

**VETERINARY TECHNICIAN APPLICATION AND  
APPLICATION TO SIT FOR THE VETERINARY TECHNICIAN  
NATIONAL EXAM**

**On a motion duly made by Dr. Hunt, seconded by Dr. Trout and approved unanimously, it was**

**RESOLVED to approve the application to sit for the Veterinary Technician National Exam for Jill Grogan, and upon successful passage approved her application for Veterinary Technician licensure.**

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 9**

**Agenda Item 9**

**LUNCH**

Off record at 12:00 p.m.  
Back on record at 1:30 p.m.

**Agenda Item 8**

**Goals and Objectives FY 06**

Ms. Donohue played a promotional DVD from PAVE explaining what the program is and outlining their goals and objectives.

**Agenda Item 11**

**Regulations**

Gayle Horetski, from Dept. of Law, and Jun Maiquis, the Division's Regulation Specialist, joined the meeting.

Ms. Horetski reviewed the proposed amendments to 12 AAC 68.045 and 12 AAC 68.046. She pointed out how the wording in the draft language is in conflict with the statute, specifically noting that by adding the word "passing" to 12 AAC 68.045(a)(4) it changes the intent of AS 08.180 Temporary License. She then pointed out that adding "within a 12-month period" confuses the intent of AS 08.68.186.

Discussion ensued. The board determined their intent was to clarify the current regulations, but upon reconsideration they can see where the changes cause confusion and actually change the intent of the statute. They determined the requested change from 90 days to 120 days for all supporting documentation to be received by the division for an applicant requesting approval to sit for the NAVLE remain.

The board further clarified that an extension request for a Temporary Permit must be consecutive to the original permit. They further stated an individual can have more than one Temporary Permit in a 12-month period. This could occur if an individual covered the practice of Dr. A, and at some time later, he covered the practice of Dr. B.

**On a motion duly made by Dr. Bowser, seconded by Dr. Hunt and approved unanimously, it was**

**RESOLVED to withdraw the proposed amendments to 12 AAC 68.045 and 12 AAC 68.046 from the Regulation Project.**

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 10**

**Agenda Item 12      Proposed Action Filing**

Terry Thurbon and Administrative Law Judge Dale Whitney of the Office of Administrative Hearings joined the meeting at 2:15 p.m.

Ms. Thurbon provided training on the new Office of Administrative Hearings procedures, to update the board prior to their consideration of the proposed Decision and Order in Case # 3100-05-003, Dr. Frederick "Judge" Robert Conniff, DVM.

Dr. Torrence recused himself from the meeting for the board review of case 3100-05-003 as he has a conflict of interest in this case because he works with the defendant. He appointed Dr. Bowser as Acting Chairperson for this portion of the meeting.

**Recess                      The board recessed at 3:00 p.m.; reconvened at 3:13 p.m.**

Ms. Donohue noted for the record that Dr. Conniff was advised that his case was to be acted upon by the board at this meeting and that he was welcome to attend. He is not in attendance.

**On a motion duly made by Mr. Agree, seconded by Dr. Trout and approved unanimously, it was**

**RESOLVED to enter executive session in accordance with AS 44.62.310(c)(2) and (3), and Alaska Constitutional Right to Privacy Provisions, for the purpose of reviewing case 3100-05-003.**

**Entered into executive session at 3:22 p.m.**

**Out of executive session at 4:10 p.m.**

**On a motion duly made by Mr. Agree, seconded by Dr. Hunt and approved unanimously, it was**

**RESOLVED to adopt Option 2 of the Decision and Order in case 3100-05-003, that in accordance with AS 44.64.060(e)(3), revises the enforcement action, determination of best interest, order, award, remedy, sanction, penalty, or other disposition of the case as follows:**

- 1.      Impose a civil penalty of \$1500, with \$1500 suspended.**

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 11**

2. **A written reprimand stating: Dr. Conniff has admitted that he did not complete the continued competence requirements for the 2005-2006 licensing period as he indicated on his renewal application.**

**The Board hereby reprimands Dr. Conniff for not exercising due care in ensuring that all continued competence requirements are properly met on time.**

3. **Mandatory continuing education audit for two renewal cycles.**

Dr. Bowser signed Non-Adoption option 2 revised as stated above.

Dr. Bowser requested Ms. Donohue to include as an agenda item for the October 20, 2006 meeting review of the continuing education paragraph of the license renewal application.

Dr. Bowser relinquished the Chairman position to Dr. Torrence for the remainder of the meeting.

**Agenda Item 13**

**Office Business**

- Travel Authorizations

The board reviewed, signed and submitted all available receipts for Travel Authorizations.

- Sign Wall Certificate

Dr. Torrence and Dr. Bowser signed wall certificates.

- Confirm Next Meeting Date

October 20, 2006  
Fairbanks, Ak.

- Sign Minutes

Dr. Bowser signed the approved January 20, 2006 and February 8, 2006.

- Election of Chairperson

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 12**

**On a motion duly made by Mr. Agree, seconded by  
Dr. Trout and approved unanimously, it was**

**RESOLVED to re-elect Dr. Steven Torrence as the  
board Chairperson.**

- Agenda Items for Next Meeting
  - Review CE paragraph of license renewal application
  - Review Handbook to ensure it includes most recent technical and clinical information

**Agenda Item 17      Unfinished Business**

There was no unfinished business to discuss.

**BOARD OF VETERINARY EXAMINERS  
MINUTES OF MEETING  
MAY 19, 2006  
PAGE 13**

There being no further business Dr. Torrence called for a motion to adjourn the meeting.

**On a motion duly made by Dr. Hunt, seconded by Dr. Trout and approved unanimously, it was**

**RESOLVED to adjourn the meeting of the Board of Veterinary Examiners.**

The board adjourned the meeting at 4:30 p.m.

Respectfully submitted:

---

Brenda Donohue, Licensing Examiner

Approved:

---

Steve Torrence, DVM, Chairperson  
Alaska State Board of Veterinary Examiners

**Date:** \_\_\_\_\_

# Task List

Dr. Steve Torrence:

Prepare FY 2006 Annual Report Narrative Stmt.

Dr. Cynthia Trout

Dr. Timothy Bowser

Dr. David Hunt

Prepare FY 2006 Legislative Recommendations

Alfred Agree

Brenda Donohue

- **Pass on to Board changes in other state's Practice Acts.**
- **Prepare travel authorization for Dr. Bowser to attend AAVSB Annual Conference, 9/15-17/06**
- **Fax AAVSB nomination form whereby board nominated Dr. Bowser for a Director Position on BOD**
- **Update JP Exam**