

**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 6, 2011**

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 6, 2011, at the State Office Bldg., 333 Willoughby Ave, Conf. Rm. A, Juneau, Alaska.

Call to Order/Roll Call/Agenda Review

The meeting was called to order by Dr. Margaret Eastman, Acting Chairperson, at 9:10 a.m.

Those present, constituting a full board, were:

Dr. Margaret Eastman, DVM – North Pole
Dr. John Tuomi, DVM - Palmer
Dr. Teresa Beck, DVM – Palmer
Mr. Martin Buser, Public Member – Big Lake

There is currently one vacant position on the Board.

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. Eastman reviewed the agenda and asked for updates or additions.

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 2**

Ms. Donohue noted the following additions to the agenda:

- **Item #4 – Budget Report**
- **Item #5 – Investigative Report**
 - List of Implemented Veterinary Sanctions
- **Item #7 – Misc. Correspondence**
 - RAIVE – Registry of Alternative & Integrative Veterinary Medical Education
- **Item #9 – Regulations**
 - HB28 – Passed – Review for New Regulations
 - HB139 – Not Passed
- **Item #11 – CE Audit Review**
- **Item #12 – Application Review**
 - Dr. Eastman email re: CHI Institute

On a motion duly made by Mr. Buser, seconded by Dr. Beck, and approved unanimously, it was

RESOLVED to approve the Agenda as amended.

Agenda Item 2 Review/Approve Minutes

The board reviewed the minutes of the Jan. 28, 2011 meeting.

On a motion duly made by Dr. Tuomi, seconded by Dr. Beck, and approved unanimously, it was

RESOLVED to approve the Jan. 28, 2011 meeting minutes as presented.

Agenda Item 3 Ethics Disclosure

There were no ethics violations to report from any board members. Ms. Donohue reviewed the Executive Branch Ethics Law.

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 3**

Agenda Item 4 Budget Report

FY 2011 figures as of April 27, 2011 reflect \$68,698 thousand in expenses, and \$145,790 thousand in revenue. Ms. Donohue brought the Board's attention to the new format for the Budget Report and explained that is how the Legislative Audit formats the report, and the Director has instructed the change to reflect the same format.

The Board is ahead of schedule, and determined to move on to Agenda Item 7 until Ms. Bundick joins the meeting at 9:45 a.m. to give the Investigative Report.

Agenda Item 7 Miscellaneous Correspondence

The Board reviewed all correspondence presented at the meeting.

Robert Gerlach, DVM, State Veterinarian – Dr. Gerlach asked the Board's position on an animal control office requesting and receiving all information from a veterinarian about an animal they had picked up. The specific question is if the owner's name can be released to animal control without a signed authorization from the owner. The Board determined the owner's name can be released to the verified animal control authority, via a written request on letterhead, or some means to establish the requestor is the proper authority. Ms. Donohue will forward the Board's reply to Dr. Gerlach.

Agenda Item 5 Investigative Report

Ms. Bundick joined the meeting via telephone to present the Investigative Report at 9:45 a.m.

Ms. Bundick reported there are currently six (6) open investigations, and four (4) open complaints. She then noted eight (8) cases were closed since the last meeting.

Ms. Bundick then advised the Board should go into Executive Session to discuss a case.

On a motion duly made by Dr. Eastman, seconded by Dr. Tuomi 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 an Investigation case.

Entered into executive session at 9:53 a.m.
Out of executive session at 9:55 a.m.

Ms. Bundick then reviewed a list of sanctions used in past Consent Agreements which she provided to the Board as a sample they can use in developing a sanction list as a

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 4**

guide to the Investigative staff for negotiating future Consent Agreements. The Board reviewed and discussed the list. They determined that currently there are so few discipline cases they will hold off on developing a list, and let the Investigator handle each case on its own merits. If there is a change in the volume of discipline cases, they will revisit this task.

There being no further Investigative business, Dr. Eastman thanked Ms. Bundick and she left the meeting at 10:15 a.m.

Recess

The board recessed at 10:15 a.m.;

Reconvened at 10:25 a.m.

Agenda Item 7 Miscellaneous Correspondence (cont'd)

Registry of Alternative and Integrative Veterinary Medical Education (RAIVE) – Letter from RAIVE explaining who they are and what they do. The Registry was organized to judge the appropriateness of Complementary and Alternative Veterinary Medicine (CAVM) because the RACE committee of the AAVSB appointed a single member to be the sole arbiter of what is and is not acceptable for CEUs in CAVM. RAIVE's position is that for veterinarians trained in conventional medicine it is impossible for any single veterinarian to be an expert in all areas of veterinary medicine. The Board asked Ms. Donohue to reply to RAIVE and request they provide their organization structure, review, evaluation and assessment procedures, as well as related policies so the Board can analyze their process.

AAVSB – Annual Meeting is in New Orleans, LA, Sept. 15-17, 2011. The Board appointed Dr. Beck to attend that meeting. Dr. Beck will check her schedule and advise Ms. Donohue if she is free during that time. Ms. Donohue advised her to not make any arrangements until the travel is approved.

AVMA – The Board received two letters from AVMA advising full accreditation was granted to the Universidad Nacional Autonoma de Mexico (UNAM) Facultad de Medicina Veterinaria y Zootecnia, located in Mexico City, on March 6-8, 2011. Full accreditation was also granted to Ross University School of Veterinary Medicine, St. Kitts, West Indies, for a period of seven years on March 6-8, 2011.

AAVSB – RACE Program – As a result of several RACE providers contacting Member Boards to express their disagreement with the RACE Standards, policies and procedures, Executive Director Robyn Kendrick provided a memorandum which details the RACE committee structure, review procedures and related policies. Information only.

AAVSB – Bylaws and Resolution Committee's Call for Resolutions. Information only.

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

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 5**

As the Board is ahead of schedule they determined to move forward on the Agenda until lunch.

Agenda Item 8 Regulations/Legislation

Ms. Donohue directed the Board to review of HB28 which passed into law during this legislative session. The bill provides for a temporary courtesy license for certain nonresident professionals and to a temporary exemption from fees and other licensing requirements for active duty members of the armed forces. The appropriate board may issue a temporary courtesy license to the spouse of an active duty member of the armed forces of the United States if the spouse applies to the department or appropriate board in the manner prescribed by the department or board. The Board must review the new law to determine if they must draft regulations to meet the new requirements. Ms. Donohue advised she will learn more about this law, and research if the Division may be considering drafting centralized regulations to implement the statute. She will keep the Board chairman advised.

Dr. Eastman reminded the members of the on-going review and discussion of the veterinary technician regulations. Discussion ensued regarding whether to clarify 12 AAC 68.310(b)(4)(B) by stating the number of hours per year an applicant for approval to sit for the veterinary technician national exam must have been employed for purposes of training. It was determined to add the requirement that an applicant must have been working 700 hours a year for at least two of the previous three years immediately prior to date of application. This will be added to the next regulation project the Board initiates.

HB 139 – Ms. Donohue directed the members to a copy of HB 139, sponsored by Rep. Peggy Wilson, deleting the wording in AS 08.98.165(a), and AS 08.98.184(1), [HAS SUCCESSFULLY COMPLETED THE EDUCATION COMMISSION FOR FOREIGN VETERINARY GRADUATES CERTIFICATION PROCESS] and replacing it with **is a graduate of a nonaccredited veterinary school and has successfully completed a certification program approved by the board.**

Discussion followed and the Board's position on this legislation is that their primary goal is to allow acceptance of the PAVE program. They do not object to the language of the bill, however they would also be comfortable with the ECFVG and PAVE both being named in statute. If the bill were to pass as is, the Board would initiate a regulation project to include PAVE as an acceptable program for foreign-trained veterinarians to have completed in order to qualify for licensing in Alaska.

At the time the Board initiates a regulation project they will pursue discussion regarding a change in regulations to allow for veterinary technicians in rural communities to work for a veterinarian in another community, long distance, i.e., telephone and electronic monitoring and review.

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 6**

Following discussion the Board determined to include in the same regulation project the addition of government agencies, such as USDA, Public Health, Fish & Game, as approved continuing education providers to 12 AAC 68.230.

Ms. Donohue advised the Board there is a moratorium on contacting Dept. of Law with new requests because the Division FY 2011 budget has been exceeded in this area. The Board's request to seek the Dept. of Law's advice regarding referring clients to non-veterinary health care professionals who hold a license in other health provider areas such as chiropractic and physical therapy, acupuncture, etc. will be pursued when the moratorium is lifted.

Agenda Item 6 Public Comment

Dr. Eastman noted there were no members of the public present.

Agenda Item 12 CE Course Approval Application Review

Dr. Eastman requested the Interior Alaska Veterinary Medical Association to provide dates and location of presentation, number of CE hours awarded, agenda of presentation with times annotated, summary of presentation and copy of the completion certificate for the Anesthesia and Pain Management program that was presented in Feb. 2011. That information has not yet been provided. This request will be sent to the Board members via mail ballot when Ms. Donohue receives the material.

The Board returned to review of a request from the CHI Institute that was tabled at the Jan. 28, 2011 meeting. Following review of the regulations it was determined the Board does not have the latitude to rule on their request as they do not fall under any of the acceptable entities listed in 12 AAC 68.230, specifically they are not a continuing education program sponsored by the American Veterinary Medical Association; the American Animal Hospital Association; a state veterinary association; an accredited veterinary school; other formal, organized professional association approved by the board; provider of correspondence courses approved by the board; or the American Association of Veterinary State Boards RACE program. Dr. Eastman directed Ms. Donohue to reply to them with the Board's ruling.

Agenda Item 10 Goals & Objectives FY 2011

Dr. Beck read the Goals & Objectives FY 2011 into the record as follows:

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 7**

**BOARD OF VETERINARY EXAMINERS
GOALS AND OBJECTIVES
FY 2011**

1. Continue membership in the American Association of Veterinary State Boards and send one member to a national regulatory board meeting.
2. Continue to implement, monitor, and develop the jurisprudence mail-out state examination. The jurisprudence exam will be reviewed for accuracy annually at the Jan/Feb. meeting.
3. Continue licensing veterinarians and veterinary technicians and continue monitoring continuing education hours.
4. Continue to review and evaluate current statutes and legislative proposals and develop new proposals as needed.
5. Monitor investigations and continue to support alternate methods to expedite the investigative process.
6. Monitor current probation cases.
7. Resolve ongoing investigations/litigation in a timely fashion through direct involvement of the board in the early review process.
8. Continue to update the Veterinary Handbook annually at the October meeting. A mailing of the Handbook will occur following a major revision.
9. Continue to review and evaluate current regulations and regulatory fees and develop new regulations as needed.
10. Continue to monitor continuing education programs and requirements.
11. Continue to monitor budget as it pertains to the self-supporting fees.
12. Continue to pursue the mission and vision statements of the board.
13. Promote AVMA (ECVFG) and AAVSB (PAVE) guidelines for licensing foreign educated veterinarians.
14. Promote on-line license renewal.
15. Review issues and update veterinary technician regulations.

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 8**

LUNCH

Off record at 12:00 p.m.
Back on record at 1:15 p.m.

Agenda Item 11 CE Audit Review

Following review of the continuing education random audit of renewed veterinary licensees, the Board took the following action:

On a motion duly made by Dr. Beck, seconded by Dr. Tuomi, and approved unanimously, it was

RESOLVED to approve the continuing education audit for the following licensed veterinarians:

Berton Gore, DVM, #45	Lee Philo, DVM, #84
Phillip Meyer, DVM, #107	Richard McCartan, DVM, #112
Carol Nielsen, DVM, #161	Julie Grohs, DVM, #165
Julia Devins, DVM, #206	Diane Ecklund, DVM, #254
Robert Gerlach, DVM, #255	Corltand Zachel, DVM, #260
Stuart Nelson, DVM, #271	Judith Masteller, DVM, #294
Lanier Hamilton, DVM, #304	Victor Walker, DVM, #357
Timothy Thunell, DVM, #366	John Lavach, DVM, #371
James Hagee, DVM, #439	Keri McDowell, DVM, #459
Michael Whittington, DVM, #505	Stacey Neils, DVM, #532
Kelly Reagan, DVM, #547	Catherine Versteeg, DVM, #549
Lindsay Wingerter, DVM, #566	Cynthia Collins, DVM, #575
Shannon Webb, DVM, #595	
Jacqueline Frederickson, DVM, #172	

On a motion duly made by Dr. Beck, seconded by Dr. Tuomi, and approved unanimously, it was

RESOLVED to approve the continuing education audit for Jerry Froeschle, Veterinary License #89, pending receipt of a list of courses taken at the Western Veterinary Conference, Feb. 14-18, 2010.

On a motion duly made by Dr. Beck, seconded by Mr. Buser, and approved unanimously, it was

RESOLVED to approve the continuing education audit for James Delker, Veterinary License #507, pending receipt of a list of courses taken at the AAHA Phoenix 2009 Yearly Conference, March 26-29, 2009.

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 9**

On a motion duly made by Dr. Beck, seconded by Dr. Tuomi, and approved unanimously, it was

RESOLVED to approve the continuing education audit for the following licensed veterinary technicians:

Holly VanPelt, #37	Jenine Brown, #69
Tracy Corneliussen, #141	Yvonne Leutwyler, #169
Jennifer Wambach, #209	Jill Grogan, #215
Patricia McCall, #246	Laura Shipman, #247
Chelsea Lechner, #263	Jessica Sinclair-Chamberlin, #269
Rebecca Walser, #271	Heidi Campbell, #273
Elizabeth Neylon, #275	

Agenda Item 12 New/Old Business

Ms. Donohue advised the Board that she had contacted the Licensing Examiner for the Chiropractic Board to relay that the Veterinary Board would welcome a visit by Dr. Walter Campbell at a meeting to discuss veterinary chiropractic. Ms. Windom assured she had forwarded the information on to her Board for discussion, and would be in touch with their decision on how they would like to proceed.

Agenda Item 13 Office Business

- Confirm Next Meeting Date

OCT. 7, 2011
Fairbanks, AK.

- Sign Minutes

Dr. Eastman signed the minutes for the Jan. 28, 2011 meeting.

**BOARD OF VETERINARY EXAMINERS
MINUTES OF MEETING
MAY 6, 2011
PAGE 10**

Agenda Item 14 Adjourn

There being no further business Dr. Eastman called for adjournment of the meeting.

The board adjourned the meeting at 3:00 p.m.

Respectfully submitted:

Brenda Donohue, Licensing Examiner

Approved:

Margaret Eastman, DVM, Acting Chairperson
Alaska State Board of Veterinary Examiners

Date: _____

Task List

Dr. Teresa Beck

Dr. John Tuomi

Dr. David Hunt

Dr. Margaret Eastman

Send WI Practice Act re: vet techs pulling teeth (vet tech duties)

Martin Buser

Brenda Donohue

Reply to Dr. Gerlach re: release of information to animal control agencies
Request further information from RAIVE so the Board can analyze their process