

UNAPPROVED DRAFT
VIRGINIA BOARD OF VETERINARY MEDICINE
MINUTES OF FULL BOARD
HOTEL ROANOKE AND CONFERENCE CENTER
ROANOKE, VA
FEBRUARY 21, 2008

- CALL TO ORDER:** A quorum of the Board of Veterinary Medicine was called to order at 9:00 a.m. at the Hotel Roanoke and Conference Center, 110 Shenandoah Ave., Roanoke, VA
- PRESIDING OFFICER:** Henry McKelvin, DVM, President
- MEMBERS PRESENT:** George Siemering, DVM
Taryn Singleton, LVT
Jana Froeling, DVM
James DeBell, DVM
John Wise, DVM
Dorothy Blackwell
- STAFF PRESENT:** Elizabeth Carter, Executive Director
Terri Behr, Operations Manager
Jack Kotvas, Assistant Attorney General
- OTHERS PRESENT:** Raymond Hyde, DVM
Susan Seward
Kelly Gottschalk, DVM
Tom Massie
Rick Hartigan
Melinda Freckleton, DVM
Stephanie Supureunt
Hanina Hyde
Randy Dauhr, DVM
Erika Beck
Myles Hopton
Lauren Keating
Meredith Barlow
Steven Karras
- ACCEPTANCE OF AGENDA:** On properly seconded motion by Ms. Blackwell, the Board voted unanimously to revise the agenda by adding discussion of an e-mail received regarding the practice of chiropractic on animals.
- PUBLIC COMMENT:** Dr. Raymond Hyde presented public comment regarding the American School of Equine Dentistry, which he founded. He stated that there

have been many shortcomings in this field because of lack of training and that is why he started his school. He stated that he is here before the Board to offer any assistance or information to the Board as far as the acceptance of his program as an avenue for registration as an equine dental technician. Dr. Hyde stated that there are many problems with this law.

Dr. Carter advised that the Board of Veterinary Medicine did not propose this law and had no role in advocating its passage. She stated that the Board's duty was to promulgate regulations based on the criteria set out in the law and in keeping with current standards of professional regulation.

Mr. Kotvas advised that Delegate Scott was the patron of the bill requiring regulation of equine dental technicians. He stated that the Board appreciates his concerns; however, the appropriate venue for them is the General Assembly which is still in session.

Dr. Carter also advised Dr. Hyde that the Virginia Department of Education has a program for accrediting proprietary schools and he may wish to contact them regarding his school. She reported that the Board of Veterinary Medicine is not an accrediting body for the state nor does it approve individual training programs.

She stated the National Organization for Competency Assurance (NOCA) and the American National Standards Institute (ANSI) have existed for decades and provide national standards for professional and occupational accrediting bodies and examining organizations. Many credentialing bodies, such as the American Veterinary Medical Association, and other national professional bodies are members. These national standards are designed to ensure the public's protection against inadequately trained practitioners and the candidate's protection against civil rights discrimination and the problems associated with programs that may be here today and gone tomorrow.

APPROVAL OF MINUTES:

On properly seconded motion by Dr. Wise, the Board voted unanimously to adopt the minutes of the Board meeting of October 17, 2007 as presented.

On properly seconded motion by Dr. Wise, the Board voted unanimously to adopt the minutes of the Informal Hearings of October 25, 2007 as presented.

On properly seconded motion by Ms. Blackwell, the Board voted unanimously to adopt the minutes of the Board meeting of November 14, 2007 as presented.

On properly seconded motion by Dr. Wise, the Board voted unanimously to adopt the minutes of the Informal Hearings of January 17, 2008 as presented.

BOARD DISCUSSIONS:**EQUINE DENTAL TECHNICIANS**

Dr. Carter reported that there is a bill before the General Assembly, HB725, regarding equine dental technicians. This bill modifies last year's legislation and allows for an apprenticeship to work under a registered equine dental technician while seeking IAED certification and also allows licensed veterinary technicians to practice equine dentistry if they have had specified training in equine dentistry from an AVMA accredited licensed veterinary technician program.

Hanina Hyde stated to the Board that the IAED requires 9 months membership to obtain certification. Dr. Carter informed Ms. Hyde that the IAED membership requirements are set by IAED, not the Board.

Meredith Barlow stated that she understood that this new law on registration for equine dental technicians was not a Board action. She stated that when she found out about this law, she foresaw many of the problems that are becoming apparent now and she contacted Delegate Scott and spoke with him regarding these problems. Dr. Carter stated that Ms. Barlow could also contact her local delegate. Mr. Kotvas also advised Ms. Barlow that the Board is accepting public comment on the equine dental technician

regulations until March 17 and that the Board would welcome her comments.

Dr. Carter explained the Board of Health Professions' policies and procedures for evaluating the need for regulating a health profession or occupation. She also explained that there is an entire industry involved in the assessment of professional minimum competency, with formal job analyses to determine appropriate content domains and a host of other issues related to examination development, scoring, and reporting. Dr. Carter further detailed the procedures for assessing education and testing and stated that such a task is not within the Board's role and it is well beyond its resources. Efforts related to accreditation and approval of training/certifying programs typically fall to the profession, itself, on a national level or other independent national organizations such as NOCA or ANSI.

DISCUSSION OF ALLOWING BOARD STAFF TO APPROVE BOARD ORDERED CE

Dr. Carter advised the Board that Ms. Ryals has redeployed compliance unit staff members to assist the agency's effort in meeting the 250 business day goal for patient care case resolution. She stated that Susan Beasecker would still be assisting the Board to some degree.

Dr. Carter requested that in the interest of saving time and resources, the Board allow staff to approve Board ordered CE instead of sending out for Board approval.

On properly seconded motion by Dr. Froeling, the Board voted unanimously that matters relating to clinical expertise will still be approved by the Board, but that CE relating to recordkeeping, practice management and other non-clinical matters may be approved by staff.

DISCUSSION OF VETERINARY CHIROPRACTIC

The Board discussed an email from Shara Posner, DC in which she states that she is a chiropractor in Alexandria working on animals using the Veterinary Osteopathy Manipulation

(VOM). She states that she was told she would need to be certified by the American Veterinary Chiropractic Association (AVCA) to work with animals and also have referral from a Virginia license veterinarian. She detailed the VOM in her email and requests that it be considered for the practice of chiropractic on animals.

Dr. Froeling stated that the AVCA is the governing body that accredits schools related to performing chiropractic on animals. VOM is not accredited by AVCA. Dr. Froeling stated that the AVCA does not teach classes as Dr. Posner alludes to in her email, but is strictly an accrediting organization. Dr. Froeling also stated that the AVCA is recognized by the AVMA. She stated certification through VOM does not require that the applicant be a veterinarian or even a chiropractor. Dr. Froeling further stated that she is unaware of any doctors of chiropractic in the Commonwealth certified by the AVCA. Additionally, Dr. Froeling stated that doctors of chiropractic are restricted by statute to practice on humans only. She also noted that this issue is being addressed in the proposed regulations.

**EXECUTIVE DIRECTOR'S
REPORT:**

Dr. Carter updated the Board on current legislation and spoke briefly on several bills that may be of interest to the Board.

Dr. Carter updated the Board on the use of Sanction Referencing and stated that the Board of Veterinary Medicine renders sanctions in agreement with the recommended sanction about 78% of the time, above expectations.

Dr. Carter updated the Board on the activities of the Board of Health Professions. She stated that there are currently three groups who have petitioned for a sunrise review. Those groups are central sterile technicians, radiologic assistants and prothetists and orthotists. BHP has agreed to undertake these studies.

Dr. Carter updated the Board on the current budget. She stated that there is a cash balance right now of \$133,000 and that the Board should remain solvent this year. Expenditures relating to discipline were higher than anticipated.

Dr. Carter reported on the agency's status on Virginia Performs measures, and emphasized the importance of addressing the Governor's 250-business day patient care case resolution goal. She also updated the Board on the number of current licensees for the Board of Veterinary Medicine. Dr. Carter stated that the open caseload of the Board continues to remain high, but is down from its overall average from last year.

NEW BUSINESS:

Dr. Wise asked whether investigators give the respondent the redacted complaint to read when they first contact them or send it to them in advance. Dr. Carter stated that it probably varies among inspectors.

Dr. DeBell asked about having the term “probation” printed on licenses. This issue will be tabled until the next meeting.

Dr. Froeling asked about the appropriateness of the use of the words “specialty”, “specialist”, or “specialize” in relation to advertising a practice, if the practitioner in question is not Board certified. Dr. Carter stated that advertising must be truthful, and the use of terms that imply specialty board certification should not be used if the practitioner not so certified.

Mr. Kotvas announced his upcoming retirement from state government and thanked the Board for working with him. Mr. Kotvas' was applauded for his efforts and wished well in his retirement.

MEETING ADJOURNED:

There being no further business, the meeting adjourned at 10:30 a.m.

Henry McKelvin, DVM, President

Elizabeth A. Carter, Ph.D., Executive Director