

**VIRGINIA BOARD OF VETERINARY MEDICINE  
MINUTES OF FULL BOARD  
DEPARTMENT OF HEALTH PROFESSIONS  
HENRICO, VA  
JUNE 11, 2014**

- CALL TO ORDER:** A quorum of the Board of Veterinary Medicine (Board) was called to order at 10:10 a.m. at the Department of Health Professions (DHP), Perimeter Center, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 3, Henrico, VA.
- PRESIDING OFFICER:** Mark A. Johnson, DVM, President
- MEMBERS PRESENT:** Kelly Gottschalk, DVM  
Joe May, DVM  
Constance Pozniak, DVM  
Bayard Rucker, DVM  
Taryn Singleton, LVT  
Carole Stadfield, Citizen Member
- STAFF PRESENT:** Leslie Knachel, Executive Director  
Terri Behr, Operations Manager  
Brandy Gasparotto, Administrative Assistant  
Elaine Yeatts, Senior Policy Analyst  
David Brown, D.C., Director, Dept. of Health Professions  
Charis Mitchell, Esq., Board counsel
- OTHERS PRESENT:** Carol Heizer, LVT, Virginia Association of Licensed Veterinary Technicians (VALVT)  
Kris Keane, LVT, VALVT  
Robin Schmitz, Virginia Veterinary Medical Association (VVMA)  
Susan Seward, VVMA  
Lee Henkel  
Amanda Sontag, LVT  
Makian McLean  
Diane Carey
- ORDERING OF AGENDA:** On properly seconded motion by Ms. Singleton, the Board voted unanimously to approve the agenda as presented.
- PUBLIC COMMENT:** Ms. Carey provided comments on how the Board conducts its business with regards to the complaint process.

**APPROVAL OF MINUTES:**

On a properly seconded motion by Dr. Pozniak, the Board voted unanimously to adopt the meeting minutes for the Board meeting held on February 19, 2014, as presented.

**DIRECTOR'S REPORT**

Dr. Brown introduced himself to the Board. He updated the Board on agency activities. He thanked the board members for their hard work and service to the Commonwealth.

**LEGISLATIVE/REGULATORY UPDATE:**

Ms. Yeatts presented two petitions for Rulemaking for Board action:

- Petition for Rulemaking submitted by Diana Stuebing that requested for licensed veterinary technicians an increase from six hours to eight hours of required annual continuing education (CE). She stated that the Board's three action options were to 1) reject the petition; 2) adopt the petition's suggested changes; or 3) initiate a fast track regulatory action.

On properly seconded motion by Ms. Singleton, the Board voted unanimously to initiate a fast track regulatory action to increase the annual CE requirements for LVT's from six hours to eight hours.

- Petition for Rulemaking submitted by Cara Lubarsky that requested deleting the regulatory requirement in 18 VAC150-20-130 which states "and in the final year of his training or after completion of an equivalent number of hours as approved by the Board." She stated that the Board's three action options were to 1) reject the petition; 2) adopt the petition's suggested changes; or 3) initiate a fast track regulatory action.

The Board held a conference call with Dr. Jennifer Hodgson and Dr. Jacquelyn Pelzer at the Virginia-Maryland Regional College of Veterinary Medicine to discuss the current veterinary school curriculum and any anticipated changes to help determine the impact of the petitioner's request.

On properly seconded motion by Dr. May, the

Board passed with a six to one vote to approve the fast track action and to strike the language in 18VAC150-20-130 as suggested by the petitioner. (Note: Following the meeting, it was determined that the Board did not receive a copy of all public comments made about the petition prior to making a final decision on the matter. Therefore, the regulatory action was withdrawn and the Petition for Rulemaking is to be reconsidered during the Board's next meeting.)

Ms. Yeatts provided the Board with a final legislative update from the 2014 General Assembly Session.

**RATIFICATION OF CONSENT ORDER:**

The Board was presented with a consent order regarding the matter of initial applicant, David W. Hummel, DVM.

On properly seconded motion by Dr. Gottschalk, the Board voted unanimously approving the consent order to grant a license to practice veterinary medicine with terms and conditions.

**DISCUSSION ITEMS:**

**SANCTIONING REFERENCE POINT PRESENTATION:**

Neal Kauder, Visual Research, Inc., the review of the Board's disciplinary actions and recommended several minor changes to the Sanctioning Reference Point worksheet.

On properly seconded motion by Dr. Gottschalk, the Board voted unanimously to accept the new worksheet as provided by Mr. Kauder

**INSPECTION COMMITTEE REPORT:**

Ms. Singleton stated that the Inspection Committee discussed changes to Guidance Document 150-15 following a year of collecting data on the veterinary establishment inspection pilot program. Ms. Knachel described the validation process and that the assigned point ranges appear to be appropriate. Ms. Singleton stated that the committee recommends that the full Board adopt revised Guidance Document 150-15 with a recommended edit of adding the following statement: "(Additionally, the veterinarian in charge may be subject to the following actions.)"

### **GUIDANCE DOCUMENT UPDATES:**

Ms. Knachel presented revisions to following guidance documents for the Board's consideration:

- Guidance Document 150-5 is being updated to reflect the changes that were passed in HB1035 which go into effect on July 1, 2014. Ms. Yeatts stated that the guidance suggested that the applicable law and regulations be listed first.

On properly seconded motion by Dr. Gottschalk, the Board voted unanimously to approve Guidance Document 150-5 with the suggested change to the listing of the applicable law and regulations.

- Guidance Document 150-13 is being updated to provide further clarification on prescription drugs.

On properly seconded motion by Dr. Rucker, the Board voted unanimously to accept the changes to Guidance Document 150-13 as presented.

- Guidance Document 150-15 had been discussed earlier in the Inspection Committee report.

On properly seconded motion by Dr. Gottschalk, the Board voted unanimously to accept Guidance Document 150-15 with the changes as recommended by the Inspection Committee.

### **ANNUAL CE AUDIT UPDATE:**

Ms. Knachel reported the results of the CE audit just completed.

### **REPORT ON PRESENTATION TO THE VIRGINIA VETERINARY MEDICAL ASSOCIATION (VVMA):**

Ms. Knachel thanked the VVMA for inviting her to make a presentation to their membership at the annual convention. She presented on the differences between licensed veterinary technicians, veterinary technician students and veterinary assistants. In addition, Caroline Juran, Executive Director for the Board of Pharmacy,

spoke regarding compounded of drugs. She commented that she made the same presentation to the Tidewater Veterinary Academy.

**FOLLOW UP REPORT ON UNLICENSED ACTIVITY:**

Ms. Knachel indicated that she had consulted with board counsel on the issue related to unlicensed activity. She commented that a generalization about whether an activity is considered to be the practice of veterinary medicine will have to be considered on a case by case basis.

**INFORMATION FROM EQUINE DENTAL PROVIDERS OF AMERICA (EPDA):**

Ms. Knachel stated that the EPDA would like to be a recognized CE provider and to be listed as a certified testing organization for equine dental technicians. Ms. Knachel commented that the Board's current registration and CE requirements for equine dental technicians do not necessitate the Board taking action on this request.

**COMPREHENSIVE ANIMAL CARE LAWS UPDATE:**

Dr. Gottschalk stated the Virginia Department of Agriculture and Consumer Services has a workgroup reviewing the Comprehensive Animal Care Laws. She stated that very little of the discussion items relate to the practice of veterinary medicine. Currently their biggest discussion is the feral cat problem.

**EXECUTIVE DIRECTOR'S REPORT:**

Ms. Knachel reported on statistics and the budget. In addition, Ms. Knachel reported she is completing her three-year term on the American Association of Veterinary State Boards' (AAVSB) Finance Committee, but has been appointed to the Committee for the Program for Assessment of Veterinary Education Equivalence. Dr. May is serving on the Practice Act Model Committee. She and Dr. May will be attending the AAVSB's annual meeting as committee members and the voting delegate will be Ms. Singleton.

Ms. Knachel reported that the National Board of Veterinary Medical Examiners as updated the Species Specific Examination.

**NEW BUSINESS:**

Ms. Mitchell updated the Board on a pending case before the Court of Appeals and stated that the case will be heard in either September or October.

Dr. Gottschalk stated that just for information purposes, she wanted to make the Board aware that the American Medical Association does seminars on infectious diseases that pertain to animals and humans and that the Board may want to have a future discussion related to including these seminars as approved CE for veterinarians and technicians.

**ADJOURN:**

There being no further business the Board adjourned at 1:00 p.m.

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Mark A. Johnson, DVM, President

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Leslie L. Knachel, MPH, Executive Director