

**Oregon Veterinary Medical Examining Board
Florence Events Center
715 Quince St.
Florence, OR**

FINAL MINUTES

Present:

Dr. Emilio DeBess (Chair)	Mr. Mark Reed, Public Member
Dr. Leon Pielstick (Vice Chair)	Lori Makinen, Director
Dr. Lauren Acton	Dolores Galindo, CVT
Dr. Jon Betts	Dennis Chaney, Investigator
Mr. Rocky Liskey, Public Member	Carol A. Parks, Assistant Attorney General
Dr. Mark McConnell	

**Monday, June 25, 2007
12:00 p.m. - 2:00 p.m.**

**Conducted in Executive Session
New Case Review
Investigative Interviews**

**Monday, June 26, 2007
8:30 a.m. - 5:00 p.m.**

Public Session Convened

The Board welcomed Dr. Kelsey Thielen, guest. The agenda was approved as amended. March, 2006 meeting minutes were approved as amended, moved by Dr. Pielstick, seconded by Dr. McConnell, passed unanimously.

The Board bade farewell to outgoing member, Dr. Jon Betts, noting his many years of dedicated service to the Board as a member and chair. Dr. Betts was appointed by Governor John Kitzhaber in 1998; his second term ended in June, 2006, but he agreed to serve an additional year to provide expertise and testimony during the Board's budget and Legislative process. The Board ratified Dr. Betts's nomination as president-elect to the American Association of Veterinary State Boards and looks forward to his continued contributions to the profession.

The Board welcomed new member Dr. Lauren Acton (WSU '88). Dr. Acton works at Woodburn Veterinary Clinic and is also an international goat judge. The Board anticipates calling on Dr. Acton's large animal expertise.

New Business

Board investigator Dennis Cheney updated the Board on the process used by staff to resolve non-jurisdictional and other complaints. The first step is to consult to Veterinary Practice Act (VPA) to establish authority in the issue. If the issue does not fall under a provision of the VPA, the complainant is informed that a case will not be opened. If the issue is jurisdictional, further information is obtained, e.g., patient records or other documentation. If the patient record appears to bely the complaint, staff consults with the chair or vice-chair before notifying the complainant that a case will not be opened. If it appears that there may be a violation of the VPA, staff refers the complaint to a rotating preview committee which either refers the complaint back to staff or on to the full Board for review. (If any one of the three-member preview committee refers a complaint to the Board, it is reviewed.) Members affirmed the efficiency and effectiveness of the process and thanked Mr. Chaney for his good work.

Under provisions of ORS 192.502(2), the Board voted to exempt licensee private information, i.e., home phone, address and email, from public disclosure. Dr. DeBess moved, Ms. Galindo seconded, and the motion passed unanimously.

The Board welcomed Dr. Dagmar Johnson, program manager of the Linn Benton Community College Veterinary Assistant Course. Dr. Johnson presented details of a proposed joint veterinary technology program between LBCC and the Oregon State University Veterinary School. The joint program will be aimed at OSU animal science junior and senior students considering a career as a veterinary technician or looking ahead to veterinary school. Coursework will focus on companion animals and will be offered during spring term with additional on-the-job opportunities in the summer. OSU School of Veterinary Medicine will provide classroom space and guest lecturers.

Director Report

SB 134, which gives the Board authority to direct a licensee to undergo a competency evaluation and to inspect veterinary premises passed and will go into effect January 1, 2008.

The Board will issue wallet-sized licenses in addition to the current 8 x 3 version beginning in 2008.

Work is underway to enable online renewal for 2008. More information will be provided in the near future.

Rulemaking

Ms. Galindo moved, Dr. McConnell seconded, and the Board voted unanimously to amend OAR 875, summarized below. Proposed rule amendments will be publicly noticed with a comment period and hearing, pursuant to the Administrative Procedures Act, ORS ch 183. Publication is anticipated prior to the end of the year.

875-005-0005, Definitions:

Adds language defining 'Conviction of Cruelty to Animals.'

Deletes 12(c) (injection or implant of a small permanent device) from definition of 'surgery.'

875-005-0010(2), Duty to Cooperate:

Adds licensee duty to consent to veterinary premises inspection.

875-010-0026, Initial Licenses:

Amends to allow veterinary applicants with one year of experience in Canada or US territories to obtain an active license without serving a one-year internship.

Adds requirement that intern notify Board of change in supervision within 15 calendar days.

875-010-0050, Supervision of Interns:

Adds language obligating supervising veterinarians to comply with provisions of Intern Supervision Agreement.

Adds requirement that supervising veterinarians notify Board within 15 calendar days if intern is no longer under their supervision.

875-010-0090, Continuing Education Requirements:

Adds provision for an 'inactive' certified veterinary technician license.

Waives CE reporting requirements for veterinarians and veterinary technicians licensed for less than one year.

875-011-0010, Unprofessional or Dishonorable Conduct:

Adds three provisions relating to license renewal application, violations of veterinary laws in other states, and violation of Oregon Racing Commission statutes and rules.

875-015-0030, Minimum Veterinary Practice Standards:

Adds requirement that medical record entries made after visit or treatment show date of subsequent entry.

875-030-0030, Renewals:

Adds late fees for certified veterinary technician renewals.

875-030-0040

Amends to allow certified veterinary technicians to implant microchips under direct supervision of a veterinarian.

875-030-0050

Adds language prohibiting persons not certified as veterinary technicians from implanting microchips.

Investigative Interviews (Executive Session):

06-0021, 06-0022, 06-0032B

Old Case Updates (Executive Session):

05-0024, 05-0029, 06-0009, 06-0016, 06-0025, 06-0026, 06-0034, 06-0032A & B, 06-0035, 07-0002.

New Cases (Executive Session):

07-0005, 07-0007, 07-0008, 07-0009, 07-0010.

Public Session Vote (Cases not listed below remain open.)

06-0021—Mr. Reed moved, Dr. Pielstick seconded, and all present voted to find Dr. John Jacobson in violation of the Veterinary Practice Act, OAR 875-015-003(1) (records) and (1)(h)

(failure to conduct physical exam upon presentation of new health problem); and assess a \$500 civil penalty.

06-0022—Mr. Reed moved, Dr. McConnell seconded, and the Board voted by majority to find Dr. Laurie Johnson in violation of the Veterinary Practice Act, OAR 875-015-003(1) (records); and assess a \$250 civil penalty. Drs. Acton and Pielstick voted nay.

06-0032B—Mr. Liskey moved, Dr. McConnell seconded, and the Board voted unanimously to find no violation of the Veterinary Practice Act.

06-0016, 25, 34—Mr. Reed moved, Dr. McConnell seconded, and the Board voted by majority to delete citation of failing to use standard methods of diagnosis and treatment without good cause from 06-0016 (Dr. Tesar). Dr. DeBess abstained.

06-0026—Dr. Pielstick moved, Ms. Galindo seconded, and the Board voted unanimously to find Dr. Dennis Goltz in violation of the Veterinary Practice Act, OAR 875-011-0010(7) (failure to use standard methods of diagnosis and treatment without good cause); and assess a \$250 civil penalty.

05-0024—Mr. Liskey moved, Dr. Pielstick seconded, and the Board voted unanimously to find no violation of the Veterinary Practice Act.

05-0029—Ms. Galindo moved, Mr. Reed seconded, and the Board voted unanimously to find Dr. William D. Powell in violation of the Veterinary Practice Act, OAR 875-011-0010(7) (failure to use standard methods of diagnosis and treatment without good cause) and OAR 875-015-0030(1) (records).

06-0009—Mr. Reed moved, Dr. Pielstick seconded, and the Board voted unanimously to find Dr. William D. Powell in violation of the Veterinary Practice Act, OAR 875-011-0010(7) (failure to use standard methods of diagnosis and treatment without good cause) and OAR 875-015-0030(1) (records).

No case number: Mr. Reed moved, Dr. Pielstick seconded, and the Board voted unanimously to issue Emergency Suspension and License Revocation orders to Dr. William D. Powell pursuant to OAR 875-011-0010(2) (pattern, practice or continuous course of inefficiency or incompetence in the practice of veterinary medicine).

07-0002—Dr. Pielstick moved, Mr. Reed seconded, and the Board voted unanimously to find no violation of the Veterinary Practice Act.

07-0005—Dr. Acton moved, Dr. Pielstick seconded, and the Board voted unanimously to find no violation of the Veterinary Practice Act.

No case number: Board investigator will send a warning letter to Sheri Skipton, a dog-breeder alleged to be vaccinating dogs after new owners have taken possession.

Next meeting: Bend, Oregon, November 5-6, 2007. Location TBA.
There being no further business, the meeting was adjourned at 5:45 p.m.