

**Oregon Veterinary Medical Examining Board
Portland State Office Building
800 NE Oregon St., Rm. 445
Portland, OR**

FINAL MINUTES

Present:

Dr. Emilio DeBess (Chair)
Dr. Leon Pielstick (Vice Chair)
Dr. Lauren Acton
Dr. Robert Lester
Dr. Mark McConnell
Dolores Galindo, CVT

Mr. Mark Reed, Public Member
Lori Makinen, Director
Dennis Chaney, Investigator
Carol Parks, Attorney

**Monday, January 28, 2008
9:00 a.m. - 3:45 p.m.**

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

**Tuesday, January 29, 2008
8:00 a.m. - 4:30 p.m.**

Public Session Convened

The Board convened executive session to continue case review.

Public Session Convened

The agenda was approved as amended.

Dr. Acton moved, Dr. McConnell seconded and the Board unanimously approved the November 2007 meeting minutes as amended.

Mr. Reed moved, Dr. Pielstick seconded, and the Board voted by majority to post disciplinary documents on the Board's website. Dr. Lester abstained.

New Business

Applications from graduates of provisionally accredited veterinary technology schools will be reviewed on a case-by-case basis.

The Board responded to a licensee's request for clarification of intern supervision.

1. OAR 875-010-0050(1)(a) and (b) states:

(1) "Supervision," as used in ORS 686.085, requires an Oregon licensed veterinarian to provide supervision of the Intern as follows:

(a) Direct supervision of the Intern for each and every procedure until such time as the supervising veterinarian reasonably concludes that the Intern has sufficient training and experience to competently conduct a particular procedure, or class of procedures, independently;

(b) The supervising veterinarian need not continue to directly supervise that procedure or class of procedures, upon the supervisor's determination that competency has been achieved by the Intern; however, the supervising veterinarian shall continue to reasonably monitor the results thereof;

The Board interprets 'class of procedures' to relate to basic categories of veterinary medicine, such as spay/neuter, orthopedic surgery, internal medicine, diagnostics, pharmacology, etc.

2. OAR 875-010-0050(2)(a) states:

(2) However, in no event may the supervising veterinarian:

(a) Be absent from the veterinary clinic for more than 14 consecutive days, or more than 21 total days, in a six month period, exclusive of weekends;

The Board interprets this provision to mean that the minimum 21 days of allowed absence applies only to weekdays.

The Board reviewed the Governor's Executive Order 07-27, Regulatory Extensions and Waivers, and determined that existing rules for license renewals satisfies the Order.

Rulemaking

The Board did not receive a request for hearing on previously proposed rule amendments; therefore, permanent rules will be filed following the meeting.

Continuing Education for CVTs: Mr. Reed moved, Ms. Galindo seconded and the Board unanimously approved making a temporary rule that will allow CVTs to obtain all 15 hours of required CE via 'interactive' media.

The Board approved the following new rule amendments for future publication and notice:

Mobile Practices (Dr. Pielstick moved, Ms. Galindo seconded, unanimous.)

Non-veterinary use, theft or diversion of controlled substances. (Dr. Pielstick moved, Ms. Galindo seconded, unanimous.)

Defining intubation as part of induction of anesthesia. (Ms. Galindo moved, Dr. Lester seconded, unanimous.)

Defining 'veterinary technician' as person licensed by the Board. (Ms. Galindo moved, Dr. McConnell seconded, Drs. DeBess and McConnell, Ms. Galindo and Mr. Reed voted for; Drs. Pielstick, Acton and Lester voted against; motion passed by majority.)

Mr. Reed and Makinen will draft proposed amendments to VTNE eligibility for Board review at next meeting.

The Board discussed the concept of limited or specialty licensure. As this would require a statute change, the Board tabled the issue for discussion with OVMA and possible action in the 2011-2013 legislative session.

The Board noted lack of statutory or rule authority to issue refunds (except for the NAVLE application fee) and agreed that henceforth a no-refund policy will apply to all examination and licensing fees.

Chair Report

Dr. DeBess and Makinen met with Sen. Kurt Schrader and OVMA president, Jacquie Nielson and director, Glenn Kolb in November. Anticipated rule amendments and legislative action affecting the Board were discussed.

Dr. DeBess noted that the Registry of Approved Continuing Education (RACE) program's CE approval process still does not include thorough review of materials submitted for CE approval. He has suggested that the program add another reviewer and include input from a Certified Veterinary Technician.

Director Report

Makinen reported progress on the online renewal project and announced the state's intention to eliminate the Executive Officer classification. Affected board and commission directors will be reclassified into other existing job categories appropriately consistent with current duties and responsibilities.

Complaint Resolution

06-0002/28—Dr. McConnell moved, Dr. Pielstick seconded, and the Board voted unanimously to deny the license renewal application of Dr. Johannes Heiter-Kreiger for felony conviction of child abuse and incest.

07-0026—Investigation pending.

07-0027—Dr. McConnell moved, Ms. Galindo seconded and the Board voted unanimously to issue a stipulated agreement to CVT Pamela Roan for substance abuse diversion.

07-0028—Investigation pending.

07-0029—Mr. Reed moved, Dr. Pielstick moved, and the Board voted unanimously to find Dr. Jule Plummer in violation of the Veterinary Practice Act and impose a \$3,000 civil penalty for violation of OAR 875-011-0010(3) (a pattern or practice of negligence, ignorance, incompetence or inefficiency); (7) (failure to use standard methods of diagnosis and treatment; (9) (failure to advise of followup care); and 875-015-0030(1) (lack of assessment, prognosis, treatment plan, pain medication and incomplete physical exam). The Notice shall also require Dr. Plummer to complete a medical records course.

07-0031—Dr. Lester moved, Dr. McConnell seconded, and the Board voted unanimously to issue an emergency suspension of the license of Certified Veterinary Technician Jennifer Sales for felony conviction of theft of controlled drugs.

07-0031—Investigation pending.

07-0032A—Dr. Acton moved, Mr. Reed seconded and the Board voted unanimously to find no violation of the Veterinary Practice Act.

07-0021A & 0021B—Mr. Reed moved, Dr. Lester seconded, Dr. McConnell opposed, and the Board voted by majority to withdraw proposed notices of discipline against Dr. Raymond Calkins and CVT Cristina Kropf.

Next meeting: Eugene, Oregon, April 6-7, 2008. Location: Eugene Hilton Hotel

There being no further business, the meeting was adjourned at 4:30 p.m.

Respectfully submitted:
Lori Makinen, Director