



# Oregon Veterinary Medical Board NEWSLETTER

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**February 2008  
Happy New Year!**

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## ▶ Hello New Rules

In October the Board proposed rule amendments to the Veterinary Practice Act. The proposed amendments were mailed to veterinarians and veterinary technicians with the October newsletter. The public comment period extended through December 15, 2007; the Board did not receive a request for hearing from individuals or organizations. The amendments have been permanently filed, and the new rules are in effect. A synopsis of the entire Practice Act accompanies this newsletter. We have reformatted and indexed the rules in hopes of making them more user friendly, accessible, memorable and treasured. The Oregon Revised Statutes are copied directly from the Legislative Counsel Committee of the Oregon Legislative Assembly; they have not been reformatted. However, since the statutes grant and define the Board's broad authority while the rules explicate it, we think you will find the rules more helpful on a daily basis.

To recap, the rule amendments do the following:

- Define conviction of cruelty to animals.
- Allow CVTs to implant microchips under supervision of a veterinarian.
- Recognize veterinary clinical experience in Canada for purposes of license qualification.
- Increase requirements for interns and supervisors of interns.
- Waive CE reporting for CVTs with less than one year of practice experience.
- Add conduct for which a licensee may be disciplined, i.e., misrepresenting or omitting information on application and violating other laws.
- Require dating of record entries made subsequent to date of treatment.
- Add late fees and grace period for CVT renewals.

## ▶ Temporary Rule for CVT CE

A temporary rule may be filed to meet an immediate need and give the Board time to determine whether a permanent rule is appropriate. In this case, the Board has filed a temporary rule that allows Certified Veterinary Technicians to use 'audio or video recordings, electronic, computer or interactive materials or programs' for the entire 15 hours of required Continuing Education. The current rule limits 'interactive' CE to 7.5 hours. The Board makes this temporary rule based on significant problems reported by CVTs and their employers in meeting the requirements for 7.5 hours of workshops, seminars or other in-person CE. The temporary rule will be in effect for 180 days to facilitate this reporting period and give the Board time to assess whether proposing a permanent rule is in order. Your comments are requested and will be considered by the Board in its deliberations on this issue. Please make sure to provide comments before August 2, 2008.

## ▶ Rules of the Future

The following summarizes a new batch of proposed amendments that will be published in the near future. As always, there will be a notice in the Secretary of State's bulletin, a copy provided to each licensee, a public comment period and an opportunity for hearing. Please note that these are only concepts for proposed amendments. Comments will be solicited when they are published as proposed amendments.

- Increased accountability for veterinarians certifying qualifications of VTNE applicants.
- Requirements for mobile practices.
- Use of designation 'veterinary technician.'
- Limiting performing anesthetic intubation to CVTs.
- Sanctions for non-veterinary use, theft or diversion of controlled drugs.

## ► No More Refunds

Individuals or businesses may do anything that isn't illegal, but public agencies like your Board may do only what their statutes and rules specify. Case in point: there is no statutory or rule authority for the Board to issue refunds. Accordingly, at its January 29, 2008 meeting, the Board established a no-refund policy, consistent with its statutes and rules and with other health regulatory boards' practices.

We rarely see requests for refunds of license application or renewal fees, but often encounter requests for refunds for NAVLE or VTNE fees from persons who either don't read or understand the eligibility requirements, or who perhaps hope we won't notice their lack of qualifications. Since it takes staff time to review an ineligible application and generate a refund, we expect the impacts of this decision to be favorable. Forms will be updated to prominently feature the policy.

## ► Discipline Online

The Board has tentatively agreed to post disciplinary documents online. Currently, the Board's website only notes that a licensee has been disciplined or earned other attention from the Board. A person must then call the Board office and request either a reading or a copy of the document. Under the new policy, a visitor to the site will be able to click and view the actual document. All personal information will be redacted, and only Final Orders and Stipulated Agreements will be posted. The Board makes this decision in order to be consistent with its mission to protect the public and with other health regulatory boards in Oregon.

## ► Correction ☺

A recent newsletter featured a section entitled 'Ask Dr. Chaney.' It was intended to present complaint FAQs in a humorous way. Learning theorists hold that humor may promote interest in and retention of a subject. Regrettably, it has been learned that the section was regarded by some as false or misleading, in that Mr. Chaney isn't really a Dr. We regret any misunderstanding, and assure all that Mr. Chaney isn't practicing veterinary medicine or doing anything else he's not supposed to.

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Read Board  
minutes here!

## ► A Rumor and A Fact

There is rumor of a plot to rescind the authority granted to the Board under last session's SB134, which amended ORS 686 to allow the Board to direct a licensee to undergo a competency evaluation for cause. Amendments proposed last session would have exposed a licensee to public scrutiny of the Board's concerns before evidence was evaluated. The Board will be prepared to avert similar efforts in the 09-11 Legislative Session.

It is a fact that there are DVMs practicing what the Board's attorney has defined as veterinary medicine in the state without benefit of licensure. Pathology, cytology and radiology are their common habitats. At its January meeting, the Board discussed limited or specialty licensing. Any new form of license would require approval by the Legislature. Since the discussion is in its infancy and the deadline to submit a legislative concept for this session is April, the Board decided to engage interested parties to produce a concept for the 2011-2013 Legislative Session.

### Board Members

- Emilio DeBess, DVM, MVPH, Portland (Chair)
- Leon Pielstick, DVM, Burns (Vice-Chair)
- Lauren Acton, DVM, Woodburn
- Dolores Galindo, CVT, Gresham
- Robert Lester, DVM, Portland
- Rocky Liskey, Public Member, Klamath Falls
- Mark McConnell, BVMS, MRCVS, Springfield
- Mark Reed, Public Member, Portland

# HELP!

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