

**Oregon Veterinary Medical Examining Board
Hilton Garden Inn
2500 SW Western Blvd.
Corvallis, OR**

FINAL MINUTES

Present (both days):
Dolores Galindo, CVT (Chair)
Mr. Mark Reed, Public Member (Vice-Chair)
Mr. Rocky Liskey, Public Member
Drs. Robert Lester, Mark McConnell, Marla McGeorge
Lori Makinen, Director
Dennis Chaney, Investigator (present Friday only)
Carol Parks, Assistant Attorney General

March 4, 2011

Conducted in Executive Session

Attorney Report: Update cases 07-0024, 08-0025/08/14, 08-0019, 09-0028, 09-0036, 09-0038.

The Board conducted interviews for case: 10-0026.

The Board was updated on open case: 08-0032.

The Board reviewed the following new cases:

10-0018, 10-0021, 10-0022, 10-0023A&B, 10-0024, 10-0025, 10-0027, 10-0028, 10-0029, 11-0005

Saturday, March 5, 2011

Public Session Convened

Ms. Galindo called the meeting to order at approximately 8:30 a.m. Dr. McGeorge moved, Dr. McConnell seconded, and the Board voted unanimously to approve the agenda and October meeting minutes.

Chair Report

Ms. Galindo noted that Bureau of Labor statistics list 172 veterinary technology programs currently in operation, with about a half dozen in the queue. The Bureau reported 79,600 CVT jobs in 2008, with continued excellent outlook due to lack of CVTs and attrition. CVT employment is projected to increase by 36 percent, representing 13 percent job growth. The goal for the profession continues to be retention of CVTs. As part of its curriculum, the PCC program stresses responsibility, accountability and willingness to grow and adapt. The program abjures students against unprofessionalism and inflexibility in the workplace. Members noted that CVTs rarely are terminated for skills deficits, but rather for poor work habits, discourtesy and general unprofessionalism. Ms. Galindo said that PCC students demonstrating lack of employability potential are counseled and mentored in cohorts. Ms. Galindo went on to note that the PCC program has grown, adding large,

small and exotic animals. With increased school bond funding, the program may be able to add a covered arena for training space for horses and dogs, and community animal auctions. The school barn is being updated and an improved cattle run is planned. Public Member Rocky Liskey offered to consult on the cattle run design. The program has received a donated otoscope, which allows procedures to be displayed on video projection, and an ultrasound machine. AVMA accreditation inspection will occur at the end of March.

Director Report

Ms. Makinen updated the Board on legislative concepts and progress in the budget process.

OVMA

In response to an OVMA request for guidance on the role of CVTs undertaking veterinary hospice duties, the Board advised that current general supervision guidelines in the Veterinary Practice Act apply.

General Business

The Board accepted Ms. Galindo's resignation as chair and applauded the dedication and commitment with which she undertook her office, her continued efforts to improve the calibre and elevate the status of CVTs, and her unfailing support for and guidance of administrative staff. Mr. Reed was approved as chair and Dr. Mark McConnell will serve as vice-chair for the next year.

In regard to the question of whether licensees may delegate license renewal responsibility to staff or others, the 2012 renewal screens will clearly instruct that only the licensee may renew his or her license, whether online or on paper.

The Board noted that there is no law or legal language specific to disposition of unclaimed animal remains.

The Board reviewed the Veterinary Practice Act and concluded that CVTs may under general supervision perform patient examinations, but may not diagnose, prescribe or discuss findings with a client. A CVT may not conduct a VCPR examination.

The Board noted that the Veterinary Practice Act does not prohibit a veterinarian from using an electronic signature or signature stamp for rabies vaccination certificates, but warns that written signatures may be required by certain authorities. It is up to veterinarians to determine specific requirements for written signatures.

The Board investigator brought up the concept of anesthesia-free dentistry, often practiced by non-licensed individuals. It was noted that any anesthesia-free dental procedure that exceeds brushing and flossing may not be defined as cleaning.

Dr. Lester shared information from the California Veterinary Medical Association detailing their efforts to educate the public to the proliferation of many varieties of non-licensed veterinary

services and the potential risk to animal patients subjected to untrained and unaccountable practitioners.

Staff discussed the difficulty of obtaining licensee criminal information from other states. The Board approved obtaining LEDs authority for background checks when warranted.

Rulemaking

In response to multiple complaints from veterinarians and their clients, the Board discussed amending OAR 875-015-0030(1)(h). The current rule does not allow a veterinarian to administer a vaccine or provide other treatment unless the animal has had at least one exam in the 12-month period during which service is sought. Although this rule has been in effect for several years, the issue has recently become controversial. Staff reported that clients complain that their veterinarians are only now begun to require and charge for exams. Some veterinarians have told their clients that the Board mandates charging for exams. After much discussion, Mr Reed moved, Dr. McGeorge seconded, and the Board voted unanimously to propose an amendment to the rule that would allow administration of vaccines without an exam to an apparently healthy animal. The Board expressed disappointment at the lack of attendance for the public discussion of this rule amendment, noting that the meeting was sited specifically to facilitate it.

The Board welcomed Drs. Lauren Chattigre, Bob Ulbrich, Wendy Stalfire and Donna Starita to its discussion of whether to follow the RACE policy of denying approval for certain CAVM continuing education programs. Guests urged the Board to continue to approve CAVM CE regardless of RACE decisions, noting that CAVM providers need to be able to continue to gain expertise in their chosen modalities in order to ensure consumer confidence in their services, and that AHVMA and CAVM-trained practitioners can assist in evaluating CAVM CE. It was noted that the Board should not delegate authority to non-enforcement or other unaccountable entities. The Board directed staff to follow up on particular Chi Institute CE offerings in Oregon. Discussion may be continued at subsequent meetings.

The Board approved sending Mr. Mark Reed and Director Lori Makinen to the annual conference of the American Association of Veterinary State Boards in September.

Complaint Resolution

07-0024—Dr. McGeorge moved, Mr. Liskey seconded and the Board voted unanimously to issue a Final Order finding Dr. Ken Genova in violation of the Veterinary Practice Act.

09-0038—Dr. McConnell moved, Dr. McGeorge seconded and the Board voted unanimously to find a violation of the Veterinary Practice Act and issue Notice of Proposed Discipline.

10-0015—Dr. Joseph Barry has signed a Stipulated Agreement with the Board.

10-0018—Mr. Reed moved, Dr. McGeorge seconded and the Board voted by majority to find no violation of the Veterinary Practice Act. Dr. Lester recused.

10-0020—Dr. Lester moved, Dr. McConnell seconded and the Board voted unanimously to approve the license application.

10-0026A&B—Dr. McGeorge moved, Mr. Reed seconded and the Board voted unanimously to find violations of the Veterinary Practice Act and issue Notices of Proposed Discipline.

10-0021/22/23A&B—Investigations ongoing.

10-0024—Dr. McConnell moved, Mr. Liskey seconded, and the Board voted unanimously to deny the license application.

10-0025—Dr. Lester moved, Dr. McGeorge seconded, and the Board voted unanimously to find no violation of the Veterinary Practice Act.

10-0027—Mr. Reed moved, Dr. Lester seconded, and the Board voted by majority to close the case without discipline. Dr. McConnell recused.

10-0028—Dr. McConnell moved, Mr. Reed seconded, and the Board voted by majority to close the case without discipline.

10-0029— Dr. McGeorge moved, Dr. Lester seconded, and the Board voted by majority to close the case without discipline.

11-0005A&B—Dr. McConnell moved, Dr. McGeorge seconded, and the Board voted unanimously to find violations of the Veterinary Practice Act and issue Notices of Proposed Discipline.

There being no further business, the meeting was adjourned at approximately 1:55 p.m.

Next meeting: July 22-23, 2011, Portland.

Respectfully submitted,

Lori Makinen, Director