

Oregon Veterinary Medical Examining Board
McMenamin's Kennedy School
Jordan Room
5736 NE 33rd Ave.
Portland, OR
July 26-27, 2019

FINAL MINUTES

Dr. Emilio DeBess (Chair)

Drs. Dannell Davis, Brett Hamilton, Allison Lamb, Dean Wilson; CVT Tiah Schwartz

Public Members Ms. Karen Pate and Ms. Peggidy Yates

Lori Makinen, Director; Mark Reed, Investigator; Joanna Tucker-Davis, Asst. Attorney General

Meg Bushman-Reinhold, Legislative Fiscal Officer

Jackie Yerby, Deputy Health Policy Director

Friday, July 26, 2019
Executive Session, 12:00 p.m

Attorney Advice and Complaint Review

The following cases were settled through stipulated agreements: 18-0036; 19-0001; 19-0004.

Public Session, 12:45 p.m.

Case 17-0021: Dr. Wilson moved, Ms. Yates seconded, and the Board voted unanimously to ratify the license surrender and no-reapplication agreement with Dr. Keith Nicol.

Case 18-0009: Dr. Wilson moved, Dr. Hamilton seconded, and the Board voted unanimously to issue an amended proposed order assessing full administrative costs. Dr. DeBess recused himself from discussion and voting.

Case 18-0038: Ms. Yates moved, Dr. Lamb seconded, and the Board voted unanimously to ratify the license surrender and no-reapplication agreement with Dr. Jay Fineman.

Case 19-0002: Dr. Hamilton moved, Ms. Pate seconded, and the Board voted unanimously to affirm its previous vote to propose to issue a notice of disciplinary action. Dr. Davis recused herself from discussion and voting.

Case 19-0007: Ms. Schwartz moved, Dr. Wilson seconded and the Board voted unanimously to deny the licensee's request to reduce the civil penalty. Ms. Pate recused herself from discussion and voting.

Executive Session, 1:20 p.m.

The Board reviewed the following new cases: 19-0010 through 19-0018; 19-0020 through 19-0025.

Saturday, July 27, 2019
General Business

A. Dr. DeBess convened public session at 8:30 a.m. and took roll; all members were present. Attending the meeting and updating the Board on their respective roles were Meg Bushman Reinhold, Legislative Fiscal Officer, and Jackie Yerby, Deputy Health Policy Director.

Ms. Yates moved, Dr. Wilson seconded, and the Board approved the agenda and May 18, 2019 meeting minutes.

Dr. Wilson moved, Dr. Lamb seconded, and the Board unanimously ratified issuance of 64 initial veterinary licenses, 47 intern licenses, and 29 CVT licenses.

B. Chair Report: Dr. DeBess reported 43 attendees at his Medford presentation on tick-borne diseases.

C. Director Report: Ms. Makinen updated the Board on the HRLB fiscal analyst vacancy; license database migration progress; HRLB directors' position reclass; and the ongoing Secretary of State audit.

D. The Board welcomed Dr. Bob Lester, former Board member, current Chief Medical Officer of Wellhaven Pet Health. Dr. Lester gave a presentation on trends in the veterinary profession, including telehealth and licensee wellness issues and initiatives.

E. Rulemaking

Ms. Makinen noted that proposed amendments to 875-010-0000 (background check authorization for veterinary applicants) and 875-030-0010 (allowing CVT licensure for foreign veterinary school graduates, and authorizing background checks for CVT applicants) have been filed with the Secretary of State.

The Board discussed amendments to define unprofessional conduct for CVTs.

F. Complaint Resolution

2018-0037B—Ms. Pate moved, Dr. Wilson seconded, and the Board voted unanimously to vacate its prior decision to issue a notice of intent to impose a disciplinary sanction.

2019-0009—Licensee's conduct was in violation of 875-0110010(16) and (17). Dr. Wilson moved, Dr. Lamb seconded, and the Board voted unanimously to issue a notice of intent to propose a disciplinary sanction with a \$250 civil penalty for each violation.

19-0010—Licensee's conduct was in violation of 875-015-0030(2)(c); 875-015-0030(2)(f)(V); and 875-010-0010(12). Dr. Wilson moved, Ms. Yates seconded, and the Board voted unanimously to issue a notice of intent to propose a disciplinary sanction with a \$250 civil penalty for each violation.

19-0011—Licensee's conduct met minimum standards for recordkeeping and emergency dental treatment. Dr. Wilson moved, Ms. Pate seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0012—Licensee's surgical procedure met minimum standards for tumor removal and suture procedure. Ms. Yates moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0013—Licensee was not held responsible for equipment failure. Ms. Yates moved, Ms. Pate seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0014—Licensee was not responsible for a facility owner's actions. Dr. Wilson moved, Dr. Lamb seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0015—Licensee's conduct was not the cause of an alleged injury. Ms. Yates moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0016—Licensee properly diagnosed and treated with required consents. Ms. Pate moved, Ms. Yates seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0017A/B/C—All involved licensees' treatments met minimum standards, and consent was obtained. Dr. Lamb moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0018A/B—Licensees' conduct met minimum standards; intern supervision was appropriate. Dr. Wilson moved, CVT Schwartz seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction. Ms. Pate recused herself from discussion and voting.

19-0020—Licensee's diagnosis, treatment and recommendation met minimum standards. Dr. Wilson moved, Dr. Lamb seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0023—Licensee's sedation and release procedures met minimum standards. Dr. Wilson moved, CVT Schwartz seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0024—Licensee's diagnosis and surgery had consent and met minimum standards. Dr. Wilson moved, Dr. Lamb seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

19-0025—CVT application denied for cause. Ms. Yates moved, Dr. Wilson seconded, and the Board voted unanimously not to issue a notice of intent to propose a disciplinary sanction.

Next meetings: October 25-26, 2019 (Ashland).

There being no further business, the meeting was adjourned at 4:45 P.M. Respectfully submitted,

Lori Makinen Executive Director