

Oregon Veterinary Medical Examining Board

April 14-15, 2002

Eugene, Oregon

FINAL MINUTES

Present: Jo Ann Dewey (Chair)
Drs. Bob Anderson, Jonathan Betts, Emilio DeBess, Martha DeWees, Leon Pielstick
Lori Makinen, Executive Officer
Dennis Chaney, Investigator
Carol Parks, Assistant Attorney General

The meeting was called to order at 8:30 a.m. The agenda was adopted as amended. February 2002 meeting minutes were approved as amended.

OLD BUSINESS

The Board received an updated draft copy of proposed rule amendments. Amendments to the definition of supervision will be made and another draft will be sent to members. Discussion of a supplementary, self-test on salmon poisoning and tansy ragwort to be included with the Jurisprudence Exam continued with addition of questions about selenium, fescue and ryegrass staggers.

The Board reminded Dr. Pielstick and Lori Makinen, when they attend the July AAVSB meeting in Nashville, to request that the National Board of Veterinary Medical Examiners (NBVME) consider imposing limits on the number of times an applicant can take NAVLE without showing score improvement .

NEW BUSINESS

Dennis Chaney was introduced as the new board investigator. Mr. Chaney's experience includes a career as a police officer with the Portland Police Bureau, international police work, and a recent assignment as investigator for the Board of Medical Examiners.

The Board welcomed Dr. Steve Brown, OVMA lobbyist Dave Barrows and OVMA Executive Director Glenn Kolb, who presented proposed legislative changes that affect the Board. Proposed changes are: increasing discretionary civil penalty authority for the Board to enhance its ability to impose penalties on nonlicensed practitioners; increasing fine authority to a per-violation basis; expansion of responsibilities for certified veterinary technicians; and facility permits. The Board agreed to support OVMA's efforts with the Legislature.

The Board welcomed a presentation by the International Alliance of Animal Therapy and Healing (IAATH), co-founded by Dr. Donna Starita. The presentation featured speakers were Dr. Starita, veterinarian from Boring; Mary Ann Simonds, Behavioral Ecologist and Animal Behaviorist; Dennis O'Brien, D.C.; Carla Person, Shamanic Healer, Professor at University of Oregon. Speakers discussed IAATH's interest in developing a variety of health care options for animals, establishing a registry of alternative modalities and working on solutions to problems and obstacles to 'concurrent care.'

The nomination of Larry Crabb, instructor at Multnomah County Animal Control, as a member of the Euthanasia Task Force (ETF) was presented. Dr. Anderson moved, Dr. Pielstick seconded and the Board voted unanimously to appoint Mr. Crabb to the ETF.

In March, the Public Health Veterinarian issued a rule amendment to OAR Ch. 333 that allows veterinary technicians to administer rabies vaccine and sign rabies certificates. The Board discussed the need to clarify the supervisory requirements for this rule and issue a Temporary Rule to make pertinent provisions of the Veterinary Practice Act consistent with OAR Ch. 333. Dr. DeWees moved, Dr. Pielstick seconded and the Board voted unanimously to issue a Temporary Rule that amends OAR Ch. 875 to allow veterinary technicians to administer rabies vaccine and sign rabies certificates under the direct supervision of a veterinarian. The Rule defines 'direct supervision' as the veterinarian and veterinary technician being on the premises at the same time.

EXECUTIVE OFFICER REPORT

Ms. Makinen updated the Board on the budget process, including submission of legislative concepts to: change certain terminology in the statute (changing executive 'secretary' to 'director', eliminating inapplicable professional designations, and deleting reference to the now nonexistent Oregon Health Division); and add a certified veterinary technician member to the Board. A copy of a newspaper article describing North Carolina's successful prosecutions of unlicensed practitioners was distributed. A veterinarian's question concerning scope of practice for certified veterinary technicians working in animal shelters was deferred for further consideration and response. Makinen informed the Board of a Department of Administrative Services memo confirming the status of the Board as an independent state agency.

REGULATION/COMPLAINTS/DISCIPLINE

The Board considered the renewal application of Dr. Thomas Evans, originally licensed under a Consent Agreement for substance abuse. Dr. Evans had sustained injuries and had not renewed his license in 2001. The Board requested that he obtain a neuromedical assessment for consideration at the June meeting.

No number: The Board considered the renewal application of a veterinarian against whom discipline has been imposed by the Idaho Veterinary Examining Board. The veterinarian entered into a consent agreement; however, it is not clear whether the document is considered discipline or publicly discloseable. The examining board of Minnesota, where the veterinarian is also licensed, issued a consent agreement requiring retaking of the law exam and compliance with veterinary rules. Dr. DeWees moved, Dr. Pielstick seconded and the Board voted unanimously to propose a consent agreement to the veterinarian, subject to advice of counsel.

2002-21—The Board considered a veterinarian's request for guidance and assistance following receipt of a proposed suspension of his license in California due to substance abuse. The Board will request that the veterinarian obtain an assessment from a qualified substance abuse assessment and treatment professional to determine level of treatment and monitoring needed. The Board will revisit this case at the June meeting.

2002-33—The Board interviewed Dr. Carol Helfer, who has continued to practice with a license that lapsed in 2000. Board staff learned that the license was lapsed upon receiving a telephone request for status of the license; staff then notified Dr. Helfer, who agreed to address the issue with the Board. Dr. Helfer explained that a personnel issue in the clinic, as well as sale of the clinic to a veterinary corporation contributed to failure to renew the license for two years. The Board felt the failure to renew was unintentional. Dr. DeBess moved, Dr. Pielstick seconded and the Board voted unanimously to order the veterinarian will pay a reactivation fee of \$250 as well as \$500.

2001-53—Dr. Robert Hervey Anderson addressed the Board with a request for reduction of the 90-day suspension and \$1,500 fine imposed under a Proposed Notice of Discipline issued March 8, 2002. In reviewing the case, it was determined that the Notice contained errors. The Board will issue an Amended Notice.

2001-29: Investigation pending.

2001-62: Investigation pending.

2002-01: Investigation pending.

2002-10: Investigation pending.

2002-19: Dr. DeBess moved to find no violation of the Veterinary Practice Act. Dr. Anderson seconded, Dr. Pielstick abstained, Drs. DeBess and DeWees, Ms. Dewey and Mr. Hagglund voted aye; Dr. Jon Betts voted nay. Motion carried.

2002-14: Dr. DeWees moved, Dr. Anderson seconded and the Board voted unanimously to find no violation of the Practice Act.

2001-30: Mr. Hagglund moved, Dr. DeWees seconded and the Board voted unanimously to find no violation of the Practice Act.

2001-92: Mr. Hagglund moved, Dr. DeWees seconded and the Board voted unanimously to find no violation of the Practice Act.

2001-07: Mr. Hagglund moved, Dr. DeWees seconded and the Board voted unanimously to find no violation of the Practice Act.

2001-57: Mr. Hagglund moved, Dr. DeWees seconded and the Board voted unanimously to find no violation of the Practice Act.

2001-58: Mr. Hagglund moved, Dr. DeWees seconded and the Board voted unanimously to find no violation of the Practice Act.

2002-16: Mr. Hagglund moved, Dr. DeWees seconded and the Board voted unanimously to find no violation of the Practice Act.

There being no further business, the meeting was adjourned at approximately 4:00 pm.

Next meeting: June 18-19, 2002, Klamath Falls.