

**Oregon Veterinary Medical Examining Board  
Hotel 50  
50 SW Morrison St.  
Portland, OR**

**FINAL MINUTES**

Present (both days):

Mr. Mark Reed (Chair)

Dr. Mark McConnell (Vice-Chair)

Dolores Galindo, CVT

Mr. Rocky Liskey, Public Member

Drs. Robert Lester, Kimberli Maltman, Marla McGeorge, Colleen Robertson

Lori Makinen, Director

Dennis Chaney, Investigator (present Friday only)

Carol Parks, Assistant Attorney General

**July 22, 2011**

**Conducted in Executive Session**

Attorney Report: Update on cases 07-0024, 08-0019, 08-0032, 09-0038, 10-0019.

The Board conducted interviews for cases: 10-0022, 10-0032A&B, 11-0006.

The Board reviewed the following new cases: 11-0001, 11-0002, 11-0003, 11-0004, 11-0007, 11-0008, 11-0009, 11-0010.

**Saturday, July 23, 2011**

**Public Session Convened**

The Board welcomed new Chair Mark Reed and new member, Dr. Kimberli Maltman, an equine practitioner from Sandy.

**Chair Report**

Mr. Reed introduced his comments by noting that the role of a public member is to represent Oregon consumers of veterinary services. He said his family has cats, dogs, horses, ponies and sheep, and that his veterinary costs in 2010 consumed seven percent of their net income and constitute the second largest item in their budget. He plans to decrease the number of animals rather than reducing the level of care provided. Mr. Reed then shared that his experience as a veterinary client has led him to look for the 'three C's': the quality of *care*, i.e., medical skills; excellent *communication* (effectively explanation of diagnoses and options); and *compassion*, which means advocating for care that is in the best interests of the patient. When evaluating a prospective veterinary care provider, Mr. Reed considers experience, as each case brings greater insight; and lifelong learning to ensure current competency. Mr. Reed noted that mandatory Continuing Education, as well as Oregon's unique internship requirement for new graduates, protects the public by ensuring minimum standards of competency. Mr. Reed confirmed that he will represent the Board as a delegate at the September annual meeting of the American Association of Veterinary State Boards (AAVSB). As part of his work as Deputy Director at the World Forestry Council, Mr. Reed is organizing 'Masters of the Night,' an event featuring bats. Mr. Reed also shared that the

Oregon Zoo is building a state-of-the-art veterinary facility, and he hopes to schedule a Board meeting and tour of the new facility at the Zoo in early 2012.

### **Director Report**

Ms. Makinen gave a brief update on the budget process and said that the Governor's office is working on finding replacements for public member Rocky Liskey and Dolores Galindo, CVT, whose second terms expire in November. She said she will also be going to the AAVSB annual meeting in September.

### **OVMA**

Director Glenn Kolb related that the Oregon State University College of Veterinary Medicine has experienced a budget reduction of five to 10 percent, and that CVM hopes to increase class size from approximately 55 to 70 in the future, including higher paying nonresident students. Mr. Kolb explained HB 1311, sponsored by OVMA in the last legislative session. The bill reduces the amount of time a veterinarian must retain a patient if the client cannot be reached for payment or retrieval of the animal. OVMA may introduce legislation in the next session addressing non-veterinary ownership of practices and premise permits. Mr. Kolb further shared that in the interests of animal care and protection, OVMA will be reviewing the scope of veterinary practice, including care by veterinarians, CVTs, nonlicensed providers and animal shelters. OVMA has conducted a member survey and will share results and proposals in the future.

### **Guest: Mark Cushing, Tonkon Torp Animal Policy Group.**

Mr. Cushing informed the Board about the Fairness to Pet Owners bill, sponsored by Walmart, which would require veterinarians to write prescriptions on demand.

### **Guest: Dr. Andrea Dover, Clinical Director, Sanford Brown College, Veterinary Technician Program**

Dr. Dover gave a presentation on the Sanford Brown College located in the Galleria in downtown Portland. The first cohort of students is enrolled and the program is expected to be awarded AVMA accreditation by the time they graduate. In addition to the class curriculum, students obtain clinical experience in local practices and do volunteer work.

### **Rulemaking**

The Board voted to ratify a typographical correction made to OAR 875-015-0030(3), which changed 'or' to 'of' thereby clarifying the meaning of the rule.

The Board reviewed the results of the April 14, 2011 public hearing on its proposed amendment to OAR 875-015-0030(1)(h). The totality of written and public comments on the matter significantly opposed adoption of the proposed amendment. Dr. Lester moved, Dr. McGeorge seconded, and the Board voted by majority to withdraw the amendment; Dr. Maltman opposed the motion. The Board will further consider interpretation of the current rule and bring the matter back for discussion at the next meeting.

Dr. Lester suggested reviewing model practice acts available from AVMA, AAVSB and NAVTA.

### **Complaint Resolution**

09-0024—The Board entered into a stipulated agreement with Dr. Kelli Smith.

10-0002—Dr. McConnell moved, Ms. Galindo seconded and the Board voted unanimously to close the case without discipline.

10-0005A/B—The Board entered into stipulated agreements with Dr. Don McCoy and Kimberley Fitzgerald, CVT.

10-0115—The Board entered into a stipulated agreement with Dr. Joseph Barry.

10-0019—The Board voted to reject licensee's settlement offer and update the Notice with new information.

10-0021—Investigation ongoing.

10-0022—Dr. Lester moved, Dr. McGeorge seconded and the Board voted unanimously to close the case without discipline.

10-0025—Complainant requested reconsideration. Board affirmed its no-violation decision.

10-0026A—The Board entered into a stipulated agreement with Jennifer Wood, CVT.

10-0032A&B—Dr. McConnell moved, Dr. Lester seconded, and the Board voted by majority to find a violation of the Veterinary Practice Act. Dr. Maltman recused.

11-0001—Case remains open.

11-0002—Case remains open.

11-0003—Investigation ongoing.

11-0004—Investigation ongoing.

11-0006—Dr. McGeorge moved, Dr. McConnell seconded, and the Board voted unanimously to find a violation of the Veterinary Practice Act.

11-0007—Mr. Liskey moved, Dr. McConnell seconded, and the Board voted unanimously to find no violation of the Veterinary Practice Act.

11-0008—Investigation ongoing.

11-0009—Investigation ongoing.

11-0010—Dr. McGeorge moved, Mr. Liskey seconded, and the Board voted unanimously to find a violation of the Veterinary Practice Act.

11-0014—Dr. McGeorge moved, Ms. Galindo seconded, and the Board voted unanimously to issue a Notice of Emergency Suspension if licensee refuses to surrender license.

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

Next meeting: November 13-14, 2011, Portland.

Respectfully submitted,

Lori Makinen, Director