

**Oregon Veterinary Medical Examining Board
Surftides Inn
2945 NW Jetty
Lincoln City, OR**

FINAL MINUTES

Oct. 23, 2005

Present: Dr. Emilio DeBess (Chair) Lori Makinen, Director
 Dr. Martha DeWees Dennis Chaney, Investigator
 Ms. Dolores Galindo, CVT Carol A. Parks, Assistant Attorney General
 Mr. Rocky Liskey and Mr. Mark Reed,
 Public Members

The meeting was called to order at 12 p.m. Executive session was convened to review cases 03-0009, 04-0006, 05-0016, 05-0013, 05-0004, 05-0019, 05-0014 and 05-0020. The meeting was adjourned at approximately 4:30pm.

Oct. 24, 2005

Present: Dr. Emilio DeBess (Chair)
 Drs. Martha DeWees, Kris Otteman-Brant
 Ms. Dolores Galindo, CVT
 Mr. Rocky Liskey, Public Member
 Lori Makinen, Director
 Dennis Chaney, Investigator
 Carol A. Parks, Assistant Attorney General

The meeting was called to order at 8:00 a.m. The agenda was approved as amended. Draft minutes from the July meeting were approved as amended.

The Board bade formal farewell to Dr. Marty DeWees, whose second term expired in September. Members and staff expressed gratitude for Dr. DeWees's dedicated and highly competent service on the Board, and noted that her efforts and contributions have changed the Board and will resonate into the future. She will be missed and it is hoped that she will continue to enrich the Board's work by serving on committees.

Reference was made to a National Board Examination Committee (NBEC) newsletter concerning limiting the number of times an applicant may sit for the North American Veterinary Licensing Exam (NAVLE). The

Board's attorney indicated that the Veterinary Practice Act is silent on this issue and that the Board could make a rule addressing limits. Language will be drafted for consideration at the next meeting.

Rulemaking

Many of the comments referred to rules that are not being amended at this time. Those comments will be retained for consideration if and when the applicable rules are proposed for amendment. With minor changes, the rule amendments were approved for adoptions. Dr. DeWees moved to adopt with changes, Mr. Liskey seconded, and all present voted for the motion. Final rule amendments will be effective upon filing with the Secretary of State, expected to occur the first week of November.

Member Reports

Drs. Betts and DeBess reported on their attendance at the AAVSB annual meeting in September in Kansas City. Among other perennial topics, it was noted that Nevada now licenses massage technicians for work on animals. The Board will review the rule allowing this. Ms. Galindo also attended the meeting as a member of the Veterinary Technician Task Force. She reported that the AAVSB is working toward a national 'gold standard' of credentialing, hoping to standardize the certification application and establish a database of nationally accepted standards to facilitate national licensing. AAVSB has purchased the Veterinary Technician National Exam (VTNE). Ms. Galindo also reported that the Oregon Veterinary Technician and Assistant Association (OVTAA) has had four meetings so far and OVMA has agreed to help publicize the organization.

The issue of patient record confidentiality was discussed briefly. Other states' rules regarding confidentiality of records will be provided and reviewed at the next meeting.

Chair Report

The Chair reported that he and Makinen had developed a PowerPoint presentation on the Board's complaint process, which was presented in October for the Portland Veterinary Medical Association at the Oregon Humane Society. The informal presentation was considered to have gone well and will be further developed for presentation at the OVMA March meeting in Corvallis.

Director Report

The Director reported that agency consolidation efforts are underway. The consolidation, proposed as a counter to the Legislature's suggestion of moving the Board and several other agencies into the Health Licensing Office in Salem, will formalize many shared resource arrangements currently in place, but will not reduce any board's autonomy or direction by its members.

Complaint Review

The Board considered case 05-0012, involving Lee Anderson, an individual not licensed to practice veterinary medicine who, in the course of attempting to castrate four horses and ponies, severed the penises of two. One of the animals was eventually euthanized. The Board's investigator met with the individual and his attorney, who agreed that the action was in violation of the Veterinary Practice Act and agreed to enter into a stipulated agreement. Dr. Betts moved to fine Mr. Anderson \$5,000 per violation (\$20,000), waive the fines for the animals that survived, and reduce the fine to \$500 in consideration of Mr. Anderson's admission, cooperation and agreement to cease practicing without a license. Dr. DeWees seconded, and the Board approved the motion. (Note: As Mr. Anderson is neither an applicant nor a licensee, this case is not subject to the confidentiality provisions of ORS 192.660.)

The Board made the following decisions in public session:

Case 05-0006—Dr. DeWees moved, Ms. Galindo seconded, and the Board voted by unanimously by all present to find no violation of the Veterinary Practice Act.

Case 05-0004—Dr. DeWees moved, Dr. Betts seconded, and the Board voted unanimously by all present to find no violation of the Veterinary Practice Act.

Case 05-0019—Dr. Betts moved, Ms. Galindo seconded, Dr. Otteman-Brant abstained from discussion and vote, and the Board voted by majority to impose a fine of \$100 for violation of ORS 686.020 (practicing veterinary medicine without a license).

Case 05-0020—Dr. DeWees moved, Mr. Liskey seconded, and the Board voted unanimously by all present to find no violation of the Veterinary Practice Act.

Case 04-0006—Dr. DeWees moved, Dr. Betts seconded, and the Board voted unanimously by all present to find no violation of the Veterinary Practice Act.

Application Review

The Board considered the license application of Dr. Matthew Marasco. Dr. Marasco graduated from the University of Mexico in 1983 and was licensed in California according to their requirements at the time, which preceded existence of the foreign graduate equivalency program administered by the Education Commission on Foreign Veterinary Graduates (ECFVG). His California license is in good standing and his Continuing Education is current. Pursuant to its authority under OAR 875-010-0030(b), the Board unanimously approved Dr. Marasco's application.

Next meeting: January 29-30, 2006 in Portland.

There being no further business, the meeting was adjourned at approximately 3:00 p.m.

Respectfully submitted,
Lori Makinen, Director