

OVMEB BOARD MEETING PUBLIC SESSION	February 17, 2022	8:30 AM
	Zoom Conference:	
	https://zoom.us/j/94896695982?pwd=YW55d1J4	
	Meeting ID: 948 9669 5982	
Passcode: b6ymwh		
Board President: Emilio DeBess, DVM, MPH Phone 971-673-0224 Fax 971-673-0226		

Board member Attendees:	Staff Attendees:
Emilio DeBess, DVM, MPH, President	Cass McLeod-Skinner, JD, Interim Executive Director
Karen Pate, Public Member	Bertina Balajadia, Administrative Assistant
Allison Lamb, DVM	Brenda Biggs, Inspector
Brett Hamilton, DVM	Janine Holland, Investigator
Dean Wilson, DVM	
Glenn Taylor, Public Member	
Public Attendees: Several members of the public attended	

Friday, February 17, 2022, Public

Session 8:35 AM Convene Public

Session

1. **PUBLIC COMMENTS** – None.
2. **CONSENT AGENDA** –
 - a. **Today’s Agenda** – Lamb moved to approve the agenda; Wilson second. Vote unanimous. Motion passed.
 - b. **October 22, 2021, Public Board Meeting Minutes** – Pate moved to approve; Wilson second. Vote unanimous. Motion passed.
3. **STATE VETERINARIAN UPDATE – Dr. Ryan Scholz, DVM, MPH**
Update will be provided in April.
4. **EXECUTIVE DIRECTOR REPORT** –
McLeod-Skinner presented report with additional information on AAVSB board training.
5. **ADMINISTRATIVE RULES** –
 - a. **OAR 875-030-0040** – Receive update on December rule hearing and vote re: CVT Microchipping
Issue: Vote to approve rule.
Discussion: Two public comments received in favor of rule change.
Outcome: Hamilton moved to adopt rule; Lamb second. Vote

unanimous.

- b. OAR 875-011-0010(4)** – Review for possible clarification of “timely manner”
Issue: What is considered “timely manner” and what is considered “admitted.”
Discussion: Discussion was had about longer waiting times during COVID. Emergency clinics are holding pets until triage and treatment. Owners are confused thinking pets are being monitored and thinking treatment is occurring immediately, yet this is not occurring until hours later. A discussion on the issue being a communication problem or the definition of “timely.”
Outcome: Information will be drafted regarding better communication, triage, managing expectations, and logging in documentation. If needed, will revisit in 3-6 months.
- c. OAR 875-015-0040(3)(g)(E)** – **Conflicting rule and enforcement policy with OBP**
Issue: OVMEB allows use of expired meds and transfer of expired drugs when Oregon Board of Pharmacy (OBP) does not.
Discussion: Discussion on DPDO. OVMEB allows for expired drugs to be dispensed but OBP rules do not. The Board has several options to consider: if expired drugs are not dispensed, then there will be no conflict. If expired drugs are dispensed, further discussion with OBP is needed. If OBP says that expired drugs are not allowed, we may not get DPDO waiver and OBP may start inspecting, creating dual inspection scenario. OBP has charitable pharmacy exclusion to also consider.
Outcome: Set up meeting with Board of Pharmacy to include McLeod-Skinner, Tucker-Davis, and DeBess.

6. DISCUSSION AND ACTION ITEMS

Inform

a. RAC Update – Emilio DeBess

Issue: DeBess provided an update on dentistry and CVTs.

Discussion: RAC met on Nov 9, 2021. A follow up document was sent to RAC members for input.

Outcome: Update will be discussed and brought back to the board at the next meeting.

b. Practice Policies

i. Veterinary Cannabinoid Medicine – Mayfield

Issue: No regulation for Cannabinoids.

Discussion: Mayfield led discussion on how engagement, recommendations, and help on how to dispense cannabinoid medicine is worth reviewing.

Licenses are concerned with disciplinary action when it comes to dispensing and discussing products. Discussion on any DEA license conflict. Any hemp derived product is completely federally legal; should not be any DEA restrictions.

Outcome: 2016 Board document will be revised and reviewed.

ii. Breed Changing Issue – Davis

Issue: Can veterinarian change the “breed” of dog within medical records?

Discussion: AAVSB power poll results provided. Discussion on making a note on the record to document change within the record.

Outcome: No board action.

iii. CETs Dispensing Oral Sedation Issue – Kochis

Issue: Can CET's dispense medications for aggression prior to euthanasia?

Outcome: Statute doesn't allow for dispensing ahead of time; dispensing can only be done by DVM.

iv. DVM Shortage Issue – Wood

Issue: Not enough veterinarians, causing long wait times etc.

Outcome: DVM shortage is ongoing problem.

v. VCPR for Vaccines

a. Exam Process – Alimossy

Issue: Was VCPR waived during emergency declaration or was it just for telemedicine?

Discussion: Discussion on telemedicine and vaccines. VCPR was waived only on telemedicine per Maakinen request to Governor's office, not for vaccines. People can get vaccines from feed store without VCPR, yet DVMs are being restricted due to a VCPR requirements. Exam must be done by the DVM, not CVTs.

Outcome: No action taken. Will bring forward for further discussion to April board meeting.

b. Rabies Clinic Issue – Gray

Issue: VCPR Requirement for rabies vaccine.

Discussion: Discussion on the difference between rabies and other vaccines. Rabies should only be given to healthy pet. It is important to have an exam prior to rabies vaccine. Examination waiver is also an issue.

Outcome: Review rules during April meeting.

vi. Charge for prescriptions – Timmons

Issue: Whether veterinarians or clinics can charge for providing a written prescription.

Discussion: Legislation did not move forward to deny charging. Prescriptions should be made available to individual. Cost aspect not included.

Outcome: No board action taken.

vii. Animal Massage – Knight

Issue: Pathways to practice animal massage.

Discussion: Is animal massage a medical treatment? Exception within allied healthcare professions. If licensed healthcare provider, exception exists to allow practice so long as there is a referral from a veterinarian. If not licensed, when does it become practicing veterinary medicine? OAR 875 defines practice of veterinary medicine. Animal massage for comfort of the animal is not practicing unless it is for "therapy" or "rehabilitation" following an injury. Does not fall under the practice of veterinary medicine.

Outcome: Provide statute and rule to Knight.

viii. Gabapentin Reporting and Tracking – Fiendish

Issue: Does DEA require tracking for Gabapentin? Is it a controlled substance?

Discussion: Gabapentin is considered a drug of interest for PDMP but veterinarians are not participants in PDMP. Gabapentin is not considered a DEA controlled substance at this time and does not require logs.

Outcome: No board action taken.

ix. Selling OTC Vaccines Issue – Wilson

Issue: Can clinics sell OTC non-prescription medications?

Discussion: Feed stores, and any other place, i.e. gas station, that sells any non-prescription medication must register with OBP as an OTC outlet and follow all rules. If feed stores breaking down multi-pack boxes for individual sale, then that's reportable to OBP. This is not allowed. OVMEB does not regulate these establishments.

Outcome: FAQ will be drafted on current rules/statutes.

c. Administrative Policies

a. Reciprocity Initiative – Breen

Issue: Can we expand OAR 875 to remove experience requirement from requiring experience within "last 5 years" to "at any time"?

Discussion: Glenn Kolb submitted email to Board recommending rescinding 5-year contiguous requirement. Agreed that this should be re-evaluated.

Outcome: Open rulemaking in April. Lamb moved; Wilson second. Vote unanimous.

7. Permanent Executive Director Recruitment Update and Action Items

Issue: Sherry Lauer, DAS CHRO, provided update on permanent Executive Director recruitment.

Discussion: Discussion was had as to the different rounds of interviews that the candidates will go through, who was to participate on the different interview panels, and the timeline. First round screening will be done through vidcruiter so every Board member has the opportunity to participate.

Taylor moved to delegate authority to McLeod-Skinner and DAS CHRO to manage process on behalf of the Board, use today's discussion to guide number of participants on first round interview panel and to include veterinarian in private practice, Board members who are interested, McLeod-Skinner, DeBess, Board member in private practice. Taylor amended motion to include at least one Board member in private practice and as many Board members wishing to be involved. Wilson second. Motion passed.

Second round interviews are live (via zoom) and only one Board member should be present to avoid conflict with public meetings laws. Hamilton moves to have 1 staff member, McLeod-Skinner, DeBess, private practice Board member different from first round, Executive Director from another board, and to delegate to McLeod-Skinner the ability to determine actual members. Taylor second. Motion passed.

Third round involves meetings with stakeholders, Governor's office, and staff, then a final interview with the full Board for a vote. Professional associations, licensees,

Governor's policy advisor, and AAGs office were some of the suggested stakeholders. Invitation will be sent out to all stakeholders allowing them to submit questions ahead of time. Taylor moves to delegate to McLeod-Skinner and Lauer the ability to determine stakeholder invitee list. Wilson second. Motion passed.

8. IN THE MATTERS OF (following Executive Session)

2021-0023: No Statutory Violation. Wilson moved. Lamb second. All in favor. Motion passed.

2021-0032 AB: Issue Notice of Proposed Discipline with a total fine of \$250 for A. No statutory violation for B. Wilson moved. Taylor second. All in favor. Motion passed.

2021-0029ABC: No Statutory Violation with Letter of Education for A. No Statutory Violation for B and C. Lamb moved. Wilson second. All in favor. Motion passed.

2021-0028: No Statutory Violation. Lamb moved. Taylor second. All in favor. Motion passed.

2021-0017AB: No Statutory Violation for both A and B. Wilson moved. Pate second. All in favor. Motion passed.

2021-0026: No Statutory Violation. Taylor moved. Lamb second. All in favor. Motion passed.

2021-0012AB: Issue Notice of Proposed Discipline with a total fine of \$250 for A. No Statutory Violation for B. Wilson moved. Lamb second. All in favor. Motion passed.

4:55 PM Adjourn meeting 02/17/22.

Prepared by Bertina Balajadia, Administrative Assistant; 04/11/2022.

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