

Oregon Veterinary Medical Board

NEWSLETTER

Fall 2014



THIS IS YOUR ONLY LICENSE RENEWAL NOTICE

All licenses expire on December 31st of each year. Online renewal will be available by November 15th at the Board's website, www.oregon.gov/ovmeh. Look for the link under the Chihuahua. For those who don't wish to renew online with a credit card, there will be a link to a paper form. Be sure to fill in all parts before sending it in with payment. Renew before December 31 to avoid late fees. **Practice owners:** please ensure all your licensees renew on time.

—NEW RULES— CVT Eligibility and Criminal Background Checks

The Board has adopted new rules that expand opportunities for CVTs from other states to become licensed in Oregon. Reconsideration was needed for individuals who had not graduated from an AVMA-accredited program, but were otherwise highly qualified. Some had years of licensed CVT experience in practice or academia and had completed veterinary technology programs prior to the advent of AVMA accreditation. Under the new rule, applicants will need to show proof of 3-5 years of licensed experience in another state, pass the VTNE, and meet all other eligibility requirements.

Criminal background checks will soon be required for new license applicants who have resided in Oregon for less than five years. The Board may waive the requirement in some cases. Using the state Law Enforcement Data System (LEDS) a background check for each renewing licensee will be conducted annually at no cost to licensees. LEDs provides information about criminal activity in Oregon. 'Hits' will be compared to your self-reporting on renewal applications. Make sure to follow self-reporting instructions when you renew your license.

LEGISLATIVE CONCEPTS APPROVED BY GOVERNOR

The Governor's Financial Office has approved two legislative concepts submitted by the Board. If the Legislature passes the bills, rulemaking and implementation will occur in 2015.

LC 658 authorizes the Board to join approximately 36 other states that regulate veterinary facilities. Substandard facility conditions imperil the health of pets and people. Current law allows the Board to investigate a facility only in response to a complaint. Since clients rarely see the 'back of the house,' the Board relies on tips from employees or former employees or on information relating to an existing investigation. The concept will require designation of a veterinarian-in-charge, which will increase practice ownership and sale options, as well as improving regulation of corporate-owned practices. Establishment of facility designations and registration fees will occur through public rulemaking.

LC 659 will allow the Board to issue citations in-lieu-of public discipline for low-level violations of the Veterinary Practice Act, e.g., failure to post licenses or notify the Board of address changes, with a maximum fine of \$100. Citations will not be reported to the National Disciplinary Database.

Board Members

- Robert Lester, DVM, Tualatin (Chair)
- Marla McGeorge, DVM, Portland (Vice-Chair)
- Randi Golub, CVT, Eugene
- Lynn Larsen, Public Member, Portland
- Kimberli Maltman, DVM, Sandy
- Patti Mayfield, DVM, Bend
- Mark Reed, Public Member, Beavercreek
- Colleen Robertson, DVM, John Day

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WHY YOU NEED TO KEEP GOOD RECORDS

The most important thing the Board sees when reviewing complaints is the patient record. This is also where the Board finds the most violations. Please remember that in addition to physical exam findings, you must also chart recommended treatments and tests—and this is very important—whether or not the client accepts or declines. Please make **legible** records. This is what the Board says: if it can't be found in the record, it didn't happen.

COMPLAINT & INVESTIGATION BASICS

The Board is required to investigate every complaint filed against a licensee. There are currently 54 cases in various stages of review. For best resolution, the Board requests a detailed written response from the licensee. Here are some tips for helping the Board—and yourself—if you are ever the subject of a complaint.

1. Be forthcoming in your response. If you have pertinent written clinic protocols, include them.
2. Write a clear and concise account of the case from beginning to end. Don't over-edit; there may be mitigating details in your favor. Interviews are often required because a licensee does not provide enough information in writing.
3. Assume that the Board already has a copy of the patient record. Submitting altered records to the Board is a violation.
4. The same statute that protects your identity during the investigation also prevents the Board from revealing information that might lead to the identification of the complainant. The investigator will give you as much information as possible about the nature and substance of the complaint.

The Board's job is consumer protection. There are about five two-day meetings per year, with additional meetings by teleconference. Members do many hours of 'homework' preparing for evaluation of the licensee's compliance with the minimum standards of the Veterinary Practice Act. Should discipline result, you may be sure the decision was made only after careful deliberation, and with advice from the Board's attorney.

VETERINARY PRACTICE ACT Q & A

? Can I refill a prescription for a patient I haven't seen in 15 months?

No. *The VPA requires that a VCPR (veterinary-client-patient-relationship) exist in order for you to treat, including filling prescriptions and administering vaccines. The VCPR is established by at least an annual documented physical exam or, for equines and herd/flock animals, by timely visits to the place where they're kept.*

? Wiegand has advanced heart disease, but his owner consents only to minimal, inexpensive treatment because 'it worked so well last time.' What should I do?

Do your best to convey the gravity of a dire prognosis, and note prognosis, recommendations and the client's rejections in the patient record.

? Can a CVT perform dental extractions?

Yes, if the extraction does not require the use of tools, surgery or sutures, or in other words, if the tooth is about to fall out. More rulemaking to clarify this is planned for December.

? My feuding clients are each demanding that the other not have a copy of their jointly owned pet. What to do?

Veterinary medical records are not confidential or protected by law. You may provide a copy to anyone you choose. Good luck!

? A client whom I fired for nonpayment of the bill is now demanding a copy of Mondrian's record. Can I require payment before providing the record copy?

No. (Arrrgh!) Record copies may not be withheld for payment or any other reason, including absence of a veterinarian. Please provide record copies, including images if requested, within 72 hours, and ASAP in emergencies. No buts.

It's all in your Veterinary Practice Act.

www.oregon.gov/ovmeh

Click on Oregon Administrative Rules

Division 11 (dishonorable conduct—don't do it)

Division 15 (minimum requirements—do it)



HAPPY AUTUMN, EVERYONE!

