



Oregon Veterinary Medical Board NEWSLETTER

Fall 2012

THIS IS THE ONLY LICENSE RENEWAL NOTICE YOU WILL RECEIVE.

Starting November 1st, you will be able to renew online with a credit card at www.oregon.gov/ovmeb. Licenses for veterinarians and Certified Veterinary Technicians expire on December 31st of each year. Licenses are valid through March 31st of each year, but late fees will apply if renewal occurs after December 31st.

Veterinarians: You need to report 30 hours of CE to renew your license for 2013. If you have not completed required CE by December 31, renew before the deadline anyway to avoid late fees. The renewal form has a space to explain why CE is insufficient and how you plan to meet the requirement by March 31st.

CE rules are on our website. At the main menu, click on *Veterinary Practice Act*, then on *Oregon Administrative Rules*, then find *Initial Licenses* and scroll down to *Continuing Education Requirements*.

Certified Veterinary Technicians: You do not need to report CE this year. Make sure to acquire 15 hours of CE for your 2014 renewal.

Questions? Send us an e-mail at ovmeb.info@state.or.us, or string up the tin cans and call 971-673-0224.

LICENSE RENEWAL FOR 2013

Go to
www.oregon.gov/ovmeb
and click on 'Renew Online.'



► 2013-2015 BUDGET UPDATE

Over the last two biennia, the Board eliminated application requirements and fees for the North American Veterinary Licensing Exam (NAVLE) and the Veterinary Technician National Exam (VTNE). Applicants for these tests now apply directly to the National Board of Veterinary Medical Examiners and the American Association of Veterinary State Boards, respectively. The good news is the Board eliminated a redundant application process and cost. The bad news is the Board consequently will have insufficient operating revenue beginning in the 2013-15 biennium. The Board is therefore proposing a fee increase to restore revenue and ensure stable operating expenses for the next 10 years. Fees were last raised in 1993. Proposed increases will raise annual license renewal fees to \$150 for veterinarians and to \$30 for CVTs (percentages may be re-proportionalized following review by the Governor). In addition to maintaining current service levels for application, examination and licensing, the additional revenue will support increased investigation resources.

► NEW MEMBERS

The Board said goodbye to three members in 2011. Public member Rocky Liskey of Klamath Falls, and Dolores Galindo, CVT, of Gresham, were appointed in 2003. Dr. Lauren Acton of Mollalla was appointed in 2007.

New members are: Dr. Kim Maltman, an equine practitioner from Sandy; Randi Golub, CVT, of Eugene; and public member Lynn Larsen of Portland.

Individuals who volunteer as Board members provide an invaluable service to the public and the profession. The Board acknowledges and honors their time, energy and effort.

Please go our website, www.oregon.gov/ovmeb, to read Dr. Maltman's eloquent account of her first year on the Board.



THE BOARD'S JOB

Accountability for professional conduct is the primary purpose of licensing and regulation. The Board receives complaints about veterinary care almost every day. Most complaints are about issues outside the Board's jurisdiction (fees, attitudes, clinic policies, etc.) so they are not investigated. Complaints that relate to a statute or rule of the Veterinary Practice Act get further attention. If the complaint appears to have merit, the complainant is asked to send a detailed written version. If there is still doubt about validity, the complaint is sent to a committee comprising two Board members and the Chair. Former Board members may also be asked to review a redacted complaint. If the committee concludes that the complaint has merit, it is sent to all members for consideration and discussion at the next scheduled meeting.

Typically, it may take a couple months to prepare a case for presentation to the Board. The treating veterinarian is contacted with a request to provide records and a synopsis of management of the case. Other veterinarians who saw the patient are also contacted for information. ORS 676 prohibits identifying the complainant, so the Board will disclose only the patient's name and the gist of the complaint. If a decision cannot be reached based on information provided, the veterinarian may be called in for an investigative interview. Interviews are also conducted if the Board is considering discipline in a case, unless the evidence is sufficient to obviate an interview, or if there are mitigating circumstances not evident in the record or summary. Staff may schedule a Board interview as part of the investigation. Licensees have a professional duty under OAR 875-005-0010 to cooperate with and provide truthful information to the Board.

Following are summaries of recent disciplinary actions:

▶ A veterinarian treated a patient and told the client to expect a follow-up call. The client made multiple attempts to contact the veterinarian over a period of several weeks, and was finally told that the veterinarian was on vacation. The client never got the promised information. The patient eventually died, and the Board found that the veterinarian had failed to provide followup care in violation of OAR 875-011-0010(9).

▶ The DEA disciplined a veterinarian for violation of rules governing controlled substances. The Board disciplined the veterinarian under OAR 875-011-0010(17) (violations of other laws that relate to the practice of veterinary medicine).

▶ A veterinarian with a substance abuse history surrendered her license after the Board issued an Emergency Suspension and Notice of Revocation.

▶ The Board denied the license reinstatement applications of a veterinarian and a CVT who failed to disclose disciplinary actions taken by other states.

▶ A veterinarian surrendered her license after the Board issued a Notice of Revocation for multiple failures to use standard methods of diagnosis and treatment along with a history of similar complaints.

▶ The Board disciplined several CVTs who let their licenses lapse but continued to work as CVTs. Since veterinarians may be accountable for non-compliant conditions in veterinary facilities, responsible veterinarians in these cases were also disciplined.

▶ The Department of Justice compelled the Board to revoke a CVT's license for nonpayment of child support. The license was reinstated when the individual settled the matter with DOJ.

The Board proposes discipline only after thorough review and consideration of the facts, including any mitigating circumstances. (The Board does not discipline licensees for simple mistakes.) Discipline is proposed with advice of counsel and confidence of success in a contested case hearing. The Board has not 'lost' a case since 1992, when a licensee demanded judicial review after the Board withdrew its disciplinary notice against him.

When discipline is proposed, unless the conduct is egregious, the licensee is given the opportunity to enter into a stipulated agreement, in which the licensee acknowledges that the Board has grounds for discipline and the Board agrees to reduce or waive the fine and administrative costs. While still a public document, a stipulated agreement may contain fewer details of the violations.

The Board has encouraged and will support an effort by the OVMA to secure statutory authority for the Board to issue citations in-lieu-of public discipline for certain administrative violations.

Close to 90 percent of complaints received are deemed invalid and the licensee is not notified. If the Board contacts you about a complaint, respond as requested, but don't assume that discipline is inevitable.

Finally, remember that a complete and comprehensive patient record is both a best practice and your best defense.

Board Members

- Mark McConnell, BVMS, MRCVS, Springfield (Chair)
- Mark Reed, Public Member, Portland (Vice-Chair)
- Randi Golub, DVM, Portland
- Lynn Larsen, Public Member, Portland
- Robert Lester, DVM, Portland
- Kimberli Maltman, DVM, Sandy
- Marla McGeorge, DVM, Portland
- Colleen Robertson, DVM, John Day

Staff

- Lori Makinen, Director
- Marianne Brusco, Admin. Assistant
- Yvonne Osredkar, Investigator