

**Oregon Veterinary Medical Examining Board
Portland Community College
Cascade Campus, Terrell Hall 112
Portland, OR**

Saturday, March 11, 2017

FINAL MINUTES

Present:

Dr. Emilio DeBess (Chair), Dr. Colleen Robertson (Vice-Chair)
Drs. Dannell Davis, Dr. Marla McGeorge, CVT Tiah Schwartz
Public Members Ms. Lynn Larsen and Ms. Peggidy Yates
Lori Makinen, Director; Douglas Snyder, Investigator
Joanna Tucker-Davis, Asst. Attorney General

9:00 a.m. Executive Session convened per ORS 192.660(2)(f)(k)

Attorney advice provided pursuant to ORS 192.660(2)(f).

Complaint Review

Old Case Updates:

Pending: 07-0024; 15-0051A; 16-0021; 16-0023.

Settled by stipulation: 16-0005; 16-0026; 16-0039.

Cases Referred by Investigative Committee:

16-0022; 16-003A; 16-0015; 16-0010; 16-0042; 16-0041A/B;

16-0012; 15-0037; 15-0041A/B; 16-0003B; 16-0020B; 16-0031; 16-0023; 16-0033

16-0034.

New Cases:

16-0005; 16-0027A/B; 16-0032A/B/C; 16-0035; 16-0036; 16-0037; 16-0040; 16-0045.

1:30 p.m. Public Session Convened

Dr. DeBess called the meeting to order and took roll.

Dr. McGeorge moved, Dr. Davis seconded, and the agenda was approved.

Ms. Yates moved, Dr. McGeorge seconded, and the December 10, 2016 meeting minutes were approved as corrected, and the February 27, 2017 Investigative Committee meeting minutes were approved.

Chair Dr. DeBess reported on his presentation at the North American Veterinary Conference, at which telemedicine was a featured topic. Dr. DeBess recommended that the Board form a Rule Advisory Committee to draft rules relating to telemedicine options for Oregon veterinarians. Dr. McGeorge added that she and Dr. Robertson had attended the September annual conference of the American Association of Veterinary Medicine, noting that AAVSB recommends boards retain VCPR requirement for use of telemedicine. Drs. McGeorge, DeBess and Davis volunteered to

serve on the RAC. Dr. DeBess proposed convening a RAC to address the issue of CVT scope around veterinary dentistry. Ms. Schwartz and Dr. Davis will reach out for volunteers. Dr. DeBess noted that the Board's website has a link to AVMA-approved online veterinary technology programs. The Board will add a link to approved online radiation safety programs.

The Board discussed HB 2326, submitted by the Board to address a deficiency in the original 2015-17 legislation. Although it is a housekeeping bill, the Board acknowledged potential perceptual inconsistency with the Governor's initiatives to increase transparency in state government. Therefore, Dr. Robertson moved, Dr. Davis seconded and the Board voted unanimously to withdraw the bill from committee.

Director Makinen updated the Board on license renewals, and budget and legislative matters. Dr. McGeorge moved, Ms. Larsen seconded and the Board voted unanimously to ratify 19 veterinary licenses, 16 CVT licenses, and five euthanasia technician licenses issued since the December 10, 2016 meeting.

Cristina Keef, executive director of the Portland Veterinary Medical Association, informed the Board that PVMA continues to work with the Oregon Veterinary Technician and Assistant Association on ways to boost CVT numbers in Oregon. She noted that the National Association of Veterinary Technicians and Assistants plans to seek title protection for veterinary technicians, as well as a common appellation.

Dr. Davis moved, Dr. Robertson seconded and the Board voted unanimously to delegate to staff authority to resolve unvalidated complaints alleging unlicensed veterinary practice.

RULEMAKING

The Board discussed amendments to:

OAR 875-005-0005 to define 'year' for purposes of experience requirements.

OAR 875-010-0010(8) to replace 'herbal' with 'naturopathic.'

OAR 015-0005 to replace 'doctor' with 'veterinarian.'

Tabled for further discussion.

Dr. McGeorge moved, Dr. DeBess seconded, and the Board voted unanimously to amend OAR 875-010-0026 to restore the 30-day per year practice allowance for inactive veterinary licensees.

Ms. Schwartz moved, Ms. Yates seconded and the Board voted to revise an existing proposed amendment to OAR 875-010-0006 to retain Board administration of the Jurisprudence Exam and Regional Disease Test for CVT applicants rather than contracting this to the AAVSB.

COMPLAINT RESOLUTION

(Open investigations and pending or referred cases are not listed.)

Investigative Committee Recommendations

16-0022—Ms. Yates moved, Dr. McGeorge seconded, and the Board voted to propose discipline and assess a \$250 civil penalty for failure to use standard methods of diagnosis and treatment. Dr. Davis recused herself from discussion and vote.

16-0003A—Ms. Yates moved, Dr. Robertson seconded and the board voted unanimously to propose discipline and assess a \$500 civil penalty for insufficient patient records and failure to use standard methods of diagnosis.

16-0015—Ms. Larsen moved, Dr. McGeorge seconded and the Board voted to propose discipline and assess a \$2,000 civil penalty for insufficient patient records, analgesia, home care instruction and violating a prior order of the Board. Dr. Davis recused herself from discussion and vote.

16-0010—Dr. Robertson moved, Ms. Yates seconded and the Board voted unanimously to propose discipline and assess a \$250 fine for administration of a contraindicated drug to a pregnant dog.

16-0042—Dr. McGeorge moved, Dr. Dannell seconded and the Board voted unanimously to proposed discipline and assess a \$250 civil penalty for omitting required information on a veterinary license renewal application.

Ms. Yates moved, Dr. Davis seconded, Dr. McGeorge and Ms. Larsen abstained, and the Board voted to find no violation of the Veterinary Practice Act in the following cases:

16-0012; 15-0037; 15-0041A-B; 16-0003B; 16-0020B-C; 16-0031; 16-0023; 16-0033; 16-0034.

New Complaints

16-0005—Ms. Larsen moved, Dr. Robertson seconded and the Board voted unanimously to propose discipline and assess \$3,000 civil penalty for failure to use standard diagnostic methods, insufficient patient records, and providing altered patient records to the Board.

16-0035—Dr. Robertson moved, Ms. Larsen seconded and the Board voted to find no violation of the Veterinary Practice Act.

16-0040—Dr. McGeorge moved, Dr. Davis seconded and the Board voted to find no violation of the Veterinary Practice Act. Dr. DeBess recused himself from discussion and vote.

16-0045—Ms. Yates moved, Dr. Davis seconded and the Board voted to find no violation of the Veterinary Practice Act. Dr. DeBess recused himself from discussion and vote.

Next public meetings for 2017: June 3, September 16 and December 9, all in Portland unless otherwise sited.

There being no further business, the meeting was adjourned at 4:30 p.m.

Respectfully submitted, Lori Makinen, Director.

DRAFT