

**Veterinary Medical Board**

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## MEETING MINUTES

Multidisciplinary Advisory Committee  
Wednesday, March 16, 2011  
Sacramento, California

### 1. Call to Order - Roll Call

Multidisciplinary Committee (MDC) Chair Dr. William Grant, II, called the meeting to order at 10:00 a.m. Veterinary Medical Board (Board) Executive Officer Susan Geranen called roll; all seven members of the MDC were present and thus a quorum was established.

#### Members Present

William Grant, II, DVM, Chair  
Jennifer Boyle, RVT, Vice-Chair  
Oscar Chavez, DVM  
David Johnson, RVT  
Jon Klingborg, DVM  
Richard Sullivan, DVM  
Diana Woodward Hagle  
Linda Starr, Veterinary Medical Board Liaison

#### Staff Present

Susan Geranen, Executive Officer, Veterinary Medical Board  
Paul Sanchez, Assistant Executive Officer, Veterinary Medical Board  
Shela Barker, Legal Counsel  
Ethan Mathes, Administrative Programs Coordinator  
Sandra Monterrubio, Enforcement Lead  
Monica Ochoa, Enforcement Analyst  
Liz Parker-Smith, Administrative Analyst

#### Guests Present

Nancy Ehrlich, RVT, California Registered Veterinary Technicians Association  
Tameka Island, California Physical Therapy Association  
Tom Kendall, DVM, Veterinary Medical Board  
Pamela Maurer, RVT, California Registered Veterinary Technicians Association  
Carl Singer, DVM

### 2. Ceremonial Swearing In of New Multidisciplinary Advisory Committee Members

Ms. Geranen swore in Jennifer Boyle, RVT, Oscar Chavez, DVM, William Grant, II, DVM, David Johnson, RVT, Jon Klingborg, DVM, Richard Sullivan, DVM, and Diana Woodward Hagle.

### 3. Approve November 17, 2010 Meeting Minutes

- Dr. Jon Klingborg motioned and Jennifer Boyle, RVT seconded the motion to approve the November 17, 2010 Meeting Minutes.
- The motion carried 7-0.

#### **4. Report on February 17, 2011 Physical Therapy for Animals Task Force Meeting**

Dr. Klingborg presented the report from the California Veterinary Medicine Association (CVMA) Rehabilitation Task Force. The report noted the diverse group of members and that the Task Force learned that physical therapists have doctoral level degrees, there are two programs in the United States that teach animal rehabilitation, and most animal rehabilitation is done on canines with a smaller amount done on equines. Canines have shown to have problems in rehabilitation that requires the expertise of a veterinarian and therefore the Task Force recommended direct supervision of animal rehabilitation. Ms. Geranen noted under existing law veterinarians, and registered veterinary technicians under direct supervision of a veterinarian, may perform animal rehabilitation. Musculoskeletal manipulation is also allowed to be performed by a registered veterinary technician under the direct supervision of a veterinarian. Dr. Richard Sullivan added that complications from animal rehabilitation are similar to those in musculoskeletal manipulation.

Dr. Tom Kendall reported that the Registered Veterinary Technician Committee discussed animal rehabilitation at its March 15, 2011 meeting and concluded that they want animal rehabilitation to remain as part of a registered veterinary technician's allowed job tasks. Dr. Grant suggested the MDC continue to work with the Task Force under the guidance of the Board. Dr. Klingborg and Ms. Boyle formed a subcommittee to work on animal rehabilitation issues.

#### **5. Executive Officer Report**

##### **A. Review Board Program Reports**

Ms. Geranen noted the information included in the staff reports was presented to the Board at their last meeting. Sandra Monterrubio reported Dr. Beth Parvin recently joined the staff as a consultant veterinarian and that enforcement staff will achieve their 10% inspection target for the fiscal year.

#### **6. Discuss Expiration of BPC Section 4836.1 - Administration of Drugs**

Dr. Klingborg reported Business and Professions Code (BPC) section 4836.1 was enacted to define the administration of drugs and that this language is due to expire at the end of the year. Ms. Barker reported she is working on language with a provision to allow only dispensed drugs (in a separate container) to be administered by non-supervised lay staff and to also define requirements for non-dispensed drugs.

The MDC discussed the dispensation of drugs, how the law could be defined to protect consumers, and the authority of unregistered assistants to dispense drugs. Dr. Grant noted the Board is working with CVMA on legislation to address BPC section 4836.1.

#### **7. Minimum Standards of Practice**

##### **A. Review and Consider Approval of Proposed Changes to Minimum Standards Regulations** **i. Review Proposed Amendments to Veterinarian/Client/Patient Relationship Definition**

Dr. Grant reported the proposed language included amendments made at the CVMA House of Delegates meeting in January. The MDC discussed what would be the appropriate number of veterinary hospital premises for a managing licensee, the importance of a managing licensee to be present at the premise location, and what responsibilities a managing licensee has at their premise. The MDC agreed one licensee manager per hospital premise would be appropriate. Ms. Barker stated that she would research the statutory intent of BPC section 4853 regarding veterinary hospital premises. The MDC reviewed the proposed minimum standards language and made clarifying amendments to the language.

The MDC discussed the veterinarian/client/patient relationship (VCPR) determination and that once established it would continue as long as the condition of the animal does not change. They discussed VCPR in the absence of client communication, what would constitute and change in a treatment plan

and the need to notify clients if the treatment plan changes. They made additional amendments to the proposed VCPR language.

- **Dr. Richard Sullivan motioned and Dr. John Klingborg seconded the motion to forward the proposed minimum standards language to the Veterinary Medical Board as amended.**
- **The motion carried 7-0.**

The MDC discussed and made clarifying amendments to proposed language regarding prescribing drugs in the absence of a client's regular veterinarian and alteration of medical records with the intent misrepresent the record.

- **Richard Sullivan, DVM motioned and Dr. Oscar Chavez seconded the motion to include additional language pertaining to prescribing drugs in the absence of a client's regular veterinarian and alteration of medical records with the intent misrepresent the record in the proposed minimum standards language to be forwarded to the Veterinary Medical Board.**
- **The motion carried 7-0.**

- ii. **Limited Practice/Vaccination Clinic Standards**
- iii. **Electronic Records Time Lock and Manipulation of Medical Records**
- iv. **Discuss Mandatory Identification of Licensees and Registrants**

The MDC discussed limited practice/vaccination clinic standards and whether a VCPR would need to be established, the importance of not providing a barrier to consumers getting vaccines, and the difference between vaccine clinics versus mobile clinics. Ms. Geranen added vaccine clinics are required to have a premise permit and that there needs to be a balance of benefit to the public with diagnostic services that vaccine clinics may provide. The MDC agreed to discuss the issue further in subcommittee and bring information back at a future meeting.

#### **B. Review and Consider Approval of Inspection Program Self Checklist**

- **Dr. Jon Klingborg motioned and Jennifer Boyle, RVT seconded the motion to forward the Inspection Program Self Checklist to the Veterinary Medical Board.**
- **The motion carried 7-0.**

#### **C. Review Definition of Incompetence and Negligence**

Ms. Hagle noted that it can be difficult to discern negligence and incompetence. The MDC discussed whether deviation from the standard of care is negligence. Ms. Geranen added that it is the goal of staff to simplify the determination of violations and issuance of citations. The MDC agreed with that concept.

### **8. Citation and Fine Guidelines**

- A. Discuss Recommendations for Updated Cite and Fine Regulations**
- B. Review Violations Summary of Citations**

Ms. Geranen provided an overview of the cite and fine program process; all respondents receive notification of the complaint and each complaint is reviewed twice if there is a determination of negligence or incompetence. Fines, if issued, are determined by the severity of violation and using the classification of fines set out in regulation.

Dr. Sullivan noted the original intent of the fine classification system was to address repeat offenders. Ms. Geranen agreed, but that there may be a better way to classify violation types. Dr. Grant requested that these issues are addressed on the next meeting agenda.

**9. Agenda Items and Dates for Next Meetings**

**A. June 15, 2011 - Sacramento**

**B. November 16, 2011 - Sacramento**

**10. Comments from Public/Outside Agencies/Associations**

A member of the audience spoke to the MDC, thanked them for their work, and explained that she attended the meeting to understand the MDC's processes.

**Adjourn**

- **Dr. Richard Sullivan motioned and David Johnson, RVT seconded the motion to adjourn.**
- **The motion carried 7-0.**

The meeting adjourned at 4:05 p.m.