

Veterinary Medical Board

2005 Evergreen Street, Suite 2250, Sacramento, CA 95815
Telephone: 916-263-2610 Fax: 916-263-2621 | www.vmb.ca.gov



MEETING MINUTES

Multidisciplinary Advisory Committee
Tuesday, March 12, 2013
Sacramento, California

Call to Order - Roll Call

Multidisciplinary Advisory Committee (MDC) Chair Dr. William Grant, II, called the meeting to order at 1:40 p.m. Veterinary Medical Board (Board) Executive Officer Susan Geranen called roll; 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
Allan Drusys, DVM
David Johnson, RVT
Diana Woodward Hagle, Public Member
Linda Starr, Veterinary Medical Board Liaison

Staff Present

Susan Geranen, Executive Officer, Veterinary Medical Board
Paul Sanchez, Assistant Executive Officer
Rebecca Bon, Legal Counsel
Erika Calderon, Enforcement Analyst
Diann Sokoloff, Deputy Attorney General Liaison
Ethan Mathes, Administrative Programs Coordinator
Sandra Monterrubio, Enforcement Program Coordinator
Allison Nagao-Dutra, Enforcement Analyst
Liz Parker-Smith, Administrative Analyst
Karen Robison, Administrative Analyst
Jan Solone, Probation/Hospital Inspection Coordinator
Beth Parvin, DVM

Guests Present

Nancy Ehrlich, RVT, California Registered Veterinary Technicians Association
Val Fenstermaker, Executive Director, California Veterinary Medical Association
Kristi Pawlowski, RVT, California Veterinary Medical Association

Susan Geranen introduced Dr. Allan Drusys and he was sworn in as the newest member of the Multidisciplinary Advisory Committee.

1. The Complaint Process

Sandra Monterrubio commenced the training session with the complaint process. Ms. Monterrubio started with the receipt of a complaint and the actions taken by the Board when a complaint is received; then she described the investigation process as the second step of the complaint process. She noted the difference between a desk investigation and an investigation by the Department of Consumer Affairs' Division of Investigations. Ms. Monterrubio went on to explain the role the Board consultants play in the complaint process and the actions the Board can take to close a complaint.

2. Citations – Enforcement Actions

Ms. Geranen spoke about the steps taken to issue a citation. She stated that the preliminary letter is the first step and it states the allegations. When a response to the preliminary letter is received the citation is reviewed to determine whether to issue the citation as written, amend it or dismiss it altogether. If the determination to issue a citation is reached an appeal can be submitted. The appeal process is two steps, 1) an informal conference and 2) formal administrative hearing.

Recess

Wednesday, March 13, 2013

Call to Order - Roll Call

MDC Chair Dr. William Grant, II, called the meeting to order at 10:00 a.m. Board Executive Officer Susan Geranen called roll; eight 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
Allan Drusys, DVM
David Johnson, RVT
Jon Klingborg, DVM
Diana Woodward Hagle
Linda Starr, Veterinary Medical Board Liaison

Staff Present

Susan Geranen, Executive Officer, Veterinary Medical Board
Paul Sanchez, Assistant Executive Officer
Rebecca Bon, Legal Counsel
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Ethan Mathes, Administrative Programs Coordinator
Sandra Monterrubio, Enforcement Program Coordinator
Allison Nagao-Dutra, Enforcement Analyst
Liz Parker-Smith, Administrative Analyst
Karen Robison, Administrative Analyst
Jan Solone, Probation/Hospital Inspection Coordinator
Beth Parvin, DVM, Board Consultant

Guests Present

Betsy Charles, Western University of Health Sciences
Larry Cowgill, DVM, University of California Davis
Nancy Ehrlich, RVT, California Registered Veterinary Technicians Association
Val Fenstermaker, Executive Director, California Veterinary Medical Association
Tom Kendall, DVM, Board President
Linda Kidd, Western University of Health Sciences
Frank La Bonte, University of California Davis
Matt Mellema, DVM University of California Davis
Kristi Pawlowski, RVT, California Veterinary Medical Association
Cheryl Waterhouse, DVM, Veterinary Medical Board
Kim Williams, RVT, VMB, RVT Task Force, Veterinary Medical Board

William Grant, DVM welcomed Dr. Drusys to the MDC. Dr. Drusys who was voted to the MDC by the Board in January introduced himself and gave a brief background of his experience.

3. Approve June 13, 2012, and November 14, 2012 Meeting Minutes

- **Dr. Jon Klingborg motioned and Jennifer Boyle, RVT seconded the motion to approve the June 13, 2012 Meeting Minutes. The vote carried 7-0 with Dr. Allan Drusys abstaining.**
- **Dr. Jon Klingborg motioned and David Johnson, RVT seconded the motion to approve the November 14, 2012 Meeting Minutes with amendments. The motion carried 7-1 with Dr. Allan Drusys abstaining.**

Dr. Grant thanked Sandra Monterrubio for the enforcement training presentation.

4. Executive Officer Report

Ms. Geranen reported the date of the Sunset Review Hearing has been changed to March 19, 2013 and the Board is second to last on the schedule.

Dr. Klingborg asked about the Minimum Standards regulation package. Ms. Geranen reported staff is making the changes noted by the Office of Administrative Law (OAL) and will resubmit the package by the beginning of April 2013. Dr. Grant noted the MDC can and will assist staff if needed.

A. Board Program Reports

Paul Sanchez reported staff has been focused on the minimum standards comments and making sure all comments have been addressed. Staff has been working on staffing workload information for the Sunset Review Report. The Sunset Review Report shows an increase in all areas of the Board workload processes.

Mr. Sanchez gave a status update on the transition to Breeze and noted phase one has been delayed. Staff will be assisting with the development of Breeze over the next six months. The more time spent on the development of Breeze for the office the better Breeze will work in the long run.

5. Report on March 12, 2013 RVT Task Force Meeting

Kim Williams, RVT reported there were three areas the RVT Task Force focused on and discussed during their meeting. The areas of focus were the VTNE Proposed Regulations including Reciprocity, the Alternate Route Program Approval, and the RVT Student Exemption. Ms. Williams, RVT noted they received a lot of good comments during their meeting. Dr. Klingborg asked who the RVT Task Force reports to and Dr. Kendall noted the RVT Task Force is a combination of the Board RVT subcommittee and the MDC RVT subcommittee. Therefore; they report to both the Board and the MDC.

A. VTNE Proposed Regulations including Reciprocity

Ms. Williams, RVT reported the transition to the VTNE is scheduled for 2014. Staff is working on including reciprocity in the VTNE proposed regulation language and proposed language for the RVT California law exam. Ms. Geranen reported the changes will be sent to the Board for the April Board meeting.

B. Alternate Route Program Approval

Ms. Williams, RVT reported that the RVT Task Force will be determining whether a minimum number of educational hours for each section of the postsecondary education checklist are needed. They are exploring the requirements for approving alternate route programs and having consistent requirements throughout the alternate route eligibility category under Section 2068.5. Graduates of an approved

alternate route program would only need to submit a certificate of graduation rather than a binder of information on the individual classes within the program.

C. RVT Student Exemption

Ms. Williams noted the RVT Task Force discussed the level of supervision that should be required for a student learning the RVT job tasks in a hands-on situation. The Task Force discussed “face to face” and “immediate”, but additional discussion is needed.

6. Telemedicine

A. Review and Consider Telemedicine

i. UC Davis

Frank LaBonte and Dr.'s Larry Cowgill and Matt Mellema stated UC Davis has been concerned about telemedicine and brought this issue to the Board two years ago. Veterinarian's support telemedicine however; current law, veterinary-client-patient relationship (VCPR), prohibits advances in telehealth. Telemedicine can assist those in remote areas obtain specialized care or first responders in an emergency. There are areas for abuse but if approached cautiously telemedicine can work. Ms. Geranen noted telemedicine is highly regulated in human medicine.

ii. Western University

Linda Kidd and Dr. Betsy Charles stated treatment recommendations should be made to the referring veterinarian not to the client.

iii. California Veterinary Medical Association

Val Fenstermaker noted this is a huge issue and a deviation from the current VCPR. Ms. Fenstermaker stated the CVMA is forming a task force to research telemedicine.

Dr. Miller thanked the CVMA, UC Davis and Western University for their input. Dr. Miller noted there is a lot of information to collect and review on the issue of telemedicine. Telemedicine will bring changes to statute and regulations. The MDC will write the minimum standards when telehealth/telemedicine is better understood.

7. Licensure Exemptions

A. Review and Consider Licensure Exemptions

Dr. Oscar Chavez states we should look at faculty licensure language similar to Alabama's. Ms. Geranen noted the University of California Regents will have to agree to a faculty/university license as they are currently exempt from licensure. Linda Starr stated if the school is making money from the public they should need a license. Ms. Geranen stated offering services to the public is where the problem arises and they need to be held to the same standards as other veterinarians offering services to the public. Ms. Fenstermaker noted the University is being mandated to treat the public.

Dr. Kendall stated the America Association of Veterinary State Boards (AAVSB) is working on this issue. Diana Hagle requested a legislative history of 4830 sections 2, 3, 4, and 5.

8. Electronic Record Keeping

A. Review and Consider Electronic Record Keeping

MDC discussion about electronic record keeping included should a time lock be required and if so what type(s) of time lock would be best. Ms. Geranen noted you should not be able to back date an entry and that it is more costly to add a time lock to a system than to have one built into the system. Ms. Hagle volunteered to write electronic recordkeeping proposed language.

9. Discuss Issues from Veterinary Medical Board

A. Administration of Epidurals on Animals

Dr. Grant noted administration of epidurals on animals was raised by the Board and that it is not specifically addressed in the Practice Act. Dr. Klingborg noted an epidural is an anatomic location on an animal and questioned if the issue concerns the use of a needle in the epidural space or the injection of a drug into the epidural space and whether the issue changes from induction to maintenance. Dr. Grant believes it is the procedure itself that is to be addressed. Ms. Ehrlich asked if there is a reason the task needed to be a restricted duty. David Johnson, RVT, the anesthetic regulations were written to address the drugs being used not the way they are administered and is the concern that the epidural procedure could be harmful. The MDC will inform the Board that the MDC has decided not to go forward with regulations at this time.

B. Update on Animal Rehabilitation

Dr. Grant gave a report on the animal rehabilitation (AR) regulations. The proposed regulations were adopted by the Board with amendments. The amendments were added a three year sunset clause and removed veterinary assistants from performing AR.

10. Comments from Public/Outside Agencies/Associations

Dr. Grant thanked Ms. Monterrubio for the complaint training session. Ms. Geranen thanked Ms. Starr for her time as the Board liaison to the MDC and noted this will be her last MDC meeting. Dr. Grant thanked Ms. Starr for her work with the MDC; noted she has been a cornerstone of the MDC and helped rekindle the relationship between the CVMA and the Board.

11. Agenda Items and Next Meeting Dates

A. Agenda Items for Next Meeting

B. Multidisciplinary Advisory Committee Meetings - Sacramento

- i. June 12, 2013**
- ii. November 13, 2013**

Adjourn

- Dr. William Grant II motioned and Dr. Jon Klingborg seconded the motion to adjourn. The motion carried 7-0.**

The meeting adjourned at 4:00 p.m.