



MEETING MINUTES - DRAFT

Veterinary Medical Board
Sacramento, California

Tuesday, July 23, 2013

Roll Call and Establishment of a Quorum

Presiding Administrative Law Judge (ALJ) Karen Brandt called the meeting to order at 1:00 p.m. ALJ Karen Brandt called roll; eight members of the Board were present and thus a quorum was established.

Board Members Present

Tom Kendall, DVM, President
Kim Williams, RVT, Vice-President
Richard Johnson, DVM
Richard Sullivan, DVM
Cheryl Waterhouse, DVM
Patti Aguiar, Public Member
Elsa Florez, Public Member
Judie Mancuso, Public Member

Staff Present

Susan Geranen, Executive Officer, Veterinary Medical Board
Paul Sanchez, Assistant Executive Officer
Rebecca Bon, Legal Counsel
Erika Calderon, Enforcement Analyst
Ethan Mathes, Administrative Program Coordinator
Sandra Monterrubio, Enforcement Program Coordinator
Allison Nagao-Dutra, Enforcement Analyst
Karen Robison, Administrative Analyst
Joely Walker, Enforcement Analyst

Guests Present

Karen Brandt, ALJ
Elena Almanzo, Deputy Attorney General
Janine Jung, DVM

1. Reinstatement Hearing

Deputy Attorney General (DAG) Elena Almanzo opened the reinstatement hearing presenting the case against Dr. Jung. Dr. Jung presented her case to reinstate her license. Dr. Jung answered questions from DAG Almanzo and members of the Board. DAG Almanzo summarized the Board's case and Dr. Jung presented her final summary. ALJ Brandt closed the hearing and the Board went into closed session with the Judge to discuss the case.

2. Closed Session

A. Deliberate and Take Action on Disciplinary Matters (Government Code section 11126(c)(3))

AV 2010 17

Stipulated Settlement - Adopted

Recess

Wednesday, July 24, 2013

Veterinary Medical Board (Board) President Dr. Tom Kendall called the meeting to order at 9.00 a.m. Board Executive Officer Susan Geranen called roll; eight members of the Board were present and thus a quorum was established.

Roll Call and Establishment of a Quorum

Board Members Present

Tom Kendall, DVM, President
Kim Williams, RVT, Vice-President
Richard Johnson, DVM
Richard Sullivan, DVM
Cheryl Waterhouse, DVM
Patti Aguiar, Public Member
Elsa Florez, Public Member
Judie Mancuso, Public Member

Staff Present

Susan Geranen, Executive Officer, Veterinary Medical Board
Paul Sanchez, Assistant Executive Officer
Rebecca Bon, Legal Counsel
Diann Solokoff, SDAG, Board Liaison
Ethan Mathes, Administrative Program Coordinator
Sandra Monterrubio, Enforcement Program Coordinator
Elizabeth Parker-Smith, Administrative Analyst
Karen Robison, Administrative Analyst

Guests Present

Tess Anderson, Professional Veterinary Assistant School
Kellie Boiston, CPTA, CAAPT
Dr. Tanya Doman, PT, APTA
Nancy Ehrlich, RVT, California Registered Veterinary Technician Association
Valerie Fenstermaker, Executive Director, California Veterinary Medical Association
William Grant II, DVM, Chair, Multidisciplinary Advisory Committee
Liz Hughson, RVT, VTS, California Registered Veterinary Technician Association
Ron Kelphe, DVM, California Veterinary Medical Association
Christine Lowlie, DCA
Kristi Pawlowski, RVT, California Veterinary Medical Association
Trish Penick, CPTA, CAAPT
Danielle Robbins, CPTA, CAAPT
Dan Segna, DVM, CVMA

Ceremonial Swearing In of New Veterinary Medical Board Member

Ms. Geranen swore in Elsa Florez as the newest member of the Veterinary Medical Board.

3. Approve April 23-24, 2013 Meeting Minutes

- **Ms. Patti Aguiar motioned and Ms. Kim Williams, RVT seconded the motion to approve the April 23/24, 2013, meeting minutes. The motion carried 8-0**

4. Executive Officer Report

Ms. Geranen updated the Board on the Sunset Review. Ms. Geranen and Paul Sanchez met with Department of Finance (DOF) regarding Budget Change proposals (BCP) to inform them of the need for positions and the reasoning behind the request. There is continued discussion regarding the language in the bill involving the controlled substance fingerprinting of veterinary staff.

The five positions requested in the budget bill were lined out by the Governor in the 2013/14 budget document and the implementation of the controlled substance fingerprint program must be delayed until the transition to Breeze is complete and the Board has sufficient staff to implement a large new program.

Ms. Geranen announced her retirement date changed from October 31, 2013 to November 30, 2013 and Dr. Sullivan asked if there was an update on the search for a new EO. Dr. Kendall reported that he and Ms. Aguiar were going to be the EO Search Committee. There was discussion regarding the selection format and the consensus was that each member wanted to review all the applications and be involved in the interview process. So, the job notice is posted and once the applications are submitted, all applications will be emailed out to each board member. Each Board member will rank the candidates and send the ranking back to Mr. Sears. Once he has the rankings from each member he will meet with the Dr. Kendall and Ms. Aguiar and they will pick the top three to five candidates and then schedule a public closed session meeting for the full Board to conduct the interviews.

5. 10:00 a.m. – Public Hearing – Veterinary Technician National Examination Regulations

Ethan Mathes opened the Veterinary Technician National Examination (VTNE) Regulation hearing at 10:20. Comments about the transition to the VTNE centered on the fees registered veterinary technician (RVT) applicants would pay to apply for a license in California. Mr. Mathes closed the hearing and the Board discussed options to decrease the cost for RVT applicants. The options to decrease fees that were brought up were refunding part of the cost of the examination, making the application good for multiple examination periods, and lowering the cost of the examination. Mr. Mathes pointed out that for at least the first year the costs would be the same because of the exam development workshop costs for the new exam.

- **Dr. Richard Johnson motioned and Ms. Patti Aguiar seconded the motion to adopt the regulations as written. The motion carried 7-1**
- **Ms. Judie Mancuso motioned and Dr. Richard Johnson seconded the motion to prepare a cost analysis on RVT exam fees to bring back to the Board in January or April 2014. The motion carried 8-0**

6. Administrative/Budget Committee Report

A. Assistant Executive Officer's Program Report

Mr. Sanchez reported Joely Walker has been hired as an enforcement analyst in the enforcement unit. There is currently a half time office technician position and a full time associate governmental program analyst vacancy in the enforcement unit. Applications are being reviewed for the special investigator position. Department of Investigations redirected an employee to assist Board staff in the enforcement unit two days a week until further notice.

B. Review Budget, Revenue, Expenditure Projections for 2012/2013 and Budget Fund Condition

i. Budget Bill Update

Mr. Sanchez reported the Sunset Review report confirms the Veterinary Medical Board is understaffed. The enforcement workload has increased as has that of the licensee population over the past four fiscal years however staffing levels have not increased to compensate for the workload increase. Ms. Geranen and Mr. Sanchez met with the DOF July 22, 2013. The Board is working to submit Budget Change Proposals (BCP) for the 2014/15 fiscal year to meet current and future staffing needs.

C. Update on CPS Report for Succession Planning

CPS reported the workload study is in progress and the report is scheduled to be submitted to Ms. Geranen by September 1, 2013. Ms. Mancuso asked if a draft of the report would be available to the Board prior to the October Board meeting binders. Ms. Aguiar questioned if the report would detail the staff's job tasks/job duties are. Judy Capul noted the report would include staff workload.

D. Strategic Plan Update

Ms. Geranen updated the status on the Strategic Plan Ms. Aguiar thanked Mr. Mathes, Ms. Geranen, and Cheryl Waterhouse, DVM, for their work on the strategic plan. She reported the strategic plan list started with forty-six items. Twelve items have been completed, sixteen items are currently in progress, and eighteen are pending. Multidisciplinary Advisory Committee (MDC) assignments will be updated in November. Dr. Kendall noted the Board will review and prioritize the MDC assignments in January 2014.

E. American Association of Veterinary State Boards

i. Recommendations on Proposed Bylaw Amendments

The Board discussed the proposed amendments to the American Association of Veterinary State Boards (AAVSB) Bylaws.

- **Ms. Patti Aguiar motioned and Dr. Cheryl Waterhouse seconded the motion to not support the proposed amendments to the AAVSB Bylaws. The motion carried 8-0**

ii. Appoint Delegate

- **Ms. Judie Mancuso nominated and Dr. Richard Johnson seconded the nomination of Ms. Patti Aguiar as the Delegate to the AAVSB. Ms. Aguiar has a prior commitment and is unable to attend the 2013 AAVSB Annual Meeting.**
- **Ms. Judie Mancuso nominated and Dr. Richard Johnson seconded the nomination of Ms. Sue Geranen as the Delegate to the AAVSB. The nomination carried 8-0**

F. New Issues

7. Consumer Education/Newsletter Committee Report

The newest issue of the VMB newsletter, News and Views, is available on the VMB website. Ms. Aguiar thanked Mr. Mathes and the others who worked on the newsletter. Dr. Kendall noted the newsletter was well laid out and imparted a lot of information. Ms. Geranen thanked Ms. Aguiar for staying in touch with those who submitted articles. Ms. Mancuso asked if ideas for the next issue of the News and View were wanted.

8. Legislation/Regulations Committee Report – Dr. Tom Kendall

A. 2012/13 Legislation

i. SB 809 – CURES

Staff has been working with the Department on the proposed language and implementation of the Bill. The VMB has asked for an exemption because the VMB does not use the system however; the request for the exemption has been denied. The California Veterinary Medical Association (CVMA) supports exempting veterinarians due to the difficulty in using the system.

B. Animal Control Officer Training Proposal

Dan Segna, DVM, updated the Board on the Animal Control Officer training proposal the CVMA has written. Several months were spent researching tranquilizers and writing the guide for the Boards review. The proposal follows the euthanasia training law and does not include any drugs to not prohibit any drugs, in the future, from being used because the drug is not on the list. Discussion ensued and included where liability lies with training, test required, and notification of conviction. The Board was reminded the only responsibility is for the approval of the tranquilizer training the Animal Control Officers must undergo.

- **Dr. Richard Sullivan motioned and Ms. Judie Mancuso seconded the motion to refer the CVMA group and the MDC to do additional work on the proposal. The motion failed 4-3**
- **Ms. Judie Mancuso motioned and Dr. Richard Johnson seconded the motion to refer the proposal back to the original Group for more review and include Dr. Allen Drusys, DVM and Dave Johnson, RVT in the review process and bring back to the Board in October. The motion carried 8-0**

C. Update Proposed Regulations Calendar

i. Consider Adoption of Pet Lovers License Plate Proposed Regulations

Discussion ensued about the Pet Lovers License Plate Proposed Regulations proposed language and amendments to the language were suggested.

- **Dr. Richard Johnson motioned and Ms. Judie Mancuso seconded the motion to adopt the proposed language as amended. The motion carried 8-0**
- **Dr. Richard Johnson motioned and Ms. Judie Mancuso seconded the motion to amended motion to direct staff to move forward with a public hearing. The motion carried 8-0**

9. Multidisciplinary Advisory Committee Report

A. Report on Status of Regulatory Projects

The Minimum Standards proposed language has been submitted to the Department of Consumer Affairs (DCA) and will be submitted to Office of Administrative Law (OAL) by August 16, 2013.

Telehealth is a topic that requires additional research into the subject for discussion at the MDC Meeting in November 2013.

The Board discussed epidural procedures and asked Dr. Grant to comment on the MDC's discussion. Dr. Grant noted he personally would not allow RVT's to perform an epidural, but it is the responsibility of each licensee to make that decision and to determine the competency of the person to whom they are delegating the task.

B. Draft March Meeting Minutes and Action Items

10. Enforcement Committee Report

A. Enforcement Program Manager's Report

Sandra Monterrubio stated seventy-one complaints have been submitted to the Board for unlicensed activity. Ms. Monterrubio noted the enforcement unit lost two staff members and added one staff

member. Ms. Monterrubio informed the Board all five hospital inspectors returned and she hopes in the future to add a hospital inspector to the central valley area.

B. Inspection Training – June 5-6, 2013

C. CPEI Update

Dr. Johnson informed the Board that the enforcement committee met with staff and legal counsel and went over the items on the Consumer Protection Enforcement Initiative (CPEI) proposed regulation list. A background on each item on the CPEI list is included for review by the Board.

11. Exam Vet/RVT Committee Report

A. Exams/Licensing Program Manager's Report

Mr. Mathes reported the initial Continuing Education (CE) audits went well and seven licensees completed their CE after their expiration date. Ms. Geranen noted not all the audits were on licensees who reside in California. Mr. Mathes noted the RVT exam workshops were progressing and on track to be complete in early 2014. Ms. Williams, RVT thanked Mr. Mathes and Karen Robison for staying up to date on the RVT workshops.

B. Report on RVT Task Force Meeting

i. Draft Meeting Minutes

ii. Draft Alternate Route Program Approval Language

Ms. Williams, RVT noted the alternate route language giving specific hours to each area and a minimum number of hours to each task were discussed. There was concern about the five hour minimum for each task. Ms. Geranen noted this is setting standards for schools, but the standard should also be consistent for applicants.

iii. Draft RVT Student Exemption Language

The difficulty with the student exemption relative to the alternate route eligibility candidates is defining when a student's "last year" starts. Dr. Sullivan would like the RVT Task Force to address this issue. Dr. Waterhouse discussed making the standard comparable to AVMA schools.

12. Comments from Public/Outside Agencies/Associations

Danielle Robbins, PT read a letter from members of the California Association of Animal Physical Therapists requesting no direct supervision during animal physical therapy sessions. Dr. Kendall noted the hearing is tentatively being scheduled for January 2014.

13. Agenda Items and Next Meeting Dates

A. Agenda Items for Next Meeting

B. Board Meetings

i. October 22-23, 2013 – Riverside

ii. January 28-29, 2014 – Sacramento

iii. April 22-23, 2014 – Orange County/Riverside

iv. July 22-23, 2014 – Sacramento

v. October 21-22, 2014 – San Diego/Orange County/Riverside

C. Multidisciplinary Advisory Committee Meetings – Sacramento

i. November 13, 2013

ii. March 12, 2014

iii. June 11, 2014

D. RVT Task Force Meeting – Sacramento

i. November 14, 2013

Adjourn

- **Dr. Richard Johnson motioned and Ms. Patti Aguiar seconded the motion to adjourn. The motion carried 6-0**



MEETING MINUTES - DRAFT

Veterinary Medical Board
Sacramento, California

Via Teleconference:

Fresno, California; Laguna Beach, California; Noblesville, Indiana; Paso Robles, California;
San Diego, California; and Torrance, California

September 11, 2013

Roll Call and Establishment of a Quorum

Call to Order

Veterinary Medical Board (Board) President Dr. Tom Kendall called the meeting to order at 10:00 a.m. Board Executive Officer Susan Geranen called roll; six members of the Board were present and thus a quorum was established.

Board Members Present

Tom Kendall, DVM, President
Kim Williams, RVT, Vice-President
Richard Sullivan, DVM
Cheryl Waterhouse, DVM
Patti Aguiar, Public Member
Judie Mancuso, Public Member

Staff Present

Susan Geranen, Executive Officer, Veterinary Medical Board
Paul Sanchez, Assistant Executive Officer
Rebecca Bon, Legal Counsel
Ethan Mathes, Administrative Program Coordinator

1. Update on Minimum Standards Regulations

- A. Review and Consider 15-day Notice of Modified Text, Notice of Proposed Language, and Notices of Documents Added to Rulemaking File

Staff updated the Board on the Minimum Standards rulemaking file. The Office of Administrative Law is currently reviewing the file and has requested the Board review and approve changes made to the rulemaking file as discussed at the January 2013 Board meeting.

The Board reviewed both the January 2013 and June 2013 Notices that included changes to the proposed language and added documents to the rulemaking file.

- **Judie Mancuso motioned and Dr. Cheryl Waterhouse seconded the motion to approve the Notice of Modified Text, Notice of Proposed Language, and Notices of Documents Added to the File and direct staff to complete the rulemaking process.**

- **Judie Mancuso amended the motion and Dr. Richard Sullivan seconded the motion to approve the modified text and direct the Executive Officer and staff to make all necessary non-substantive changes to the file.**
- **The motion carried 6-0.**

2. Comments from Public/Outside Agencies/Associations

There were no public comments.

Adjourn

- **Patti Aguiar motioned and Dr. Cheryl Waterhouse seconded the motion to adjourn. The motion carried 6-0**