

WV Board of Veterinary Medicine – Board Meeting – September 18, 2014
Lakeview Resort and Spa, Morgantown, WV

The meeting of the West Virginia Board of Veterinary Medicine was called to order at 9:05 AM by Board Chairman, Dr. John R. Wilson on Thursday, September 18, 2014.

Members of the Board present were: Dr. Keith B. Berkeley, Dr. D. James Moore, Dr. Barbara Jean Meade, Monica Patton, RVT, Dr. Mark A. Ayers, Ms. Virginia Lee Hastings and Ms. Betty Burkett. Dr. Ronald Smith was not present. Ms. Carey Fleming, Executive Director was present, Kate Campbell, Esquire was present for part of the meeting, from 10AM – 12:15PM. A member of the public, Dr. Stephanie Shephard, attended part of the meeting; arriving at approximately 3 PM and staying until the meeting adjourned.

MOTION made by Dr. Berkeley to approve the minutes of the June 2, 2014 Board Meeting. Motion Second by Dr. Moore, motion carried.

The Board reviewed the Purchasing Review for FY 2013 from the WV Purchasing Division. MOTION made to accept the recommendations made in the review by Dr. Moore, motion second by Dr. Berkeley, motion carried.

The PCard Report was reviewed. Ms. Fleming explained the new procedure in place for the Board Treasurer to review cover sheets on P-Card bills. This new layer of authorization complies with the PCard requirements which indicate that a PCard holder who is also the PCard Coordinator for an agency must have someone else review purchases.

The Board discussed the status of the hiring of a new Board Inspector. Ms. Fleming reported that the advertisement was posted by the WV Veterinary Medical Association and is currently posted on the WVBVM website. The Board requested that Ms. Fleming advertise in the paper and on-line. Ms. Fleming discussed the one applicant that has responded to the ad, the Board agreed that Ms. Fleming should ask that the applicant come to Charleston and she should conduct an initial interview.

The Treasurer's Report and the 2015 Appropriation Schedule was explained by Ms. Fleming and reviewed by the Board.

MOTION made to approve the Appropriation Schedule made by Dr. Meade, second by Dr. Moore, motion carried.

Ms. Fleming discussed staffing issues at the office. The current staff will be required to be trained and to acquire a new skill set as the new database and website go live, therefore, she

recommended a pay raise to \$14.00/hour for the secretary. She also recommended that the Board consider hiring a part-time technology person to assist in the office with OASIS, the new database, the new website and with software and hardware issues.

MOTION made to approve salary increase for the office secretary, to \$14/hour by Dr. Berkeley, second by Monica Patton, RVT, motion carried.

MOTION made to approve the hiring of a part-time (8 hours a week) technology associate, by Dr. Moore, second by Dr. Berkeley, motion carried.

MOTION made at 10:00 AM to go into Executive Session by Dr. Moore, second by Dr. Berkeley, motion carried.

MOTION made at 11:45 to come out of Executive Session by Dr. Berkeley, second by Dr. Moore, motion carried.

MOTION made on Case #0614A to take no action, by Monica Patton, RVT, second by Dr. Moore, motion carried.

MOTION made on Case #0614B to take no action, by Dr. Moore, second by Dr. Wilson, motion carried.

MOTION made on Case #0714A to take no action, by Dr. Wilson, second by Betty Burkett, motion carried.

MOTION made on Case #0814A to take no action, by Dr. Wilson, second by Monica Patton, RVT, motion carried.

MOTION made on Case #0814C to take no action, by Monica Patton, RVT, second by Dr. Wilson, motion carried.

MOTION made by Dr. Moore, on Case #0814B to gather more information by sending an inspector in to observe the veterinarian in practice and to review the recordkeeping. The inspector will be Dr. Ronald Smith if he is available. The Board will receive a report from the inspector at the next Board meeting on January 12, 2015 and will make a ruling on the case if they feel that they have enough information at that time. Second by Monica Patton, RVT, motion carried.

Ms. Campbell headed a discussion about Board initiated complaints. She asked about professional ethics and whether veterinarians were under the same stipulations as attorneys who are required to report on colleagues. The Board discussed the obligation that Board members have to report any issues that are in violation of the Practice Act & Rules. Regarding

the question about whether the Board can initiate complaints, Ms. Campbell indicated that as long as the Board has substantial information regarding what happened, when, where, and who was involved, the Board could initiate a complaint case.

The Board discussed the language in the Practice Act & Rules regarding requirements for inspections of veterinary facilities. Specifically, the language regarding inspections of House Call practices. These practices are not currently inspected; this could present a problem as the Board is unable to ascertain whether proper patient records are maintained. Ms. Campbell suggested changes to the language in the Practice Act & Rules. This will be addressed in May in time to file changes with the Legislative Rule Making Committee. Dr. Moore suggested that we ask Doreen Colbert to call other states and asked them how they handle house call practices.

Ms. Fleming notified the Board that the Funeral Board had contacted the office to express their concern that no agency is currently regulating pet crematoriums. The Board discussed the fact that the Practice Act and Rules do not give the Board jurisdiction over crematoriums. The Board also indicated that several of them have been shut down with new EPA laws.

Dr. Berkeley reported on several issues that he felt were of particular interest from the AAVSB Conference; the importance of having a good relationship with the state veterinary medical association, the fact that the AAVSB has a model Practice Act, the announcement of a new program from AAVSB that will allow veterinarians to log their CE, a discussion on sunset rules, and the need for the Board to develop a 3 minute "elevator speech" to better articulate exactly what the board does and why it exist. Dr. Berkeley also reported that one of the topics at the conference was a report about veterinarian's fitness for practice if they are a sole proprietor, the AAVSB report puts emphasis on the fact that it is the first two years of practice that are critical in that situation.

Dr. Berkeley also noted that when the Board goes into Executive Session, whoever makes the motion should cite the statute that is appropriate.

Dr. Meade also attended the AAVSB Conference and reported that it was extremely interesting and valuable. She commented specifically on a discussion regarding the licensing requirement for faculty members who want to do demonstrations, that they must have a faculty license and must also be licensed by the state. Other conversations of interest included one on the topic of veterinarians reporting to the Pharmacy Board, our Board reporting to other states when we issue a Cease and Desist letter, and whether Practice Acts should be changed in order to give Board's jurisdiction over people practicing veterinary medicine without a license. Apparently, when our Practice Act was last opened, there was a valid reason for not making that change. Ms. Fleming will attempt to find out about why we chose not to make the change.

Dr. Meade also reported that during the session at AAVSB on discipline, it was reported that on-line CE was not effective and it was recommended that Boards not designate on-line CE for discipline on cases in the future.

The Board discussed the on-line application and renewal process that is being developed by Albertson Consulting for the Board. Ms. Fleming explained that there will be a processing fee of 2.25 percent when the on-line payments are made to the state Treasurer's office. The question of whether the Board or the applicant will pay the processing fee for renewals was discussed.

MOTION made by Dr. Moore for the Board to absorb the fee for renewals for the first few years in order to encourage people to use the website, second by Dr. Meade, motion carried.

Item # 12 on the Agenda was discussed and tabled so that Ms. Campbell could research and get back to the Board on what, if any recourse is available should a licensee have delinquent outstanding reimbursement amounts due to the Board or fines due to the State as a result of a Consent Agreement.

The Board discussed the regulation of ancillary practices, for example, equine acupuncture; massage therapy, dentistry, etc. Currently, these services are only allowed to be performed by licensed veterinarians in West Virginia. The Board looked at the way that the State of Arizona treats the services and discussed language that could be drafted to allow for the delivery of these services by professionals licensed in the state by other boards and supervised by veterinarians. Dr. Meade reported that at the AAVSB Conference, this topic was discussed and that several states have decided not to write separate laws regarding these practices, it is also not addressed in the model Practice Act.

The Board decided to start to draft language to allow for these services under general supervision of licensed veterinarians and to require that each specialty have some national certification related to practice on animals, in addition to being licensed by the proper Board for their field, in West Virginia.

The Board discussed the mission statement to be displayed on the new website. After several suggestions, the following statement was crafted: The West Virginia Board of Veterinary Medicine protects the health, safety and welfare of the general public and animals of West Virginia through public education, enforcing licensing standards for veterinarians, registered veterinary technicians, certified animal euthanasia technicians and veterinary facilities.

At 2PM, the Board had a webinar delivered by Albertson Consulting to demonstrate some of the capabilities of the new database, cloud doc program and website. During the presentation, the subject of listing Continuing Education (CE) hours on licensee renewal forms was discussed.

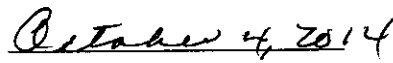
MOTION made by Dr. Moore to allow licensees to sign a statement certifying that they completed the required approved CE. The statement would include language regarding the fact that the Board would randomly audit CE for a percentage of licensees each year, if requested, the licensee would be responsible for producing evidence of having completed the approved required CE. Second by Monica Patton, RVT, motion carried.

Having concluded all business of this meeting, it was adjourned by common consent at 3:30 PM.

Respectfully submitted;



Virginia Lee Hastings, Secretary/Treasurer



Date