



Board of Veterinary Medicine September 21, 2022 Public Meeting Minutes

Sep 21, 2022 at 8:30 AM
7 Eagle Square Concord, NH 03301

Attendance

Members Present:

Stephen Crawford, Robyn Eldredge, Elaine Forst, Winifred Krogman, Jill Patronagio, Kirk Smith

Members Absent:

Claire Timbas

Guests Present:

Doug Osterhoudt, Lauren Warner, Jessica Whelehan, Jenna Wilson

I. Call To Order

Kirk Smith called the meeting to order at 8:38AM.

II. Review of Public Minutes

Motion: to accept the public minutes from 8/17/22 as written.

Motion moved by Stephen Crawford and motion seconded by Robyn Eldredge. Passed. Kirk Smith abstained.

III. Public Appearances - None

IV. OPLC and/or Board Administration Updates - None

V. Old Business

A. PDMP Board representative - update

Robyn Eldredge indicated that she will be unable to act as the Board's representative on the Prescription Drug Monitoring Program Advisory Council due to previous commitments. Steve Crawford indicated that his term on the PDMP Advisory Council is done in February 2023 so the Board will need to vote for a new representative no later than the 11/16/2022. The Board will discuss this again on 10/19/22.

B. Electronic Prescribing

The Board discussed that there still is no software widely available to veterinarians to facilitate e-prescribing. Phil Lettrich of FDB Vela sent marketing materials to the Board and

communicated that the company will be piloting the software sometime next year; the company has inquired if NH would considered participating in the pilot program.

Motion: to invite Phil Lettrich of FDB Vela to attend a future Board meeting before September 2023; and, to send the Nh Board of Pharmacy correspondence indicating there is nothing currently widely available for veterinarians to use for e-prescribing and that the Board will continue to evaluate the matter annually pursuant to RSA 318:47-c III. (a)(8).

Motion moved by Kirk Smith and motion seconded by Stephen Crawford. Passed.

C. BROWN, Sandra - Continuing Education review

Motion: to 1.) send correspondence to Sandra Brown indicating: (A) Nine CE credits submitted are accepted by the Board for the requirements of Section V, Item Q of the settlement agreement because they were taken after the Order issue date (12/14/2021), but 3 CE credits were not; Brown must submit 3 CE credits which meet the requirements of the Settlement Agreement and submit to the Board. (B) Note that the Board anticipates receipt of a quarterly report with documentation of all controlled drug prescribing as requires in Section V, Item P; and
2.) Communicate with OPLC Enforcement to coordinate inspections pursuant to Section V, item P, 3 of the settlement agreement.

Motion moved by Jill Patronagio and motion seconded by Winifred Krogman. Passed. Stephen Crawford recused and did not participate.

Motion: to send correspondence to Sandra Brown requesting all medical records of all patients seen in NH 8/14/22-8/20/22.

Motion moved by Winifred Krogman and motion seconded by Jill Patronagio. Passed. Stephen Crawford recused and did not participate.

VI. New Business

VII. Licensure

A. VAGLIANO, Katherine

Motion: to accept Katherine Vagliano's application and approve licensure contingent upon passing the NH jurisprudence exam.

Motion moved by Stephen Crawford and motion seconded by Kirk Smith. Passed.

B. VASSEE, Aimee

Motion: to accept Aimee Vasse's application and approve licensure contingent upon passing the NH jurisprudence exam. (This matter was initially tabled to non-public; these minutes were excluded from the sealed minutes of the non-public session.)

Motion moved by Winifred Krogman and motion seconded by Jill Patronagio. Passed.

VIII. Administrative Rules & Legislative Topics

A. Chapter Vet 800 Non-Veterinarians: Public Comments

The Board considered all oral and written public comment related to Chapter Vet 800. Promulgation of this chapter is necessary to establish a clear line regarding what credentialed staff may do versus assistants. Prior standard of leaving all such determinations to the veterinarian (see Vet 405 excerpt below) has not kept up with the evolution in reasonable standards of veterinary care. The Board voted to proceed with final proposal absent substantive change to avoid further delay in promulgation of rules that have been in process since 2018, though the Board does intend to revisit certain comments once Vet 800 is finalized. In particular, the Board will research:

- Potential accommodations for euthanasia in shelter medicine situations.
- AVMA data and reports regarding impacts of utilizing technicians versus assistants in practice.
- Implementation of Vet 802 and Vet 804 prior to December 31, 2025.

PART Vet 405 VETERINARY ASSISTANT/TECHNICIAN

Vet 405.01 Assistant's/Technician's Acts and Conduct. Any person, not a licensed veterinarian, who assists a veterinarian in the care and treatment of animals shall be the professional responsibility of the veterinarian being assisted, who shall personally train and supervise the assistant/technician. The assistant's/technician's acts and conduct shall be deemed at all times to be the acts and conduct of the licensed veterinarian employing her or him. For the purpose of this rule, assistant and technician shall be deemed equivalent.

B. Vet 800 DRAFT Final Proposal

Motion: to accept the Vet 800 FP only with the addition of an effective date to Vet 802 & Vet 804 of 12/31/2025; and with the additional language from Doug Osterhoudt for Vet 802.01(a). Doug will confer with OLS attorneys to determine whether the requested changes are substantive.

Motion moved by Robyn Eldredge and motion seconded by Stephen Crawford. Passed.

At 11:37AM Kirk Smith announced that the Board would take a brief recess. The Board resumed public session at 10:48AM.

C. Vet 300 - Licensing Requirements

Motion: to approve the Vet 300 Final Proposal to send to OLS Administrative Rules and JLCAR for conditional approval.

Motion moved by Stephen Crawford and motion seconded by Robyn Eldredge. Passed.

D. Vet 500 - Ethical Standards

Motion: to accept Vet 500 conditional approval response edits and file the rules with OLS Administrative Rules.

Motion moved by Stephen Crawford and motion seconded by Robyn Eldredge. Passed

E. Vet 600 - Practice of Veterinary Medicine (Acupuncture and Embryo Transfers)

Motion: to adopt the final Vet 600 rules as presented and file the certification letter with OLS.

Motion moved by Stephen Crawford and motion seconded by Winifred Krogman. Passed.

F. Vet 700 - Veterinary Medical Records

Motion: to adopt the final Vet 700 rules as presented and file the certification letter with OLS.

Motion moved by Stephen Crawford and motion seconded by Winifred Krogman.

G. Vet 400 – Reinstatement Form

Motion: to accept and approve the Reinstatement of Veterinary Licensure Form as presented as part of the current Chapter Vet 400 rulemaking.

Motion moved by Kirk Smith and motion seconded by Stephen Crawford. Passed.

Kirk Smith announced the Board would be in recess for a lunch break at 11:39. The Board resumed public meeting at 12:13PM.

IX. Non-Public Session

Non-Public session is conducted for the purpose of discussing investigations of alleged licensee misconduct and other confidential Board business. Such a non-public session is authorized by RSA 91-A:3, II (c) & (e), RSA 91-A:5, IV, *Lodge v. Knowlton*, (1978), and the Board's executive and deliberative privileges.

Motion: to enter into non-public session at 12:15PM for the reasons outlined above.

Motion moved by Kirk Smith and motion seconded by Stephen Crawford. Passed unanimously by rollcall vote.

X. Resume Public Session

The Board resumed public session at 2:10PM.

XI. Seal the Minutes of the Non-Public Session

Minutes of the non-public session are sealed to maintain the privacy of the items discussed in non-public session pursuant to RSA 91-A:3, II (c), on the grounds that public disclosure may adversely affect the reputation of a person other than a Board member or render the proposed action ineffective.

Motion: to seal the minutes of the non-public session for the reasons outlined above, excluding licensure information related Aimee Vasse.

Motion moved by Kirk Smith and motion seconded by Stephen Crawford. Passed.

XII. Adjournment

Kirk Smith adjourned the Meeting at 2:14PM.