



Board of Veterinary Medicine: October 19, 2022

Public Meeting Minutes

Oct 19, 2022 at 8:30 AM EDT

7 Eagle Square in Concord, NH 03301

Attendance

Members Present:

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

Guests Present:

Shane Goulet, Tina Kelley, Lauren Warner, Jessica Whelehan, Jenna Wilson

I. Call To Order

Kirk Smith called the meeting to order at 8:37AM and read the Board's mission statement.

II. Review of Public Minutes

Motion: to approve the public minutes from the 9/21/2022 meeting with one amendment to add Doug Osterhoudt to the list of guests present.

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

III. Public Appearances – None.

IV. OPLC and/or Board Administration Updates

A. License fees refunded by OPLC

Jenna Wilson explained to the Board that OPLC has done a legal review of fees taken from veterinarian licensees while the rule were expired and the agency determined that refunds were required. A bulk email was sent to licensees on 10/17/22 explaining the process.

V. Old Business - None

VI. New Business

A. CE Course approval request - ZEZULA, Jerilee

Motion: to approved the proposed courses for 10-hours of continuing education credit for the National Animal Cruelty Prosecution Conference December 13-15, 2022.

Correspondence sent to the licensee to indicate that acceptable documentation of completion of continuing education shall be maintained by the licensee for no less than 3 years.

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

VII. Licensure

A. VAUGHN, Caitlin

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

Motion moved by Stephen Crawford and motion seconded by Jill Patronagio. Passed.

B. IREIFEJ, Shadi

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

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

VIII. Administrative Rules & Legislative Topics

Tina Kelley noted that OPLC administration is asking Boards to set their new rule effective dates to 60 days from adoption so that OPLC has time to ensure that the new requirements can be accommodated by the agency in a timely manner.

A. Vet 800 Non-Veterinarians

The Board discussed the vote taken at the last meeting related to how to proceed with the Vet 800. The vote to proceed with filing the FP was contingent upon a legal analysis of whether the requested amendments would be considered a substantive change by OLS attorneys.

Motion: to authorize Stephen Crawford to work with Board Counsel to add the amended language discussed at the last meeting, and to authorize Stephen Crawford to approve the changes on behalf of the Board so that the rules can be filed with OLS prior to the next meeting.

Motion moved by Robyn Eldredge and motion seconded by Winifred Krogman. Passed.

B. Vet 300 Licensing Requirements

Motion: to adopt Vet 300 Licensing Requirements, with an effective date that is 60-days after adoption. (12/19/2022)

Motion moved by Stephen Crawford and motion seconded by Claire Timbas. Passed.

C. Vet 500 Ethical Requirements

Motion: to adopt Vet 500 Ethical Requirements, with an effective date that is the first business date after adoption.

Motion moved by Stephen Crawford and motion seconded by Jill Patronagio. Passed.

D. Vet 207 Waiver of Substantive Rules

Motion: to approve the Vet 207 Waiver of Substantive Rules FP as written.

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

Tina Kelley left the meeting room at 9:25AM to attend another Board meeting.

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 9:33 for the reasons outlined above.

Motion moved by Kirk Smith and motion seconded by Jill Patronagio. Passed via rollcall vote.

X. Resume Public Session

The Board resumed public session at 10:47AM

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 for the reasons outlined above, excluding the information below relate to Jacqueline Bartol, DVM #1311, and Barbara Jones, DVM #3036; Docket No.: 4-2/18 and 4-4/18.

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

Motion: although the Board does not agree with all of the statements and analysis provided in the 09/12/22 Report of Investigation, motion to grant Hearing Council's Motion to Resolve. Both cases are dismissed and closed.

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

XII. Sandra Brown, DVM - Settlement agreement requirements

The Board reviewed documentation submitted by Sandra Brown as a requirement of her settlement agreement dated 12/14/2021. The Order mandates that Dr. Brown, upon reinstatement of her license on 7/28/2022, shall provide the Board with documentation of all controlled drug prescribing, including invoices, on a quarterly basis for two years.

The documentation was received by email by the Board on 10/3/2022, and it contained 1-page of photocopies of prescription labels with handwritten notations, so of which included changes to the date the medications were dispensed. The dates ranged from 7/28/2022 to 9/26/2022.

Motion: to send correspondence to the licensee reiterating the requirements of the settlement agreement and ask that the quarterly reporting be resubmitted for the relevant time period. The

Board authorized Robyn Eldredge to review and approve the correspondence on behalf of the Board before it is sent.

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

Kirk Smith announced the Board was in recess at 11:15. The public session resumed at 11:23AM and Tina Kelley returned to the meeting room.

XIII. Administrative Rulemaking (continued)

Motion: to approve the Vet 400 Final Proposal as amended during the meeting today.

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

The Board worked with Tina Kelley on Vet 1000 Opioid Management and reviewed comments from OLS attorneys. Tina Kelley will take the Board's responses to the comments back to OLS for additional review by the attorneys.

Tina Kelley indicated there is no revised draft of Vet 900 for the Board to review yet.

XIV. PDMP Advisory Committee - Board delegate

Motion: to authorize Stephen Crawford to draft a letter on behalf of the Board for Jenna Wilson to send to the Advisory Committee related to whether Claire Timbas may participate as the Board's delegate when she has previously served ~2 years as a delegate for the NHVMA before becoming a Board member.

Motion moved by Winifred Krogman and motion seconded by Robyn Eldredge. Passed.

XV. Adjournment

Kirk Smith Adjourned the meeting at 12:45PM.

Next meeting is NOVEMBER 16, 2022, at 8:30AM.