



Board of Veterinary Medicine
JANUARY 18, 2023 Public Meeting Minutes
January 18, 2023 at 8:30 AM EST
7 Eagle Square in Concord, NH 03301

Attendance

Present:

Members: Stephen Crawford, Elaine Forst, Robyn Eldredge, Jill Patronagio, Kirk Smith, Claire Timbas

Absent:

Members: Winifred Krogman

I. Call To Order

RSA 332-B:1-a Purpose. – The purpose of the board of veterinary medicine is to promote public health, safety, and welfare by safeguarding the people of New Hampshire against incompetent, unscrupulous, and unauthorized persons and from unprofessional or illegal practices by persons licensed to practice veterinary medicine. The right to practice veterinary medicine is a privilege granted by legislative authority to persons possessing personal and professional qualifications specified in this chapter.

Kirk Smith called the meeting to order at 8:32AM and read the Board's mission statement.

II. Review of Public Minutes

Motion: to approve the public meeting minutes as amended.

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

III. Public Appearances - NONE

IV. OPLC and/or Board Administration Updates

A. Staffing Changes

Jenna Wilson informed the Board that OPLC Licensing is still working to address staffing shortages. Applicants may experience longer response times than usual.

V. Old Business

A. PDMP Advisory Council

Motion: to appoint Claire Timbas to the PDMP Advisory Council pursuant to RSA 126-A:96, I (m). The Board anticipates this will be a 2-year term.

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

VI. New Business

A. Correspondence

1. FDA withdrawal of guidance #269 related to VCPR and telemedicine during the pandemic

Informational. No action taken.

2. Sabrina Russett - Mental Health License Disclosure

Motion: to authorize Jenna Wilson to respond to Sabrina Russett by giving her the PHP information and to delegate authority to Stephen Crawford to speak with the licensee directly on behalf of the Board if requested.

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

Informational. No action taken.

3. Amy Bright - renewal process comments

Informational. No action taken.

4. AAVSB Outreach

Motion: to invite Jim Penrod, Chief Executive Officer of the AAVSB, to attend and present at the Board's meeting on August 16, 2023.

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

VII. Licensure

Executive Director Lindsey Courtney was unable to meet with the Board at 9:30AM as planned. OPLC General Counsel Doug Osterhoudt attended the meeting in her place and briefly explained why the licensees with lapsed licenses are required to submit initial applications to obtain new licenses because the Vet 400s with reinstatement rules are not in effect yet. The analysis of the statutory provisions related to reinstatements provided by former Board Counsel of the NH DOJ AGO last year is not supported by OPLC Counsel now.

The Board recessed at 9:45AM and returned to public session at 10:03AM.

A. Lapsed Licenses / Initial Applications

Motion: to provide the following applicants with an order waiving the Letters of Verification and jurisprudence exam requirements serving as notice and an opportunity to be heard pursuant to Vet 207.01(f) and approve initial licensure: **Katherine Allshouse, Katherine Brust, Diana Capozzi, Amy Cordner, Christy Cullen, Sharon Sernik, and Stephanie Shen.**

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

Motion: to provide the following applicants with an order waiving Letters of Verification, transcripts, resumes, and jurisprudence exam requirements serving as notice and an opportunity to be heard pursuant to Vet 207.01(f) and approve initial licensure: **Mark Anderson**

Motion moved by Robyn Eldredge and motion seconded by Jill Patronagio.
Passed

Motion: to provide the following applicants with an order waiving transcripts, exam scores, photos, resumes, Letters of Verification and jurisprudence exam requirements serving as notice and an opportunity to be heard pursuant to Vet 207.01(f) and approve initial licensure: **Christina Murdock and Brian Dening.**

Motion moved by Robyn Eldredge and motion seconded by Jill Patronagio.
Passed.

VIII. Administrative Rules & Legislative Topics

A. 2023 Proposed Legislation

The Board discussed proposed legislation and requested that OPLC Legal track HB 231 (prohibiting cat declawing), HB 249 (pet insurance), HB 249 (animal chiropractic care), and HB 37 (companion animal groomers).

Motion: to oppose HB 231 (cat declawing) and HB 249 (Animal Chiropractic care) and authorize Jenna Wilson to send the following statement about the bills to their respective legislative committees: "The New Hampshire Board of Veterinary Medicine opposes this bill."

Motion moved by Robyn Eldredge and motion seconded by Claire Timbas. Passed

B. Administrative Rules

1. Vet 800 Non-veterinarians

The Board worked with Tina Kelley to make changes to Vet 800. The date in Vet 801.02(c) should be changes to 5/1/2026. Tina Kelley indicated that the proposed definitions in the Vet 800s were rejected by OLS and, instead, Tina Kelley will draft a fix to the Vet 100s to put the more robust definition in that chapter instead.

Motion: to submit the Vet 800 FP with the changes submitted by NHVTA, and to authorize Stephen Crawford to speak with OLS attorneys directly on behalf of the Board related to the definitions and other comments from OLS.

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

2. Vet 400 - Continued Status

The Board identified an editorial change to Vet 401.01(a) to change "applicant's" to "applicants". Tina Kelley indicated she would make the change at the end of the rulemaking process when the rules are filed with OLS.

Motion: to approve the Vet 400 Conditional Approval response.
Motion moved by Stephen Crawford and motion seconded by Kirk Smith.
Passed.

3. Vet 207 Substantive Waiver Rule - Adoption

Motion: to adopt Vet 207 with the effective date the day after filing with OLS rather than postdating 60 days.
Motion moved by Stephen Crawford and motion seconded by Kirk Smith.
Passed.

4. Plc Chapter 300 - Proposed OPLC Rules

Liz Eaton explained the background of Plc 300 and OPLC's desire to standardize collecting demographics of all applicants but indicated that each Board will continue to have different specific requirements.

IX. Non-Public Session #1

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 non-public session at 12:43PM for the reasons outlined above.
Motion moved by Kirk Smith and motion seconded by Stephen Crawford. Passed by rollcall vote.

X. Resume Public Session

The Board resumed public session at 2:11PM

XI. Vet 800 (Continued)

Tina Kelley returned to the meeting after speaking with OLS attorneys about the changes the Board wanted to make to Vet 800. Tina Kelley relayed that the 3-year window to get credentialed is still in the proposed rule. Also, the OLS attorneys advised to remove the Vet 801.01 (b) and (c) definitions per their comments so that the rules can move forward rather than face an objection at the JLCAR meeting. Tina Kelley indicated she will add those definitions to Vet 100 in a separate follow up rulemaking.

Motion: to approve the Vet 800s as amended (removing the Vet 801.01 (b) and (c) definitions) so as not to delay the rulemaking process of Vet 800 and subsequently Vet 400. Motion moved by Kirk Smith and motion seconded by Jill Patronagio. Passed.

XII. Non-Public Session #2

Motion: to enter non-public session at 2:35PM 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 moved by Kirk Smith and motion seconded by Claire Timbas. Passed by rollcall vote.

XIII. X. Resume Public Session

The Board resumed public session at 2:40PM

XIV. Seal the Minutes of the Non-Public Session

Motion: to seal the minutes of non-public session #1 and non-public session #2 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 moved by Kirk Smith and motion seconded by Claire Timbas. Passed.

XV. Adjournment

Kirk Smith adjourned the meeting at 2:42PM.

Next meeting: February 15, 2023, at 8:30AM.