

July 31, 2019 MEETING PUBLIC MINUTES

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Minutes: July 31, 2019

The regular board meeting of the New Hampshire Board of Veterinary Medicine was held at the State House Annex, Room 201, 25 Capitol Street, Concord, NH.

Members present: President: Dr. Sonnya Dennis, Vice President, John MacGregor, DVM; Judith Leclerc, DVM; Kirk Smith, DVM; Stephen Crawford, DVM Ex Officio Member; Elaine Forst, Public Member.

Winnifred Krogman, DVM – absent

Staff: Kim M. Lavoie, Administrative Secretary

Public present: Ed Carlson & Patty Pate, NH Veterinary Tech Association; Lorry Anderson, Paul Anderson, Jill Gorski, & George Bailey. Present from the Board of Pharmacy: Elsa Croteau, Jay Queenan, & Bob Elder.

PUBLIC SESSION

The public segment of the meeting was called to order at 9:12 a.m.

1. The “Mission Statement” was read: 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 practice 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.
2. The June 12, 2019 public meeting minutes were reviewed. Dr. Smith motioned to approve. Dr. MacGregor seconded. So moved. Dr. Crawford abstained. He was not present at the June 12, 2019 meeting.
3. Signing of the license certificates was completed by members present. Dr. Krogman’s signature is still needed.
4. Three Investigators for the Board of Pharmacy were present. Discussion ensued regarding inspections and house bill 627, as it relates to differences and similarities in veterinary and human medicine. The discussion lasted for approximately two hours. The investigators excused themselves at 11:11 am.
5. Upon the motion by Dr. Dennis, and second by Dr. MacGregor, and unanimous vote of the Board, a 10 minute recess was called prior to re-entering the Public Session.
6. At approximately 11:20 am, the public meeting resumed.
7. PDMP-discussion ensued. Dr. Crawford informed the Board of recommendations from the PDMP Advisory Council. The Board agrees that the use of the wording acute, chronic, and palliative on a prescription label is a reasonable request. The Board will comply and exchange the word, “terminal” for the word “palliative”.

8. AAVSB-New Info- accepted, acknowledged, to be filed.
9. AAVSB – Query Breeders, accepted, reviewed, acknowledged, to be filed.
10. AAVSB- Query Board/legislative sessions, accepted, acknowledged reviewed, to be filed.
11. AVMA COE Report of Accreditation Actions –May 2019, acknowledged, reviewed, to be filed. Information on accredited schools is publicly available at <https://www.avma.org/ProfessionalDevelopment/Education/Accreditation/Colleges/Pages/colleges-accredited.aspx>.
12. AHVMA 2019 Race Conference approved, reviewed, to be filed.
13. Discussion to give, Administrative Secretary the authority to sign license certificates- Dr. Dennis motioned to table to discuss with Board Counsel, Jon Lavallee. Dr. Leclerc seconded. So moved.
14. ICVA- June 2019 Veterinary Assessment in Focus- reviewed, to be filed. Available to the public at <https://www.icva.net/>.
15. Organizational Rules-Dr. Crawford updated the Board on the status of the interim rules. Dr. Crawford motioned to approve the interim rules. Dr. MacGregor seconded. So moved. The vote was unanimous. It was stated that JLCAR has not yet reviewed the new rules.
16. Dr. Dennis asked if any one present would like to speak. Lorry Anderson spoke regarding a previous settlement agreement with Dr. Deborah Kelloway and expressed concern that charges were still applied to her Care Credit. Dr. Crawford responded that monetary issues are not in the purview of the board and recommended that she consult with the Consumer Protection Bureau.
17. CBD/FDA – Dr. MacGregor motioned to have Dr. Crawford send out to the veterinarian community, a statement explaining FDA nutraceuticals regarding CBD oil. Dr. Dennis seconded. So moved. The Board related its previous references to federal law regarding nutraceuticals <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/small-entity-compliance-guide-structurefunction-claims>), (<https://www.fda.gov/news-events/public-health-focus/fda-regulation-cannabis-and-cannabis-derived-products-questions-and-answers> and the AVMA’s Principles of Veterinary Medical Ethics (which states, regarding proprietary blends, that “Veterinarians shall not promote, sell, prescribe, dispense, or use secret remedies or any other product for which they do not know the ingredients.” NH licensed veterinarians should be aware of these federal regulations, as well as state law.
18. Dr. Crawford reported the update regarding the office moving over to the OPLC. The official move would be sixty days after the Governor signed the budget. The estimated and mutually agreeable date is tentatively for February 2020. Dr. Crawford will keep the board informed regarding the status.
19. It was noted that Premier Pharmacy Labs issued a voluntary nationwide recall of all unexpired sterile drug product lots due to lack of sterility assurance. Information may be found here: <https://www.fda.gov/safety/recalls-market-withdrawals-safety-alerts/premier-pharmacy-labs-issues-voluntary-nationwide-recall-all-unexpired-sterile-drug-product-lots-due>
20. **Amy Tsoukalas**, new applicant- Dr. MacGregor motioned to move forward with her NH licensing. Dr. Dennis seconded. So moved. **No recusals.**

21. **Patrick Carney**, new applicant- Dr. Dennis motioned to move forward with his NH license. Dr. MacGregor seconded. So moved. **No recusals.**
22. **Paula Belknap**-new applicant- Dr. Crawford motioned to move forward with her NH license. Dr. MacGregor seconded. So moved. **No recusals.**
23. **Susan Barnett**, follow up on application and Board's April 2019 decision-two letters of recommendation were reviewed. Dr. Smith motioned to send a letter to Dr. Barnette asking to explain if she was working at a practice and being supervised by someone who is not authorized by her temporary permit, and to send a letter to Dr. Holly Van Ness inquiring if Dr. Barnette was employed at her hospital. Dr. Dennis seconded. So moved.
24. **George Melillo**, new applicant- Dr. Dennis motioned to deny license since NH requires a passing score on the NBE. Dr. MacGregor seconded. So moved
25. **Harmony Fall**, new applicant- As the protocol, Dr. Dennis motioned to start a file and take no action until an application and fee are received. Dr. MacGregor seconded. So moved.
26. **Dan Kadle**-As follow up to email request from Mr. Kadle, the Board's understanding is they cannot provide him with documents requested on an ongoing investigation.

Upon the motion of Dr. Crawford and second of Dr. MacGregor, the Board, by a roll call vote, resolved to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct, noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91A:5, IV, Lodge V. Knowlton, 118 NH 574 (1978), and the board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by unanimous vote of all members present.

Respectfully Submitted,

Kim M. Lavoie, Administrative Secretary
Authorized Representative of the
NH Board of Veterinary Medicine