

## September 19, 2019 MEETING PUBLIC MINUTES

Minutes: September 19, 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, DVM; Kirk Smith, DVM; Winnifred Krogman, DVM; Stephen Crawford, DVM Ex Officio Member;

Staff: Kim M. Lavoie, Administrative Secretary

Absent: Judith Leclerc, DVM; Elaine Forst, Public Member.  
Elaine Forst, Public Member arrived at 10:25 am.

Public present: Becky Gallant, NH Veterinary Tech Association; Madeline Kadle, Jill Gorsky

### PUBLIC SESSION

The public segment of the meeting was called to order at 9:34 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 August 28, 2019 public meeting minutes were reviewed. Dr. Crawford motioned to table until sealing was added. Dr. Dennis seconded. So moved.
3. Signing of the license certificates was completed by members present.
4. AAVSB-Nominations for 2019 Annual Meeting-reviewed, to be filed.
5. AAVSB-Proposed changes to the AAVSB Practice Act-reviewed, to be filed.
- 6 **Madeline Kadle** Right To Know Request of **August 14, 2019**- Dr. Crawford stated that he is compiling a **list of disciplined veterinarians**.. Mrs. Kadle compiled her own list after reviewing approximately 2700 records on the state website back to 1995, and she has found some discrepancies. For 2017 online database, 3 disciplines listed, but Administrative secretary gave her 5, meaning 2 are not on the online database. Mrs. Kadle was encouraged to share her information with Dr. Crawford so that any missing records could be identified and entered on the website. Dr. Smith pointed out that fiscal and annual may not match and that items may be completed in years that they were not opened.
7. **Madeline Kadle** asked what is meant by "no data" in the Annual Report. Dr. Dennis responded that it would be clarified in the final report that either "no data was found" after a search or that "data is not tracked" by the state. Other documents requested by Madeline Kadle are being redacted of personal information. Dr. Dennis informed Madeline Kadle that this must be done by hand as the state does not provide redaction software. Some requests have no responsive documents. Madeline Kadle was informed that a response will be forthcoming.

8. **Dr. Dennis reminded Mrs. Kadle that it is inappropriate to discuss ongoing investigations during the meeting as information released could render a majority of the board needing recusal prior to a completed investigation.** She was reminded that Dr. Dennis informed Mr. Kadle on multiple occasions that they should only communicate with their assigned investigator to avoid tainting the investigation.

9. **Madeline Kadle, August 30, 2019 inquiry-**June 12, 2019 public minutes to be amended redacting #15 regarding Mr. Kadles' statements. Dr. Crawford responded by saying that according to Robert's Rules, a motion-to-amend must be made by someone who voted on the issue previously and that the intent to make a motion-to-amend should be announced either at the meeting preceding the vote or in the draft agenda that is provided to board members ahead of the meeting date. No motion was made. Dr. Dennis stated that since Mrs. Kadle was not present at the June 12th meeting and did not hear what was said by Mr. Kadle, it would be better to table this until he is present. Further, there is not a quorum of members present today that were at the June meeting. Mrs. Kadle replied that she heard what was said at that meeting because Mr. Kadle recorded the meeting. Dr. Dennis asked if she provided board counsel with that information. Dr. Dennis responded that there is nothing more to do today. This discussion went on for some time, and Dr. Dennis asked to move on as the questions have been asked and answered to the best of the board's ability multiple times.

10. Dr. **Megan Robertson** was present to inquire about her exam questions. She was told it could not be discussed during public session but that she could discuss it in non public session and the results would be released via the public minutes.

11. **Becky Gallant** asked for an update on the rules. Dr. Crawford responded by saying that there is a delay because JLCAR found some expired sections that they required to be brought up to date. There will be a public comment meeting date posted on the JLCAR website and on the Board of Veterinary Medicine web site.

12. **Michelle Rico Jonas**, Director PDMP- who was not present, was to discuss and get information for Senator Guida on a recently-passed Senate Bill (SB 120) that allows sharing of PDMP data within boundaries established by statute. Senator Guida is hosting a meeting in late September with PDMP staff and others to discuss the limits and expectations of any data sharing. She was not present.

13. **Dr. Eric Bloomfield**, inquiry regarding CE, "**Practitioner Diversion Awareness Conference**"- The Board approved of this at their last meeting pending the syllabus to assess number of CE units. Dr. Dennis motioned to approve the following lectures and CE credits based on 1 credit per 1 hour lecture: Drugs of Abuse and Trends (0.5); Prescriptions for Controlled Substances (0.5); Methods of Diversion and Effective Controls for Controlled Substances (0.75); New Hampshire Health Professionals Program (0.5); Inventories, Records and Reports (0.75); Disposal, Return of Patient Meds, and Options for Patients (0.5); New Hampshire Prescription Monitoring Program (0.5), and Training and Resources (0.5) for a total of 4 credits. Dr. Crawford seconded and added "Training and Resources 0.5 units for a total of 4.5 CE credits. So moved. Administrative Secretary will notify Dr. Bloomfield and ask that if he finds more CE to inform the Board. These are an excellent source of CE.

14. **Renewal application 2020-2021**-Dr. Crawford motioned to approve the draft 2020-2021 based on the last JLCAR approved form. Dr. Dennis seconded. So moved. The only change was the dates. To be posted to the web site as soon as possible once approved by JLCAR.

15. **CE Policy**-Dr. Dennis motioned to accept reflecting the new RACE categories. Dr. Crawford seconded. So moved. A change from "must note" to "please note". To be posted to the web site as soon as possible.

16. **MOU, Memo of Understanding**-Dr. Dennis motioned to table to be reviewed by Attorney Lavallee until pharmacy rules are complete. Dr. Crawford seconded. So moved. Dr. Crawford motioned to add to the motion, that he will enumerate his comments to Mike Bullock for clarification. Dr. Dennis seconded. So moved.

17. **Follow-up: Annual Reports for 2018 and 2012-2017** final drafts. Dr. Crawford motioned for Dr. Dennis to update number of meetings for 2016 and clarify "no data", then table the documents pending new information to be provided by Mrs. Kadle regarding her concerns on discrepancies to the board. Dr. Dennis seconded. So moved.

18. **OPLC Update**-Dr. Crawford gave the update on the move to the OPLC. Director, Lindsey Courtney met with Dr. Crawford and Ms.Lavoie regarding the plans for the transition and organization of the move. Things will move forward as soon as HB 2 and the budget are passed. There are license technicians and other staff to assist the Board depending on the BVM needs. There is a concern that there are 7 open positions for licensing specialists and administrators currently. Madeline Kadle asked questions regarding procedure and was addressed by Dr. Crawford.

19. **Inquiry to FDA regarding CBD**-Dr. Crawford presented a draft letter to send to the FDA for the Board's approval. Dr. Smith motioned to approve the letter as is. Dr. Krogman seconded. So moved.

20. A **non-public** session was held. The **public session** restarted at 2:05 pm.

21. **Dr. Megan Robertson** was issued a temporary permit effective September 19, 2019.

22. **Dr. Desmond Muther's** temporary permit will expire October 22, 2019. A request to be sent to show cause at the October 2019 meeting.

23. The Board decided to move forward processing NH licensure for **Dr. Tumkur Narasimhan**.

24. The Board decided to move forward with licensure for **Susan Barnett**.

25. **Danielle Johnson**, new applicant-the Board decided to table until the next meeting.

26. **Juan Aguilar Ramos**, new applicant—The Board decided to move forward and issue a NH license.

At 10:50 a.m., Upon the motion of Dr. Dennis and second of Dr. Crawford, 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