

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION  
STATE OF NEW HAMPSHIRE  
**DIVISION OF HEALTH PROFESSIONS**  
**BOARD OF VETERINARY MEDICINE**

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**BOARD OF VETERINARY MEDICINE**  
**PUBLIC MINUTES OF JANUARY 15, 2020, MEETING**

**[Non-Meeting held with legal counsel for the purpose of seeking legal advice, 8:30-9:37 a.m.]**

The January 15, 2020, meeting of the Board of Veterinary Medicine (the "Board") convened at 9:37 a.m. at the Office of Professional Licensing and Certification, 121 South Fruit Street, Concord, New Hampshire with the following members present and eligible to vote:

Elaine Forst (EF)  
Sonya Dennis (SD)  
Suzan Watkins (SW)  
Kirk Smith (KS)  
Winifred Krogman (WK)

Absent: Judith Leclerc (JL)  
Steve Crawford (SC)

Others in Attendance:  
Lindsey Courtney, OPLC Director, Division of Health Professions (LBC)  
Tom Broderick, Rules Attorney (TB)  
Kim Lavoie (KL)  
Penny Taylor (PT)

SD read the Board's mission statement.

Upon motion by SD, with a second by KS, the Board voted unanimously to approve SW as the new board vice president.

**Rules Hearing Held 9:41–10:30. [Recorded Separately].**

- 1. Approve Public Minutes of the December 4, 2019, Board Meeting.** The Board reviewed the December 4, 2019, minutes. SD inquired whether anyone had comments. EF stated that JL was not listed, but she was at the meeting. The Board discussed

changes to #3, #6(a), #6(b), #7, #8, #11, #12, and #13. The meeting adjourned at 1:07, which should be reflected in the minutes. Discussion ensued regarding whether to bring the minutes back for the February meeting or approve as amended. Upon motion by SW, which was seconded by WK, the Board voted unanimously to approve the minutes as amended.

2. **Lindsey Courtney, OPLC Director of Health Professions—OPLC Procedures/Rules.** LBC discussed OPLC procedures with the Board. LBC stated that, the majority of OPLC boards have online renewals. DOIT has advised that the Board needs to wait for a new merchant ID (in March); after March, LBC will work with DOIT to establish online renewals for the Board. This will be completed prior to the next renewal cycle.

LBC reviewed procedures regarding agenda and pre-meeting phone conferences with the Board. Board administrators have been directed to have agendas finalized 7 days prior to a Board meeting. A pre-meeting conference call is to be held 8 days prior to a Board meeting. Board counsel, the Board chair, and the Board Administrator will participate in the call and finalize the agenda. No changes will be made to the agenda after it is finalized, absent an emergency.

The Board discussed whether to use the FTP site or have paper copies. KS noted he prefers to make notes on the paper copy. PT inquired whether the Board would prefer mailed agenda and agenda items prior to the meeting. SD noted that she likes the naming system on the agenda. Discussion ensued regarding formatting the agenda. KS stated that, if he had to pick one way to receive the agenda and items, he would prefer a paper copy. Discussion held regarding the FTP site, and what information should be available. SD noted the templates are available digitally on FTP site. JD had concerns regarding sending non-public information in an email. Discussion ensued regarding state emails. LBC asked whether the Board was agreeable with the office deleting information from the board distribution files on the FTP site. SD noted that they require individual distribution files, as well as the templates.

SD asked KL how many renewals were pending. KL stated about a dozen were pending. SD inquired whether licensees have received letters. KL stated the licensees received communication, but no letters or emails. Discussion ensued regarding templates. PT will provide KL a template letter.

3. **AAVSB.**

1. **Board Basics and Beyond Training.** SD stated that AASVB is a national organization that helps Board members as individuals. They will pay 2 board members to go to training, or office staff. It is a great experience. If anyone is interested, go to the AASVB website. Discussion ensued regarding using AASVB website to track CEs. EF asked whether a veterinarian would receive CEs from the meeting. SD stated they would, but only for business professional development.
2. **Compounding Animal Drugs from Bulk Drug Substances.** SD noted she tried to get more information. SD does not think this directly impacts the Board and would propose filing this for information. No further action.
3. **Two new AAVSB model regulation drafts.** SD noted this concerns telemedicine. Upon motion by SD, with a second by SW, the Board voted unanimously to reply

to them that there currently are no statutes, but the Board is adding them to rules during the rule revision process that is currently underway.

4. **ICVA 2018-2019 Annual Report.** SD stated the company provides the board exam, the NAVLE. SD wanted to remind the Board that the ICVA does provide species specific exams. Many states, including Massachusetts, have used those to issue conditional licenses. If someone is fine to practice everything except one area, the Board could require them to have them take the species specific exam; or, for disciplinary proceedings, the Board could require licensees to take a specific exam to prove that they have enough knowledge. Quite a few states have done this. The Board could remind APU of this option.

The Board reviewed the table. No further action.

5. **ICVA December 2019 In Focus Newsletter.** For file—no further action.
6. **Criminal Offender Record Information (CORI).** The Board reviewed the CORI acknowledgment form. SD noted the understanding is it is a possible requirement for licensure. It would be a form that licensees would sign that would allow the state to do a criminal background check. SD asked for feedback. LBC inquired whether the Board currently requires a background check. The Board discussed there was no current requirement. LBC noted that other health professions require background checks. The Board discussed how to require background checks. SD will talk with AASVB, which can do a lot with the fee that is already paid. LBC will discuss with SD; the Board discussed that, if legislation is required, it can wait until next legislative session. KS noted he thought it was a good idea to protect the public. SD will provide LBC with information from AASVB. LBC stated this will be added to the agenda in the spring. Tabled discussion until the spring.

7. **CE Questions.**

1. Ashley Lange. SD noted that Dr. Lange is a DVM who completed a residency, but is not yet a fully certified diplomate of AVSBM. She would like to know if her cardiology residency can count toward her CE requirements for her license. Dr. Lange stated that many other jurisdictions allow this. SD stated she needs more clarification from KL and inquired whether Dr. Lange was a license renewal. KL stated that she did not know, and retrieved the license application.

The Board looked at My License Online for Dr. Lange's renewal status. SD noted that Dr. Lange received her license less than a year ago. LBC noted she got a renewal notice in October 2019 for the end of December 2019. MLO demonstrated that Dr. Lange's license was renewed in December 2019. PT inquired how Dr. Lange was renewed, when the CEs had not been approved. Discussed ensued regarding the process for renewal and CE requirements. KS asked whether the Board would consider a residency as sufficient for CEs during a regular renewal process. The Board discussed considering residency sufficient for CEs. Upon motion by SD, with a second by SW, the Board voted unanimously to accept a certificate of residency as proof of adequate CE for renewal through 2021.

SD noted that, she was not sure what the Board was reviewing, because Dr. Lange was already renewed. The Board reviewed Dr. Lange's submission and determined she had sufficient credits.

The Board office will draft letter to Dr. Lange.

2. **Lisa St. Aubin.** SD noted the Board is missing the email with a question from Dr. St. Aubin. SD stated the Board should wait for KL to return before discussing this issue.

Upon KL's return, SD noted that the Board did not understand the question. Dr. St. Aubin's license was up-to-date. MLO listed Dr. St. Aubin's license as expired. SD inquired what the issue was. LBC noted the application was a renewal for 2017. KL stated Dr. St. Aubin did not submit a renewal application for 2019. The Board reviewed what Dr. St. Aubin submitted for CEs.

EF asked where Dr. St. Aubin resides and works. LBC noted that she lives in CT. SD stated that, Dr. St. Aubin had previously inquired regarding the sufficiency of her CE requirements and stated that, if the Board did not accept the CEs, she would let her license lapse. Upon motion by SD, with a second by KS, the Board voted unanimously to send Dr. St. Aubin a letter notifying her that the submitted CE was inadequate for renewal, and her license for NH had expired effective 12.31.19.

3. **Dr. Sobel.** SD noted she had sent in documentation but it was not uploaded. Dr. Sobel limits his practice to endoscopy. Because of that, his CEs are different; he does not go to big, RACE approved CEs. He goes to special endoscopy CEs at colleges and universities. A few years ago, when the Board changed CEs to RACE or nothing, he got caught in between due to clerical errors. The Board denied his CE and granted him an extension. This year, Dr. Sobel states that he attended an endoscopy conference in Russia (where he presented). This was not RAACE approved. Dr. Sobel wants to know if it counts.

SD looked for the conference online. It did not appear that it was conducted at a university, but a private company. SD asked Dr. Sobel to provide a list of lecture titles and speakers, but Dr. Sobel has not done so yet.

The Board discussed whether Dr. Sobel's CEs were sufficient. SW inquired whether Dr. Sobel submitted a certificate. SD stated that he did not submit it, but probably has one. SD asked what the Board wants in terms of requirements. WK noted that Dr. Sobel wants credit for 12.5 hours, but some were half hour lectures. SD stated that Dr. Sobel went to other lectures too, but did not document which lectures. SD inquired whether the Board should require Dr. Sobel to list the section title and duration. WK noted that is what the Board requires for everyone else.

Upon motion by SD, with a second by WK, the Board voted unanimously to inform Dr. Sobel that the Board would accept an hour per credit CE from this conference if he provides the Board with a list of date, title, lecturer, and duration of lecture. SD noted that Dr. Sobel needs to be told that final approval is contingent upon the Board receiving the list. The guidelines were on the website. The letter will reference the guidelines.

**8. HB 1387 re: prohibiting declawing of cats—Hearing 1/16/20 at 11:45 LOB 303.**

SD noted that SC sent this in to notify the Board of this upcoming bill. SD stated it looks pretty standard as to what has been passed in other states. SD noted the Board did not need to take an action. LBC will follow the bill and report back to the board.

**9. HB 1683 re: Docking of dog tails and cropping of dog ears—Hearing 1/16/20 at 1:30 PM LOB Room 303.** SD noted the Board should just recognize it, file it, and follow the rules that are set.

**10. Charles Dunn.** SD stated that this applicant did not pass the NAVLE by one point and wanted it hand scored. Discussion ensued regarding the status of this issue, as it had been brought before the Board in the past. SD noted that, the Board was supposed to send a letter stating that Dr. Dunn needs to complete an application in 30 days or the Board must deny his application. SD noted the Board does not have documentation of a passing score. WK stated Dr. Dunn needs to send in documentation of a passing score. SD stated that KL needs to go through the application, look at the checklist, and see what is missing. LBC inquired where the 30-day timeframe come from; SD noted that the Board had decided in October to give Dr. Dunn 30 days to finish his application.

Upon motion by SD, with a second by WK, the Board vote unanimously to notify him that he needs to submit passing score of national exam and providing him with a letter of what he needs to do to complete his application.

LBC noted the letter could state that the Board considers his application withdrawn if not provided by a date certain. LBC inquired who on the Board should review letters. SD stated she was happy to do it, but LBC should ask SC as he has done this in the past, and to ensure continuity. LBC will consult with SC.

**11. Stacey Evans, VP General Counsel/ElleVet Sciences, LLC.** Upon motion by SD, with a second by KS, the Board voted unanimously to move this item to non-public session.

**Miscellaneous.**

1. Final updated versions of June, July, August, September and October meeting minutes for approval. LBC noted that KL had done the June meeting minutes and SC did the remainder. Upon motion by SD, with a second by EF, the Board voted unanimously to approve the minutes with amendments from SC. SD stated that, if LBC agrees with formatting, the minutes should be posted to the website. LBC will review, talk to JD and, if necessary, post to website.
2. FDA/CBD Update. SD states that #11 in public and this item need to be moved to non-public session. Upon motion by SD, with a second by KS, the Board voted unanimously to move agenda items #11 and Misc. #2 to non-public session.
3. Inquiry re: heartworm medications and maintaining current VCPR. SD stated that heartworm prevention is a prescription medication and the licensee must comply with the VCPR as stated in the laws and rules. Each practice can establish their own protocols in addition to the VCPR.

**TABLED:**

1. List of Disciplined Veterinarians. SD noted this was already posted to website.
2. The corrected August 2019 and September 2019 Public Minutes. SD noted the Board had already voted to approve the June through October minutes as resubmitted. See Misc. #1.

At 12:55 p.m. upon motion by SD, with a second by WK, pursuant to RSA 91-A:3, the Board voted by roll call to go out of public session and into non-public session because public disclosure may render a proposed action ineffective or adversely affect the reputation of a person other than a Board member.

At 6:12 p.m., upon motion by SD, with a second by SW, the Board voted unanimously to adjourn the non-public session and enter public session.

SD inquired whether anything discussed in non-public session should be released to the public. SD discussed that items related to Dr. MacNeill and Dr. Dowling could be released, as well as the NOH pertaining to Dr. Werner. At 6:15 p.m. upon motion by SD, with a second by SW, the Board voted unanimously to maintain the privacy of the remaining items discussed in non-public session pursuant to RSA 91-A:3, 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.

Meeting adjourned 6:15 p.m.

Next meeting: February 5, 2020, at 9:30 a.m.