

## MINUTES OF THE BOARD OF VETERINARY MEDICINE MEETING

September 11, 2013

MEMBERS PRESENT: Dr. Barbara Fischley, Dr. John Lawrence, Dr. Joanne Schulman, Dr. Ronald Swiggum, Sharon Todoroff, Dr. Michelle Vaughn

ABSENT: Mr. David Richter

OTHERS PRESENT: Dr. Julia Wilson and Mollie Brucher, staff; Bryan Huffman, Attorney General's Office

The Board of Veterinary Medicine met on September 11, 2013 in Conference Room A, Fourth Floor, University Park Plaza, 2829 University Ave. SE, Minneapolis, MN. President John Lawrence called the meeting to order at 1 p.m.

Mr. Huffman from the Attorney General's Office gave a brief introduction as he is currently serving as the attorney for the Board.

The proposed agenda was approved as published.

The minutes of the May 15, 2013 meeting were approved as corrected.

A list of applicants who have completed the requirements for licensure was distributed. Dr. Vaughn moved and Dr. Fischley seconded to license everyone on the list. The motion was passed unanimously.

Dr. Lawrence gave an update on AAVSB, noting that the annual meeting is next week in Kansas City. David Richter will represent the Board and his trip is paid through the AAVSB delegate funding program. Dr. Wilson will be attending as a member of the VIVA task force.

The meeting was closed for disciplinary deliberations.

1. A proposed Stipulation and Order signed by Dr. Ann Fischer was discussed. Dr. Vaughn moved and Ms. Todoroff seconded to approve the Order. Dr. Julia Wilson commented that Dr. Fischer has been very proactive and is already working on the requirements of the Order. The motion passed unanimously.
2. A proposed Stipulation and Order signed by Dr. Joseph Bisignano was discussed. Dr. Lawrence clarified that the Order was a stay based on the HPSP program. Dr. Wilson noted that he is chief resident at the VMC and he is getting excellent reports from HPSP. Dr. Schulman moved and Dr. Fischley seconded to approve the Order. The motion passed unanimously.
3. An order of unconditional license for Dr. Richard McConnell was discussed. Dr. McConnell had a Stipulation and Order in 2012. The complaint committee agreed that he has fulfilled his requirements and Dr. Fischley motioned to accept the order of unconditional license, seconded by Dr. Vaughn. The motion passed unanimously.

The Board clarified that Dr. Julia Wilson will be signing future Stipulation and Orders as the board representative.

4. A request for unconditional license by Dr. Wayne Scanlan was discussed. Dr. Fischley requested more clarity of the medical records requirements of his Stipulation and Order (S&O). To enable review of the complete file, the request was tabled until later in the meeting.
5. A proposed Stipulation and Order for failure of the continuing education audit, signed by Dr. Betty Landercasper, was discussed. Dr. Fischley moved and Ms. Todoroff seconded to approve the Order. The motion passed unanimously.
6. A proposed Stipulation and Order for failure of the continuing education audit, signed by Dr. Kenneth Greiner, was discussed. Dr. Vaughn moved and Dr. Swiggum seconded to approve the Order. The motion passed unanimously.

7. A proposed Stipulation and Order for failure of the continuing education audit, signed by Dr. Paul Dettloff, was discussed. Dr. Fischley moved and Dr. Schulman seconded to approve the Order. The motion passed unanimously.

Dr. Wilson noted that there is a pending revocation of license that was not finished in time for the meeting. She would like to revisit recommendations from the Attorney General's Office regarding the decision and noted that the Board should pick a date for a special meeting regarding the issue.

The meeting was re-opened.

Dr. Wilson discussed summary documents from the annual HPSP report. She highlighted information from the report along with charts that illustrate the number of veterinarians involved in the program, the category of discipline, and the comparison of rates between health professions.

An overview of the budget report, which includes a summary of fiscal year 2013, was presented. Dr. Wilson noted that the revenue was slightly ahead of expenditures for the year. Dr. Fischley asked for clarification of the term Estimated Uncollected Revenue. After some discussion, Dr. Wilson said she would double check the Board's assumed meeting and report back to the Board.

The allocation of funding for an additional staff for the Board of Veterinary Medicine was reflected in the FY 2014 budget and briefly discussed. This funding provides for salary and start-up costs for an additional staff member should there be a sudden increase in workload, such as legislative approval for veterinary technician licensing in Minnesota.

Mr. Huffman stated there was no news to report for the Attorney General's Office update. Dr. Wilson noted the newly full staff in the AG Offices which should help with some of the back log in the complaint process. Mr. Huffman spoke positively about Jennifer Milton, the newly hired attorney.

Dr. Wilson updated the status of the new Board office. She noted that the anticipated move date has been again moved back, but likely be in October. The new office will promote greater collaboration with the other six small health-licensing boards and probable access to a shared conference room.

Ms. Brucher provided the board with an overview of the new website which will be the Board's public face in the near future. She reviewed proposed changes to streamline procedures for licensees at the Board Office. This included new technology for sharing information. She introduced SharePoint as a platform for sharing information in regards to the complaint process. She pointed out that this would still require use of state computers to safeguard the security of confidential information.

Dr. Wilson discussed the new database for the Board that will be tailored to provide more information specific to the practice of veterinary medicine. New features include detailed information about animals, online access for veterinarians, and a continuing education online storage space for licensees.

Ms. Brucher presented a proposal for establishing a newsletter from the Board to licensees. The draft newsletter was positively reviewed and approved. It will be sent electronically to veterinarians licensed in Minnesota and posted on the Board's website to keep veterinarians up to date with news from the Board. A title for the newsletter was discussed, and a title of BVM Bits was chosen. Mr. Huffman noted that the newsletter should be made available to the public and the Board agreed.

Dr. Wilson asked for clarification of the Board's position on acupuncture continuing education. The Board discussed the importance of scientific, evidence-based continuing education courses in the field of complementary and alternative medicine. Dr. Swiggum noted that he would like to have each non-RACE approved acupuncture course reviewed individually for MN CE credit if it is not presented by a pre-approved CE provider or AVMA recognized diplomate of a pertinent specialty. The Board concurred with this clarified policy.

Dr. Wilson discussed disciplinary actions on the BVM website based on the rules of the Sunset Act. The Board would like discipline to be listed with the name of the veterinarian and the business address, including full stipulation orders, but to not provide direct access to the Agreement for Corrective Action. The Board clarified with Mr. Huffman that an ACA is not considered disciplinary. Mr. Huffman agreed to review this interpretation of the pertinent statute and report back to the Board.

For risk assessment planning, Dr. Wilson asked for suggestions to improve the Board's risk assessment grades in 4 categories. Suggestions were provided or the Board's existing policies were clarified. The Board next discussed how to formally review the Executive Director and decided that a fluid, ongoing review would be ideal. Dr. Lawrence has a document that was used previously for this purpose, which he will make available to the Board and Dr. Wilson.

Based on its mention in a prior Board agenda, Dr. Wilson asked the status of a proposed Board-generated guidance document for better medical records. Dr. Schulman and Dr. Lawrence replied that they decided that the Iowa State online medical record course designed by Dr. James Wilson was adequate.

## NEW BUSINESS

Dr. Wilson drew the Board's attention to a new educational option for veterinarians that focuses on improving radiographic safety. Dr. Wilson is scheduled to see the facility and learn more about this endeavor and will report back to the Board.

The Board approved categorization of continuing education from the Minnesota Veterinary Institute as qualifying for automatic approval of CE credits.

Remote conferencing for special meetings was discussed. Mr. Huffman said is it allowed, but to not make a habit of it.

The Board discussed a new protocol for sharing information via Outlook and SharePoint and they agreed to use these mediums for things like coordinating calendars and the complaint process.

An update on the jurisprudence exam was shared as work continues on the question pool. The Board encouraged the proposed exploration of making the exam available online.

Dr. Wilson asked the Board to provide clarity on the issue of compliance in licensing professional firms. The board encouraged more active pursuit of compliance with the statute requirement for professional firms.

After a short break, the meeting was resumed in closed session.

The tabled matter of Dr. Wayne Scanlan's limitations and conditions was revisited. Mr. Huffman clarified that it is up to the committee to determine if they would like to review the records that were a stipulation in the S&O. It was noted that Dr. Scanlan has not yet met with the committee. There was a motion to continue Dr. Scanlan's conditional license until there was a chance to review the records. The committee agreed to allow him to practice without limitations. To remove the conditional status of his license, he is required to submit complete records from three cases which have undergone dental procedures since his limitations were removed. The Board agreed that once these are approved, Dr. Scanlan will need to petition for an unconditional license, and if required by the complaint committee, appear before the Board. Dr. Schulman moved to approve this and Dr. Fischley seconded. The motion passed unanimously.

A date for a special Board meeting regarding Dr. Faye Larry was tentatively scheduled on November 26<sup>th</sup> at 10:00 a.m. Dr. Wilson will relay this information to Greg Schaefer, the Board's attorney for this case.

The meeting reopened.

Future board meeting dates were set for: Feb. 5, 2014 at 1:00 p.m., May 14, 2014 at 1:00 p.m. and Sept. 10, 2014 at 1:00 p.m.

For the Executive Director's report, Dr. Wilson reviewed data summaries that depicted a breakdown of AGO costs and a summary of complaint data for fiscal year 2013. She verbally updated the board on the number of active complaints and where these stood in the investigative process or resolution via ACA or S&O.

Dr. Wilson mentioned recent BVM contributions to the MVMA newsletter, including continuing education requirement clarification and compounding drug issues. Dr. Lawrence suggested that continuing education requirements, as stated in the Veterinary Practice Act (VPA), are outdated and that the Board should look into updating the information. The Board discussed the option of opening up the Practice Act for edits. Dr. Lawrence proposed a VPA review committee that would collaborate with the MVMA. Dr. Vaughn and Dr. Lawrence agreed to head the committee along with help from the rest of the veterinarians on the Board. The Board suggested the VPA be reviewed before the next Board meeting to formulate a plan for introducing proposed changes in September 2014.

Dr. Wilson will be teaching at the University of Minnesota veterinary school regarding ethics later this month. A BVM office visit by Monte Hammitt, who has been hired by Dr. Carl Seemann to review Board policies, was mentioned. Mr. Hammitt has also called on the MVMA office. An inflammatory website by a Wisconsin resident was brought to the Board's attention. Dr. Wilson's fall schedule includes 3 weeks out of the office. The Board will be posted on a shared calendar in Outlook where Board members will also post out of town dates.

The final topic of Dr. Wilson's report was the ongoing issue of phone calls regarding serious drug diversion complaints that cannot be pursued due to pharmacist's reluctance to file formal complaints. She expressed a desire to investigate if possible, based on practices of the Board of Nursing Home Administrators. Mr. Huffman agreed to look into the rules pertaining to investigation of solely verbal complaints.

Dr. Schulman thanked for the Board for the last 12 years. Dr. Wilson noted there are a handful of people interested in the open appointment. Board members agreed that Dr. Mary Olson should be encouraged to apply.

There being no further business, the meeting adjourned at 3:45 p.m.

Barbara Fischley, DVM  
Secretary-Treasurer