

**Maryland State Board of Veterinary Medical Examiners**  
**Public Meeting Minutes - August 23, 2018**  
**Maryland Department of Agriculture – 50 Harry S. Truman Parkway – Annapolis, Md**

**Team A Meeting Minutes**

**Team Members Present:** Dr. David Handel, Ms. Lynne Chaput, Dr. Karena Joung and Dr. Peter Radue. **Staff Present:** Executive Director Vanessa Orlando, Assistant Attorney General Cynthia Spirt, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Office Administrator Britney Branch.

Dr. Handel called the meeting to order at 9:07 a.m.

**Approval of Minutes** – In a motion by Ms. Chaput, seconded by Dr. Handel, the minutes of the July 26, 2018 Team A meeting were unanimously approved.

In a motion by Dr. Handel, seconded by Ms. Chaput, the team voted unanimously to adjourn the meeting to move into an administrative closed session to perform administrative functions, pursuant to § 3-103 of the General Provisions Article. The meeting was closed at 9:08 a.m.

**Closed Session**

During the closed session, administrative functions were performed, including discussions of complaints, investigations, and disciplinary matters before the Board assigned to Team A.

The meeting adjourned at 10:31 a.m.

**Maryland State Board of Veterinary Medical Examiners**  
**Public Joint Meeting Minutes – August 23, 2018**  
**Maryland Department of Agriculture – 50 Harry S. Truman Parkway – Annapolis, Md**

**Team Members Present:** Dr. David Handel, Dr. Elizabeth Callahan, Ms. Lynne Chaput, Dr. Heather Hendler, Dr. Karena Joung, Dr. Peter Radue and Ms. Victoria Wright-Conner. **Staff Present:** Executive Director Vanessa Orlando, Assistant Attorney General Cynthia Spirt, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Office Administrator Britney Branch.

Dr. Handel called the meeting to order at 9:07 a.m.

**Approval of Minutes.** In a motion by Dr. Callahan, seconded by Dr. Radue, the minutes of the July 26, 2018 joint meetings were unanimously approved.

**Approval of Veterinary License Applications**

In a motion by Dr. Handel, seconded by Dr. Callahan, veterinary license applications were unanimously approved for Drs. Good, Hutton and Llavona.

In a motion by Dr. Joung, seconded by Ms. Wright-Conner, a veterinary license application was unanimously approved for Dr. Pfoust.

In a motion by Dr. Hendler, seconded by Dr. Callahan, veterinary license applications were unanimously approved for Drs. Clerc-Renaud and Wysocki.

In a motion by Dr. Callahan, seconded by Dr. Hendler, a veterinary license reinstatement application was unanimously approved for Dr Tinanoff.

## **Sanitation Reports**

Inspectors Pegeen Morgan and Ellen James reported on the inspections they have conducted since the July 2018 meeting and were accepted.

## **Continuing Education Exemptions/Extensions**

Dr. Handel noted that a few more requests for CE extensions were received and wanted to ensure that they were being handled consistently. Board members agreed each request would be handled on a case by case basis, and review of past CEs would be easier with the new database.

## **American Association of Veterinary State Boards (AAVSB) Conference.**

Ms. Orlando noted that the Board would be asked to vote on six items at the upcoming AAVSB conference in D.C. She presented each item and asked for direction on how the Board would like to vote. The items were:

- **Revisions to the Veterinary Practice Act Model.** The model act is a reference document that captures the most recent thinking on various issues. Several revisions have been proposed by AAVSB. Approving the revisions does not obligate the Board to make any changes to its own policies or procedures. Board members will review the document in more detail and provide Ms. Orlando with input by September 7, 2018 on whether or not to approve the revisions.
- **VCPR Definition and Telehealth Guidelines.** The definition includes three components. The Board expressed concern about the third that states, "The practicing veterinarian is readily available for follow up in case of adverse reactions or failure of the regime or therapy." The Board expressed concern about the definition of "readily available" and the impact that could have on a VCPR if a veterinarian's office was closed for the evening and not available. Members also wanted a physical examination to be included in the definition of a VCPR. In a motion by Dr. Handel, seconded by Dr. Joung, the Board voted unanimously to oppose the revised definition as written and to state that the definition should include the requirement of a physical exam and the wording of the third component should be adjusted to clarify the meaning of "readily available."
- **Resolution 2018-01.** The resolution would ask all member Boards (including Maryland) to provide information about laws, regulations and policies, etc. that would impact the Board's ability to provide information to the AAVSB database. In a motion by Dr. Hendler, seconded by Dr. Handel, the Board voted unanimously to support passage of the resolution.
- **Proposed By-Laws Amendments (2).** The proposed changes are designed to provide consistency to the qualifications for directors and ensure historical knowledge. In a motion by Ms. Chaput, seconded by Dr. Radue, the Board voted unanimously to support the by-law changes.
- **Nominating Committee.** The Board was asked to approve the nominating committee report and to vote for three of the open seats in which four people were running. In a motion by Dr. Hendler, seconded by Dr. Handel, the Board voted unanimously to support Dr. Vito DelVento (Washington, D.C.), Dr. Mark Logan (New Jersey) and Dr. Frank Richardson (Nova Scotia.)
- **Proclamations (5).** AAVSB proposed five proclamations publically acknowledging volunteers and important distinctions. By acclamation, the Board voted to support all five proclamations.

## **Other Business**

### **Meeting Dates**

The Board voted to move the September 27 meeting to September 20, due to numerous scheduling conflicts with members.

The Board also voted to cancel the November meeting, which is currently scheduled for Thanksgiving Day, and to move the December meeting to December 6.

### Veterinarian Question

Investigator Husk brought a question to the Board that stated: “We have sister veterinary hospitals in other states that provide referral cards to clients to share with friends. The referred friend will receive a Free First Exam and the client that referred the friend receives a \$25.00 discount off of their next purchase. Who do I speak with to see if this is okay to implement in Maryland?”

Board members discussed COMAR 15.14.01.04(7) related to veterinarians “making payments to any person for referring, attempting to refer or promising to refer animals to that veterinarian.” Members agreed that the regulation was designed to prevent veterinarians from giving or getting kickbacks for referrals but did not prohibit them from giving discounts to patients.

The Board broke for lunch at 11:47 a.m. and reconvened at 12:24 p.m.

In a motion by Ms. Wright-Conner and seconded by Dr. Callahan, the Board voted to move into a closed session pursuant to § 3-305(b)(7) of the General Provisions Article to obtain advice of legal counsel regarding a general procedural issue related to notices provided to licensees subject to a disciplinary complaint.

### **Closed Session – Legal Advice**

During the closed session, legal counsel provided advice to the Board regarding a legal issue related to the procedure for notifying licensees of charges. No votes were taken, except as set forth below.

### **Closed Session – Administrative Functions**

After the meeting was briefly reopened at 12:35 p.m., in a motion by Ms. Wright-Conner, seconded by Dr. Handel, the Board voted unanimously to adjourn the closed session meeting to move into an administrative closed session to perform administrative functions, pursuant to § 3-103 of the General Provisions Article. All attendees remained the same. The meeting was closed again.

### **Joint Meeting – CLOSED Session**

During the closed session, the full Board, staff, and counsel performed administrative functions, including discussing complaints, investigations, and disciplinary matters before the Board.

The Board adjourned at 1:50 p.m.

## **Maryland State Board of Veterinary Medical Examiners**

**August 23 2018**

**Maryland Department of Agriculture – 50 Harry S. Truman Parkway – Annapolis, Md**

### **Meeting Minutes of Team B**

**Team Members:** Dr. Heather Hendler, Dr. Elizabeth Callahan, and Ms. Victoria Wright-Conner. **Staff Present:** Executive Director Vanessa Orlando, Assistant Attorney General Cynthia Spirt, Investigator Susan Husk, Inspectors Pegen Morgan and Ellen James, and Office Administrator Britney Branch.

Dr. Hendler called the meeting to order at 1:55 p.m.

**Approval of the Minutes** from the July 26, 2018 meeting of Team B. In a motion by Dr. Callahan and seconded by Ms. Wright Conner, the team voted unanimously to approve the minutes as presented.

In a motion by Dr. Hendler, seconded by Dr. Callahan, the team voted unanimously to adjourn the meeting to move into closed session to perform administrative functions, pursuant to § 3-103 of the General Provisions Article.

**Closed Session**

During the closed session, administrative functions were performed including discussions of complaints, investigations, and disciplinary matters before the Board assigned to Team B.