

**Maryland State Board of Veterinary Medical Examiners**  
**Minutes of the**  
**January 25, 2018 Board Meeting**  
**Maryland Department of Agriculture – 50 Harry S. Truman Parkway – Annapolis, Md**

**Team A Meeting**

**Team Members Present:** Dr. David Handel and Ms. Lynne Chaput. **Team Member absent:** Dr. Elizabeth Callahan. **Staff Present:** Executive Director Vanessa Orlando, Assistant Attorney General Cynthia Spirt, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Office Secretary Britney Branch.

Dr. Handel called the team meeting to order at 9:00 a.m.

**Approval of Minutes:** In a motion by Dr. Handel, seconded by Ms. Chaput, the minutes of the December 7, 2017 meeting of Team A were approved as presented.

In a motion by Dr. Handel, seconded by Ms. Chaput, the team voted to adjourn the meeting to move into an administrative closed session pursuant to the applicable provisions of the General Provisions Article

**Closed Meeting**

There was an administrative discussion of complaints, investigations and matters before Team A.

The team adjourned at 10:13 a.m.

**Maryland State Board of Veterinary Medical Examiners**  
**January 25, 2018**  
**Maryland Department of Agriculture – 50 Harry S. Truman Parkway – Annapolis, Md**

**Joint Meeting**

**Board Members Present:** Dr. David Handel, President; Dr. Heather Hendler, Vice President; Ms. Lynne Chaput, Dr. Perry Crowl, Dr. John Stott, and Ms. Victoria Wright-Conner. **Board member absent:** Dr. Elizabeth Callahan. **Staff Present:** Executive Director Vanessa Orlando, Assistant Attorney General Cynthia Spirt, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Office Secretary Britney Branch.

Dr. Handel called the meeting to order at 10:19 a.m.

In a motion by Dr. Handel, seconded by Dr. Stott, the Board voted unanimously to close the meeting in order to conduct informal fact-finding related to an application for a license, an administrative function under General Provisions Article Section 3-103(a)(1)(i). The meeting was closed at 10:22 a.m.

In a motion by Dr. Crowl, seconded by Dr. Stott, the Board voted to open the meeting at 10:40 a.m.

**Open Meeting**

**Approval of Minutes .** In a motion by Ms. Chaput, seconded by Dr. Stott, the minutes of the December 7, 2017 joint meeting were approved as presented.

**Veterinary License Applications**

Applications were approved for Dr. Marvin Baynes, Dr. Christine Fahey, Dr. Patricia Foley, Dr. Brooke Henderson, Dr. Mary Sudduth; and reinstatement applications for Dr. Eric Keil and Dr. Simon Towl.

### **Sanitation Reports**

Inspectors Morgan and James reported on the inspections they have conducted since the December 7, 2017 meeting. In a motion by Dr. Stott, seconded by Dr. Crowl, the sanitation reports were accepted.

### **Discussion: Draft of Letter to VIP PetCare about Partitions for Limited Use Facilities.**

Ms. Orlando shared a draft letter to VIP PetCare about the partition system demonstrated during the December meeting. In a motion by Dr. Handel, seconded by Dr. Stott, the Board voted to send the letter, as drafted.

### **Discussion: Draft Policy from AAVSB on Telemedicine/Telehealth.**

The draft policy was shared to determine if Board members wanted to provide any comments. The Board voted to communicate with AAVSB that the Maryland Board has significant concerns with telemedicine and believes that a primary veterinary-client-patient relationship must include a hands-on, visual assessment of a patient.

### **Discussion: Edits of Veterinary License Application.**

Edits were inadvertently left off the drive. The item will be held over to the February meeting.

### **Legislation and Regulations.**

When the Maryland General Assembly is in session, the staff will bring proposed legislation of interest to the Board members for their information. The first such bill is *SB 238 – Income Modification for Pet Expenses*.

### **Update: Animal Cruelty Regulations and Training with MVMA.**

Board members discussed the regulations that are still in development and a training session sponsored by MVMA earlier in the month.

### **Update: Animal Shelter Minimum Standards.**

The proposed regulations have been submitted and are awaiting publication in the *Maryland Register*.

### **Update: Regulatory Reform Report.**

Two regulations included in the Governor's Regulatory Reform Report will impact veterinarians. Those regulations are expected to move forward in February.

### **New Business:**

### **Discussion: Return and/or refund of prescription medication or food.**

Investigator Husk reported that a veterinarian asked if it is against Maryland law for a veterinary hospital to accept returned prescription medication and prescription food. Board members noted that Code of Maryland Regulations 15.14.01.12-2G – *Returned Prescriptions* states the conditions under which returned medications can be accepted. A hospital is not required to take back prescription drugs or foods, but if it chooses not to accept returned drugs or food, it should note that it is hospital policy and not state law. It was also noted that although prescription food has no controlled or prescription substances in it, it is up to the hospital whether to accept returns, not state law.

### **Discussion: Confidentiality of Patient Records and Social Media Posts.**

Ms. Husk received question from a veterinarian who asked whether a practice could discuss a veterinary patient's record in response to social media posts. The Board asked staff to develop a written policy on how the Board could advise veterinarians on the matter, ensuring that veterinarians maintain the full faith and credibility of the profession.

### **Discussion: Cannabis Products and Veterinarians.**

Ms. Orlando reported that, after receiving four calls from veterinarians asking if they can prescribe medical marijuana to pets, she contacted the Maryland Medical Cannabis Commission. The commission informed her that the legality of marijuana and cannabis-based products in Maryland does not extend to veterinarians.

Only certified providers may prescribe it and the commission is not certifying veterinarians. The Board instructed staff to let veterinarians know in an upcoming e-newsletter that the Board follows federal law.

Board members broke for lunch at 12:07 p.m.

In a motion by Dr. Handel, seconded by Dr. Stott, the Board voted at 12:39 p.m. to simultaneously reconvene and adjourn the meeting to move into an administrative closed session pursuant to the applicable provisions of the General Provisions Article.

#### **Closed meeting**

There was an administrative discussion of complaints, investigations and matters before the Board.

In a motion by Dr. Handel, seconded by Dr. Stott, the Board voted to adjourn at 2:34 p.m.

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

**January 25, 2018**

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

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

**Board Members Present:** Dr. Heather Hendler, Vice President; Dr. Perry Crowl, Dr. John Stott, 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 Secretary Britney Branch.

Dr. Hendler called the meeting to order 2:38 p.m.

**Approval of Minutes:** In a motion by Dr. Stott, seconded by Ms. Wright-Conner, the minutes of the December 7, 2017 meeting of Team B were approved as presented.

In a motion by Dr. Stott, seconded by Ms. Wright-Conner, the team voted to adjourn the meeting to move into an administrative closed session pursuant to the applicable provisions of the General Provisions Article.

#### **Closed Meeting**

There was an administrative discussion of complaints, investigations and matters before the Board.

In a motion by Dr. Stott, seconded by Dr. Crowl, the team voted to adjourn at 3:00 p.m.