

Minutes of the Meeting of the  
**Maryland State Board of Veterinary Medical Examiners**  
**March 23, 2017**

Maryland Department of Agriculture, 50 Harry S Truman Parkway, Annapolis, MD 21401

**Minutes of Team B Meeting, 9:00 a.m.**

**Team B Board members in attendance:** Board Vice President Dr. Heather Hendler, Dr. John Stott, and Ms. Victoria Wright-Conner. Board Members absent: Dr. Perry Crowl. **Staff in attendance:** Executive Director Vanessa Orlando, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Assistant Attorney General Cynthia Spirt.

**Call to Order:** Dr. Hendler called the meeting to order at 9:01 a.m.

**Approval of the Minutes:** In a motion by Dr. Stott, seconded by Ms. Wright-Conner, the minutes of the February 23, 2017, meeting were approved as presented. The motion passed unanimously.

Dr. Stott made a motion to adjourn the meeting to move into an administrative closed session pursuant to the applicable provisions of the General Provisions Article. The motion was seconded by Ms. Wright-Conner. The motion passed unanimously. The meeting was closed at 9:04 a.m.

**Closed Session – Team B**

**Team B Board members and staff in attendance:** Board Vice President Dr. Heather Hendler, Dr. John Stott, and Ms. Victoria Wright-Conner. Board Members absent: Dr. Perry Crowl. **Staff in attendance:** Executive Director Vanessa Orlando, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Assistant Attorney General Cynthia Spirt.

**Status reports on cases before the Board**

Docket No. 16-58  
Docket No. 16-62  
Docket No. 16-66  
Docket No. 16-29  
Docket No. 16-67  
Docket No. 16-61  
Docket No. 17-01

Meeting was adjourned at approximately 10:00 a.m.

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Maryland Department of Agriculture, 50 Harry S Truman Parkway, Annapolis, MD 21401

**Joint Open Meeting – 10:10 a.m.**

Board members in attendance: Board President David Handel, Vice President Dr. Heather Hendler, Dr. Elizabeth Callahan, Ms. Lynne Chaput, Dr. John Stott, and Ms. Victoria Wright-Conner. Board Member absent: Dr. Perry Crowl. Staff in attendance: Executive Director Vanessa Orlando, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Assistant Attorney General Cynthia Spirt.

Dr. Handel called the meeting to order at 10:13 a.m.

**Approval of the Minutes:** In a motion by Dr. Stott, seconded by Ms. Chaput, the minutes of the February 23, 2017, meeting were approved as presented. The motion passed unanimously.

## **Staff Report:**

**Compliance Board Complaint - Open Meetings Act.** Ms. Orlando reported that a citizen lodged a complaint with the Compliance Board last month. A copy of the complaint was uploaded to the Google Drive's February Folder for the Board to review. A draft response was also uploaded and shared with Board members. Ms. Spirt noted that when the Board is addressing disciplinary matters, it is undertaking an administrative function that is not subject to the Open Meetings Act. As such, the law requires a very brief summary of the administrative actions taken in closed meetings and several other elements appear in the minutes, as has been our practice. When the Board is making advisory, regulatory, or policy decisions, its work is subject to the Open Meetings Act and that discussion must be public. The final response will be transmitted to the Compliance Board on March 24, 2017. The Compliance Board is expected to respond within 45 days.

**Letter of Support for Necropsy Services at University of Maryland College Park.** During the February meeting, State Veterinarian Dr. Michael Radebaugh reported that the Virginia-Maryland College of Veterinary Medicine was interested in implementing a combined animal pathology service for private practitioners around a rotational teaching program in applied pathology for veterinary students. A draft letter, expressing the Board's enthusiastic support for starting such a program, was provided to Board members for review. Dr. Handel signed the letter, for mailing on March 24, 2017.

**Inspection Changes.** During the February 2017 Board meeting, the Board asked the staff to develop recommendations for including a more thorough review of CDS logs during inspections of veterinary hospitals. DHMH has primary authority for inspecting and auditing the CDS logs, however, that agency generally only inspects veterinary CDS logs upon receiving a complaint and not routinely. Staff met on March 9 to discuss inspections and made the following recommendations.

- Each month, the inspectors will randomly pick one injectable CDS and review the entries for it for the past month. They will also request one patient record from the log and ensure that it matches up with the log.
- Each month, the inspectors will randomly pick one oral CDS and review the entries for it for the past month. They will also request one patient record from the log and ensure that it matches up with the log.
- If the patient record does not match up with the log, they will check one more. If neither matches up, the inspector will consider recommending record keeping violations to the Board. If the violations seem particularly egregious, the inspector will report the practice to DHMH for further auditing.
- A page will be added to the SBVME website about inspections. It will include sample templates for CDS logs, a copy of the regulations which detail everything that is reviewed at an inspection, information about reverse distributors and other helpful information. Inspectors will be given business cards with information about the new webpage that they can leave behind.
- The Veterinary Hospital Inspection Report that inspectors leave with the facility and file in the office has also been edited for review.

Board members agreed that once the forms and website are revised, the hospitals should be informed that the inspections would include more study of the CDS logs.

**Welfare Standards.** The staff reported that they are watching legislation that is expected to pass and require the Board to adopt minimum standards of care for animal shelters and to inspect those shelters for animal welfare standards.

**Renewal Season.** Licensing renewal season is about to begin. The staff shared a draft of the postcard that will be mailed out to all veterinarians, veterinary hospitals, and veterinary technicians whose licenses will expire June 30, 2017. Dr. Callahan suggested making the portion about registering for the PDMP easier to read. Staff also noted that the postcard will be followed up with email alerts to those on the mailing list. Board members were encouraged to ask their colleagues to sign up for the alerts.

**MVMA Board Meeting.** Ms. Orlando reported that she attended the recent Maryland Veterinary Medical Association (MVMA) Board meeting at the Community College of Baltimore County in Essex. At the meeting, Ms. Orlando discussed the self-referral portion of the Maryland Health Care Professionals Program and encouraged those present at the meeting to spread the word about the Program, especially if they, or someone they know, has an alcohol or substance abuse problem. The discussion with MVMA also included registering for the PDMP, the possibility of reporting to PDMP next year, the increased focus on CDS logs during Board inspections and the Board's support for a necropsy lab at College Park.

**Legislative Update.** The staff continues to track three bills in the General Assembly that will have some level of impact on the Board. At this time, all three are expected to pass.

1. *HB 626 - Agriculture - Animal Shelters - Standards of Care and Protocol Implementation and Enforcement.* This bill would require the Board to set minimum standards of care for animal control facilities, write the regulations and inspect/enforce those standards. This impacts 29 facilities. The bill passed the House 130-5. The Senate Hearing was held 3/21/2017. The Fiscal Note was revamped to show the Board could implement the bill with current resources but may need another half-time inspector in FY 2018, depending on the amount and type of enforcement activity required.
2. *HB 1463 - Veterinary Practitioners - Animal Cruelty and Animal Fighting – Reporting.* This bill would require, rather than encourage, veterinarians to report animal cruelty and subject them to disciplinary action by the Board if they do not. The Board did not take a position. The bill passed the House 118-15. Amendments added to the bill would require the Board to develop regulations protecting the identity of veterinarians who report and to develop regulations that would determine how confidential records related to animal cruelty could be released. The department's legislative staff is tracking the bill as well.
3. *HB 216 - Emergency Veterinary Care - Immunity From Liability.* This bill would allow first responders to provide treatment to animals during an emergency without running afoul of the Veterinary Practice Act. The bill has passed the House and is in the Senate Judiciary Committee. The bill was amended to include Animal Control Officers giving aid in an emergency.

**Nomination of Dr. Runde.** Former Board President, Dr. Chris Runde, has asked the Board to nominate him as Treasurer of the American Association of State Veterinary Boards (AASVB). Dr. Runde provided a draft of the nominating letter and materials. In a motion by Dr. Callahan, and seconded by Dr. Handel, the Board unanimously voted to nominate Dr. Runde as Treasurer of AASVB.

**Sanitation Reports.** Mses. Morgan and James reported on the inspections of veterinary hospitals that they have conducted since the February 2017 meeting. In a motion by Ms. Wright-Conner, seconded by Dr. Stott, the sanitation reports were unanimously accepted.

#### **Discussion of Veterinary License Applications.**

- In a motion by Dr. Hendler, seconded by Dr. Callahan, the Board unanimously approved the Veterinary License Application for Dr. Adiagha Asantewaa.
- In a motion by Dr. Handel, seconded by Dr. Callahan, the Board unanimously approved the Veterinary License Application for Dr. Ada Caruthers.
- In a motion by Dr. Handel, seconded by Dr. Hendler, the Board unanimously approved the Veterinary License Application for Dr. Leigh Jackson.
- In a motion by Dr. Handel, seconded by Dr. Callahan, the Board unanimously approved the Veterinary License Application for Dr. Tyler Peat.
- In a motion by Dr. Handel, seconded by Ms. Chaput, the Board voted unanimously to hold a decision on an application submitted by Dr. Holly Powers for one month.
- In a motion by Dr. Handel, seconded by Dr. Callahan, the Board unanimously approved the Veterinary License Application for Dr. Avril Arendise.
- In a motion by Dr. Hendler, seconded by Dr. Callahan, the Board unanimously approved the Veterinary License Application for Dr. Julia Shih.

- In a motion by Dr. Hendler, seconded by Dr. Callahan, the Board unanimously voted to discuss an application submitted by Dr. Stacey Buzzell in closed session.
- An application for reinstatement submitted by Michele Hals was incomplete and mistakenly presented to the Board for review.
- License applications for Dr. Susan Kirk and Dr. Benjamin Shrauner were previously approved by email.

**CE Approval Request – CEs for Ph.D Studies.** The Board reviewed a request sent by a veterinarian who asked if coursework he was taking toward a Ph.D. in Environmental Science could be used to satisfy his continuing education requirements. Dr. Crowl was not present but asked the Board for their thoughts. Members unanimously agreed that the coursework was not eligible to be considered for CE credit.

**In-State Veterinary Non-Renewals for FY 2017.** Ms Husk has been working with office staff to determine why veterinarians who were licensed in FY 2016 did not get relicensed in FY 2017 and to ensure that they had not been practicing without a license. Ms. Husk said there are about six veterinarians left on the list who have been contacted several times but have not responded to the Board. Most of those on the list appear to be out of state or not renewing due to retirement.

**Questions for Board of Physicians April Presentation.** The Executive Director of the Board of Physicians will be presenting at the April Board meeting. Dr. Handel noted that the Physicians Board seems to be much tougher disciplinarians than the Veterinary Board and that it would be a good idea to get their input on how they would handle situations that are now coming before the Veterinary Board. Dr. Handel opened the floor for questions that Board members would like the Physicians Board to address. Those questions included the following:

- Generically discuss, step by step, how their process works – from the time the Physicians Board learns about a specific issue with a licensee, how does it proceed? What information about the case is public and when is it public?
- How does the Physicians Board handle confidential information?
- Does the Physicians Board get many minor or frivolous complaints, and how many of those go on to receive actual charges? Are financial disputes under their jurisdiction?
- Does the Physicians Board do its own investigations and how are they handled?
- What are the appeal rights of the licensee and the complainant?
- How does the Physicians Board handle complaints of sub-standard care? What tools do they use to address them (i.e., continuing education? Mentors?)? How do they resolve and punish?
- How do they encourage physicians to get help for substance abuse issues without them being afraid of losing their license? Has the Maryland Health Care Physicians Program helped?
- If a physician is suspended, what happens to their practice? Or their duties at a facility?

**Teams to Report Synopsis of Cases in April.** Dr. Handel asked each team to make a brief, oral report on the cases before them, starting at the April meeting, so that all perspectives can be discussed and included in the final resolution. Each team can decide who and how to report. At the April meeting, each team will report on March cases.

**Requests for Approval of Continuing Education Credits.** After reviewing information submitted during the past month, Dr. Crowl, on behalf of the Board, approved the following:

- A request from Mary Yonemura on behalf of VCA – Gaithersburg for 3 clinical CEs for the 2017 Continuing Education Seminar, to be held April 30, 2017
- A request from Dana Robert on behalf of Zoetis for 2 clinical CEs for a seminar entitled, “Current Concepts in Parasite Treatment and Control,” to be held April 25, 2017
- A request from Jan Ginsky on behalf of Merial for 3 non-clinical CE for a seminar entitled, “How to Maximize the Value of Your Practice, to be held March 18, 2017
- A request from Louise Devanny on behalf of the Maryland Veterinary Medical Association for:
  - 8 clinical CEs for the MVMA 2017 Mid-Atlantic States Vet Clinic, to be held May 18, 2017
  - 18 CEs for the 2017 Mid-Atlantic States Bovine Practitioners Conference, to be held March 30, 2017 through March 31, 2017

**Motion to Close the Meeting.** Dr. Stott made a motion to adjourn the meeting to move into an administrative closed session pursuant to the applicable provisions of the General Provisions Article. The motion was seconded by Dr. Callahan. The motion passed unanimously.

### **Closed Session –Full Board**

**Time: 11:49 a.m.**

Board members in attendance: Board President David Handel, Vice President Dr. Heather Hendler, Dr. Elizabeth Callahan, Ms. Lynne Chaput, Dr. John Stott, and Ms. Victoria Wright-Conner. Board Member absent: Dr. Perry Crowl. Staff in attendance: Executive Director Vanessa Orlando, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Assistant Attorney General Cynthia Spirt.

### **Status Reports on Cases Before the Board**

The Board and staff reported on the status of the following cases.

Docket No. 17-20  
Docket No. 17-26  
Docket No. 17-29  
Docket No. 17-35  
Docket No. 17-36  
Docket No. 17-14

Consideration of a request for CE Approvals for a doctor on probation.

Discussion of applicant for Veterinary License (conducted in closed session to protect the confidentiality as required by statute). Matter deferred until next month.

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### **Team A Meeting, 1:00 p.m.**

Team A Board members in attendance: Board President Dr. David Handel, Dr. Elizabeth Callahan, and Ms. Lynne Chaput. Staff in attendance: Executive Director Vanessa Orlando, Investigator Susan Husk, Inspectors Pegeen Morgan and Ellen James, and Assistant Attorney General Cynthia Spirt.

**Call to Order:** Dr. Handel called the meeting to order at 1:02 p.m.

**Approval of the Minutes:** In a motion by Ms. Chaput, seconded by Dr. Callahan, the minutes of the February 23, 2017, meeting were approved as presented. The motion passed unanimously.

Dr. Handel made a motion to adjourn the meeting to move into an administrative closed session pursuant to the applicable provisions of the General Provisions Article. The motion was seconded by Dr. Callahan. The motion passed unanimously. The meeting was closed at 1:03 p.m.

### **Closed Session – Team A**

Team A members and staff in attendance were the same as at opening.

### **Status reports on cases before Team A**

The Board and staff reported on the status of the following cases.

Docket No. 16-65  
Docket No. 16-25  
Docket No. 16-27  
Docket No. 16-28  
Docket No. 16-63  
Docket No. 17-07  
Docket No. 16-71  
Docket No. 17-06

The meeting was adjourned at 2:05 p.m