



STATE OF IDAHO

BOARD OF VETERINARY MEDICINE

2270 OLD PENITENTIARY RD

P.O. BOX 7249

BOISE, ID 83707

Telephone: (208) 332-8588

Fax: (208) 334-2170

E-mail: karen.ewing@agri.idaho.gov

carol.youtz@agri.idaho.gov

Website: www.bovm.state.id.us

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

MINUTES OF THE IDAHO BOARD OF VETERINARY MEDICINE
April 12, 2010, BOISE, IDAHO

The State Board of Veterinary Medical Examiners met in Main Conference Rooms A and B of the Idaho Department of Agriculture, Boise, Idaho. This meeting was called for the purpose of carrying out regular Board business. The meeting was called to order at 8:34 a.m. by Board President Dr. K. Bruce Lancaster. Those in attendance were:

Board:

- Jennifer Card, VMD – Liaison Officer
- K. Bruce Lancaster, DVM - President
- Dave Schulz, DVM - Member
- Doug Walker, DVM - Member
- Dave Clark, DVM - Member
- Joyceanne Fick – Public Member

Office Staff:

- Karen Ewing, Executive Director
- Carol Youtz, Technical Records Specialist

Deputy Attorneys General:

- Roger Gabel, Administrative Law
- Emily Mac Master, Civil Litigation

Additional Attendees:

- Steve Burns – Executive Director, Zoo Boise
- Tami McReynolds, DVM – Chair, Certified Euthanasia Task Force
- Jeff Rosenthal, DVM – Executive Director, Idaho Humane Society

AGENDA ITEMS

Old Business:

1. Minutes approval for January 11, 2010

Dr. Clark moved to approve the minutes as written. Dr. Walker seconded. Motion passed.

1 **2. Zoo Veterinarian Exception**

2 The Board discussed with Steve Burns from Zoo Boise a change to Idaho Code that would
3 add an exception for licensure for zoo veterinarians who would fill in when the regular
4 veterinarian is unavailable or unqualified for the necessary treatment. Final wording will
5 provide an exception at publically owned zoos licensed as an exhibitor by the USDA and
6 AZA accredited zoos. Based on the length of time required to hire a veterinarian at a
7 publically owned facility, the exception will be limited to one (1) year in duration.
8

9 **3. Zoo Veterinarian Exception/Chemical Capture**

10 Comments from Dr. Mark Drew from Idaho Dept. of Fish and Game (IDFG) were discussed
11 regarding the zoo veterinarian exception and Dr. Drew's chemical capture course. Dr.
12 Drew's course for IDFG wildlife officers has been used by the Board to teach chemical
13 capture to animal control officers.
14

15 **4. POST Academy and Chemical Capture**

16 Ms. Ewing spoke with the interim director of the POST Academy regarding the possibility of
17 POST providing training and certification for law enforcement officers who want to use
18 chemical capture but do not euthanize animals. POST is not interested in taking on a new
19 program at this time.
20

21 **5. Chemical Capture/Carbon Monoxide Gas Euthanasia Chambers.**

22 Dr. Tami McReynolds and Dr. Jeff Rosenthal spoke to the Board about chemical capture.
23 The Board approved Dr. Rosenthal to prepare a one (1) day chemical capture course geared
24 toward animal control officers for 2011. Dr. Rosenthal is to present a draft of the new course
25 to the Board at its January 2011 meeting. Course will be provided by the Idaho Humane
26 Society (IHS) with payment directly to IHS by candidates. This will negate the need for the
27 Board to adopt a new fee rule.
28

29 The Board discussed carbon monoxide gas euthanasia chambers with Drs. McReynolds and
30 Rosenthal. Virtually all humane organizations find this type of euthanasia to be inhumane.
31 The Board will seek a 2011 rule change to remove carbon monoxide gas euthanasia as an
32 acceptable form of euthanasia at its Certified Euthanasia Agencies (CEAs). While this action
33 will not outlaw this form of euthanasia in the state of Idaho, it will disallow CEAs from using
34 it.
35

36 **6. Public Service Announcements (PSAs)**

37 Ms. Fick presented two (2) draft PSAs for review. Drafts were accepted with revision to
38 change the word "veterinarian" to the word "individual" regarding unlicensed practice. Ms.
39 Fick is to work with Bill Hatch regarding the logistics of recording the PSAs and distributing
40 them to radio stations.
41

42 **7. 2011 Statute Changes**

43 Changes to Idaho Code were considered as follows:

- 44 1) Add §54-2115A to provide clear authority to set a specific time period of up to ten (10)
45 years for reapplication in the event of license denial, suspension, or revocation;
46 2) Delete §54-2105 (8) (f) to remove requirement of prior Board approval of NAVLE and
47 VTNE exam candidates;
48 3) Add zoo veterinarian exception under §54-2104 (2) (y);
49 4) Add acts of moral turpitude to grounds for discipline in §54-2115 (3) (a); and

1 5) Add exam breaches to grounds for discipline in §54-2115. Mr. Gabel will research moral
2 turpitude examples and will prepare draft wording regarding exam breaches for review at
3 June 14, 2010 meeting. Ms. Ewing will revise original application form to provide a question
4 for applicants to answer regarding whether the applicant is currently or has ever been under
5 investigation for exam breaches.
6

7 **8. 2011 Rule Changes**

8 Changes to administrative rules were considered as follows:

- 9 1) Add fax number and procedure for faxed filing of legal documents;
- 10 2) Remove section regarding Board approval of NAVLE candidates;
- 11 3) Remove fee rule for NAVLE eligibility review;
- 12 4) Clarify that a CET's certification is suspended when he or she no longer works at a CEA;
- 13 5) Remove allowance for carbon monoxide gas euthanasia at CEAs;
- 14 6) Separate approved drugs for CETs/CEAs into three (3) categories:
 - 15 a) euthanasia drugs, b) pre-euthanasia sedation drugs, and c) chemical capture drugs;
- 16 7) Remove mandate for IV euthanasia in all dogs over three (3) months of age; and
- 17 8) Revise requirement that animals injected IP must be checked every five (5) minutes.
18 The CETF will review items 7) and 8) above at its April 27, 2010 meeting.
19

20 **New Business**

21 **9. Recent legal cases – Roger Gabel**

22 Mr. Gabel presented three (3) legal cases that have bearing on the Idaho Board of Veterinary
23 Medicine as follows: 1) Wright case regarding Order to Show Cause; 2) Erickson case
24 regarding date issues on final order issuance; and, 3) Rammell case regarding awarding of
25 attorneys costs and fees.
26

27 **10. Microchips/Ownership/Patient Record Confidentiality – Roger Gabel**

28 The Board discussed with Mr. Gabel recent inquiries regarding responsibilities of
29 veterinarians to report to a prior owner that a new owner has presented an animal that shows
30 ownership by the prior owner. In addition, confidentiality of ownership information
31 contained in a patient medical record was discussed. Mr. Gabel provided an opinion that if a
32 veterinarian/client/patient relationship (VCPR) had not been established at the time the
33 animal's microchip was read, the confidentiality rules would not apply. If a VCPR had been
34 established, then the information would be confidential. However, the Board decided that
35 each veterinarian must handle this situation on a case-by-case basis, and that ethics hold a
36 higher place than confidentiality in these situations.
37

38 **11. Closing letter content to complainants – Roger Gabel**

39 The Board discussed the content of closing letters sent to complainants. Prior stock letters
40 have been used to create continuity between liaison officers. Closing letters will be revised to
41 let complainants know that while no formal action was taken, steps have been taken to ensure
42 that the problem has been addressed.
43

44 **Discipline**

45 **12. BVM-865 David Ormond, DVM**

46 Emily Mac Master presented the disciplinary stipulation in case number BVM-865.

47 Dr. Walker moved to accept the disciplinary stipulation. Dr. Clark seconded. Motion passed.
48

49 **13. BVM-841 Renee Riggleman, DVM**

50 Emily Mac Master presented the disciplinary stipulation in case number BVM-841.

1 Ms. Fick moved to accept the disciplinary stipulation. Dr. Schulz seconded. Motion passed.

2
3 **14. BVM-820 Robert Vogelsang, DVM**

4 Dr. Vogelsang asked for an extension of time to pay his fine and reimbursement in case
5 number BVM-820. The Board will allow a thirty (30) day extension of time. Mr. Gabel will
6 provide an Order to be sent to Dr. Vogelsang, which will memorialize the terms of the
7 extension.
8

9 **15. Complaint Severity Scale**

10 A survey was sent to all Board members to record each member's opinion regarding how
11 large the administrative fines should be for specific violations. This is a generalized survey
12 that provides input to the liaison officer as he or she is negotiating disciplinary settlements.
13 Future surveys can provide specific case information to allow for better input, but survey
14 should be conducted annually.
15

16 **16. Policy on Community Standard**

17 Other state boards use their entire state as a basis to establish a "Community Standard of
18 Care". The Board's current administrative rule compares veterinarians to others of similar
19 education and experience in the community in which they practice. An individual
20 veterinarian's care can depend greatly on the ability or willingness of the client to pay for the
21 services. All client choices should be documented in the patient record. Ms. Ewing is to add
22 this issue to the Board's June 14, 2010 meeting agenda for further discussion, allowing one
23 (1) hour.
24

25 **17. Criminal Background FAQ Approval**

26 The Board approved a document that was originally prepared by the Idaho Board of Nursing.
27 The document addresses common questions from applicants with criminal backgrounds
28 regarding their possible eligibility for licensure or certification.
29

30 **18. Criminal Background Check Office Policies**

31 The Board discussed a document prepared by Ms. Youtz that outlines Board policies
32 regarding criminal background check office policies and procedures. This document will be
33 presented to the Idaho State Police/FBI during the Board's first audit of its new criminal
34 background check procedures. Any necessary revisions will be presented to the Board after
35 the audit.
36

37 **19. Dr. Mike Cohn – CANCELLED**

38
39 **20. FY2012 Pay Increase for Ms. Ewing and Ms. Youtz**

40 The Board discussed and approved pay increases of 5% for office staff for FY2012. Ms.
41 Ewing is to invite the Board's DFM financial analyst to the June 14, 2010 meeting to discuss
42 when the Board should consider fee increases for its licensees. Ms. Ewing is to prepare a
43 projection of five (5) years to determine how large a fee increase might be needed, and how
44 long it would last before another fee increase is necessary. At this time, the Board has not
45 increased fees since 1999, a duration of eleven (11) years.
46

47 **21. Dr. Kelly Shawcroft – Compendium CE Approval Request**

48 The Board reviewed Dr. Shawcroft's request that Compendium CE articles be approved for
49 veterinarian continuing education. The Board denied the request. Ms. Ewing is to notify Dr.
50 Shawcroft.

1
2 **22. Dr. Jean Albright/Carol Brett – Saddle Fitting CE Approval Request**

3 The Board reviewed Dr. Jean Albright's request that Carol Brett's saddle-fitting course be
4 approved for continuing education. The Board denied the request. Ms. Ewing is to notify Dr.
5 Albright.
6

7 **23. Basic Animal Rescue Training (BART)**

8 The BART course for firefighters and emergency response personnel was discussed. The
9 Board approved the training concept and had no follow-up questions for the provider.
10

11 **24. Liaison Officer Policy**

12 The Board reviewed two (2) draft policies provided by Mr. Gabel regarding appointment of
13 an ad hoc liaison officer in the event the regular liaison officer is unavailable or has a conflict
14 of interest.

15 Ms. Fick moved to accept draft number 2. Dr. Clark seconded. The motion passed.
16

17 **25. Supervision Level for Internal Anal Gland Expression**

18 A question had been presented regarding the appropriate level of supervision to be provided
19 when a technician or assistant performs internal anal gland expression. The Board believes
20 that indirect supervision is appropriate in this situation.
21

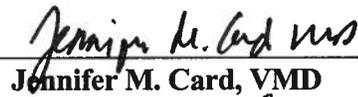
22 **MEETING ADJOURNED – 3:29 pm**

23
24
25
26 

27 K. Bruce Lancaster, DVM

28 Date

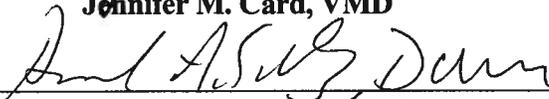
29 14 June 2010

30 

31 Jennifer M. Card, VMD

32 Date

33 14 June 2010

34 

35 David A. Schulz, DVM

36 Date

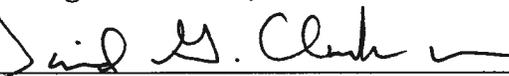
37 6.14.10

38 

39 Douglas J. Walker, DVM

40 Date

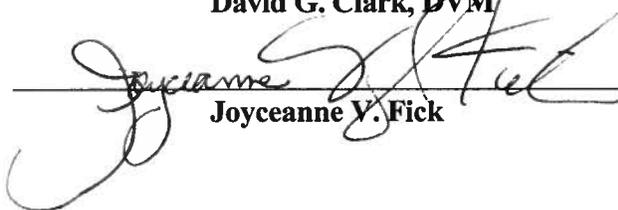
41 6/14/10

42 

43 David G. Clark, DVM

Date

6/14/10



Joyceanne V. Fick

Date

6-14-10