



# STATE OF IDAHO

BOARD OF VETERINARY MEDICINE

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## IDAHO BOARD OF VETERINARY MEDICINE

### Approved Minutes

Monday October 15, 2012

The meeting was called to order at 8:35 a.m. by David G, Clark, DVM – Board President

In Attendance:

**Board Members:**

- Dave Clark, DVM, Board President
- Doug Walker, DVM, Liaison Officer
- John Coplin, DVM, Vice President
- Carol Eklund, DVM, Member
- Kathy Simpson, Public member

**Board Staff:**

- Carol Youtz, Acting Executive Director
- Cindy Hedge, Technical Records Specialist

**Attorney General's Office:**

- Roger Gabel, Deputy Attorney General
- Emily Mac Master, Deputy Attorney General

**Visitors:**

- Nancy Kerr, Executive Director, Board of Medicine
- Sandra Evans, Executive Director, Board of Nursing
- Ashley Gochnour, Southworth Associates Veterinary Clinic
- Timothy A Murphy, DVM, Animals R Us
- Vicki Smith, Executive Director, IVMA
- Joyceanne Fick, National Board of Veterinary Medical Examiners (NBVME)
- Yvonne Dunbar

BVM-942 disciplinary hearing convened at 8:40 am. The proceedings were recorded by a certified court reporter.

BVM-942 disciplinary hearing adjourned 12:40 pm

Board Meeting reconvened at 1:00 pm by Dr. Clark

**Introduce new Board member from North Idaho – David B Gerber, DVM**

Dr. Gerber was unable to attend this meeting because of a previously-scheduled engagement.

**Southworth Associates presentation, by Ashley Gochnour**

Ms. Gochnour presented an informational report regarding the physician referral program (PRP) services that Southworth Associates could offer the Board of Veterinary Medicine for licensees who are affected by substance abuse or mental health issues.

1  
2 Nancy Kerr, from the Idaho Board of Medicine, advised that their Board currently has  
3 approximately 42 licensees enrolled in treatment programs, either voluntarily or by Board  
4 recommendation. She reported that Board of Medicine licensees are monitored for five years  
5 after successfully completing a treatment program.  
6

7 Sandra Evans, Executive Director for the Idaho Board of Nursing, advised that nurses have a  
8 different type of PRP program. Approximately 85 licensees are currently enrolled in a treatment  
9 program of some kind. The board has referred 60% of the 85 enrollees. Nurses are also  
10 monitored for five years, and are not allowed back to work until Southworth releases them.  
11

12 **Question:** *What happens if someone has a relapse?*

13 Ms. Kerr advised that Board of Medicine licensees are readmitted under a new contract,  
14 and are monitored for another five years. Board of Medicine licensees are not required to  
15 surrender their professional license unless they have a second incident.  
16

17 **Question:** *Does Southworth do any random drug testing for general professionals?*

18 Ms. Evans advised that the Board of Nursing does not test, but that employers do. The  
19 Board of Nursing only pays for licensee monitoring. The Board of Medicine contracts  
20 with Southworth Associates directly.  
21

22 A meeting attendee asked about checks and balances. If a licensee owns a clinic and has  
23 inadequate control over who has access to the locked drug cabinet, how can the clinic owner  
24 know if there are drugs missing? Ms. Evans advised that nursing complaints usually come from  
25 employers, and cited some red flag warnings. such as:

- 26 • checking out more meds than necessary
- 27 • calling in prescriptions under another name
- 28 • criminal charges like DUI or possession of a controlled substance  
29

30 Nurses are not drug prescribers, but they do have access to drugs. The DEA or the Idaho Board  
31 of Pharmacy may become involved before the licensing board is even aware of a problem.  
32

33 **Question:** *If a prescribing license is suspended, is it done without formal discipline and no  
34 public record?*

35 Ms. Kerr advised that is how the Board of Medicine handles it. However, any violation  
36 of the terms of the treatment program usually results in a formal disciplinary action. The  
37 Board of Nursing requires a temporary license surrender, which is not reported to the  
38 national databanks. If the licensee has a relapse, the Board of Medicine initiates formal  
39 discipline and reports the results to the national databases.  
40

41 **Question:** *At what point is a decision made that individual cannot go forward with treatment?*

42 The Board of Medicine reported that if an impaired licensee is drug or alcohol tested and  
43 found in violation, the professional license is revoked immediately. Nursing appoints an  
44 advisory committee to oversee nurses in programs and they have authority to decide. If  
45 there are any criminal charges, the Board can revoke the license and require the licensee  
46 to prove a continued state of sobriety before license is restored.

1  
2 **Question:** *What about licensees with dual diagnoses (substance abuse/mental illness)?*

3 Treatment is handled the same, and both illness are treated.  
4

5 **Question:** *Is there is a difference in treatment if the violation is found at home and not on the*  
6 *job?*

7 Both the Board of Medicine and the Board of Nursing said there is no difference, unless  
8 they feel the licensee would be an immediate danger to the public.  
9

10 The Board felt that having the ability to refer to a treatment program could be very beneficial to  
11 an impaired licensee. They would like a more detailed presentation of what a contract for the  
12 Board would look like, and how much it might cost.  
13

14 Ms. Youtz will contact John Southworth to see if he is available to speak to the Board at the  
15 January 2013 Board meeting.  
16

17 **MINUTES APPROVAL:**

18 June 11, 2012 – The Board members pointed out minor changes that needed to be made. Dr.  
19 Walker moved to approve the June 11, 2012 minutes as amended, and to approve the July 2,  
20 August 2, and August 28, 2012 minutes as written. Kathy Simpson seconded, and the motion  
21 passed.  
22

23 **In-service training, with Roger Gabel, DAG, Administrative Law:**

- 24 A) Mr. Gabel led a discussion regarding a “Board Brief” he prepared for the disciplinary  
25 hearing that took place during the morning session. Mr. Gabel stressed the need to read  
26 the entire complaint and have potential questions ready before the hearing. Board  
27 members found the brief to be very helpful. A Respondent may or may not be  
28 represented by counsel. Board counsel offered to script something in case of an objection  
29 of the Respondent’s counsel at a future hearing. The Board agreed that having something  
30 scripted as a general policy may help with future hearings.  
31

32 Mr. Gabel also discussed post-hearing activity. Each party is entitled to present a  
33 briefing. The Board also has the option of ordering an official transcript and reviewing it  
34 at next Board meeting. If a transcript is requested, the Board members are not allowed to  
35 discuss the case outside of a Board meeting, but can have time to review the transcript.  
36 At the next meeting the Board will make findings and facts of the law. General Counsel  
37 would prepare a document of written findings. The Board would discuss and make  
38 recommendations for sanctions.  
39

- 40 B) Mr. Gabel prepared an updated policy for Liaison Officer Authority for the Board to  
41 review. The policy adds the authority of the Board’s Liaison Office to commence  
42 emergency proceedings. If the Liaison Officer is absent, the Executive Director would be  
43 able to commence emergency proceedings, but only after consulting with the Board’s  
44 general counsel. It was also determined that the Liaison Officer could initiate emergency  
45 suspensions. Dr. Clark moved to adopt the amended policy to formalize Emergency  
46 Proceedings. Dr. Coplin seconded, and the motion passed.

1  
2 **STIPULATION AND CONSENT AGREEMENTS:**

3  
4 **BVM – 968**

5 Ms. Mac Master reported that the Respondent has been very cooperative in this issue. Ms. Mac  
6 Master recommended approval. Dr. Coplin moved to accept the Stipulation and Consent  
7 Agreement as presented. Dr. Eklund seconded, and the motion passed.

8  
9 **BVM – 943**

10 The Respondent has agreed to Stipulation and Consent Agreement. Ms. Mac Master  
11 recommended approval. Dr. Eklund moved to accept the Stipulation and Consent Agreement as  
12 presented. Kathy Simpson seconded, and the motion passed.

13  
14 Board meeting adjourned at 3:30pm for further discussion on BVM-942 disciplinary hearing.

15  
16 Hearing reconvened at 3:40pm for discussion on BVM-942.

17  
18 Hearing adjourned at 5:05pm, and is scheduled to reconvene on Tuesday, October 16, 2012 at  
19 1:30pm.

20  
21 **TUESDAY, OCTOBER 16, 2012**

22 The meeting was called to order at 8:35 a.m. by Douglas Walker, DVM – Board President

23 In Attendance:

24  
25 **Board Members:**

26 Dave Clark, DVM, Board President  
27 Doug Walker, DVM, Liaison Officer  
28 John Coplin, DVM, Vice President  
29 Carol Eklund, DVM, Member  
30 Kathy Simpson, Public member  
31  
32 **Board Staff:**  
33 Carol Youtz, Acting Executive Director  
34 Cindy Hedge, Board Staff  
35 **Attorney General's Office:**  
36 Roger Gabel, Deputy Attorney General  
37 Emily McMaster, Deputy Attorney General

38  
39 **Visitors:**

40 David A. Schulz, DVM, outgoing Liaison  
41 Officer  
42 Timothy A Murphy, DVM, Animals R Us  
43 Veterinary Clinic  
44 Vicki Smith, Executive Director, IVMA  
45 Les Stone, DVM, IVMA President  
46 Rena Carlson-Lammers, DVM, AVMA  
47 Delegate  
48 Joyceanne Fick, National Board of  
49 Veterinary Medical Examiners (NBVME)

50  
51  
52  
53 **FY2013-2014 BUDGET UPDATE, FINANCIAL REPORT, AND 2012 RENEWAL**  
54 **STATISTICS (MS. YOUTZ)**

55 **A. BUDGET:**

56 Ms. Youtz reported that the FY2014 budget was submitted before the September 1, 2012  
57 deadline. She reminded the Board members that, although the Board's funds are  
58 dedicated, the legislature is allowed to allocate how that money will be spent. Ms. Youtz

1 reminded the Board that they had requested a 3% pay increase for the Executive Director  
2 position and a \$3 per hour salary increase for the Technical Records Specialist II. If the  
3 Legislature approves these requests, the salary increases will take effect on July 1, 2013,  
4 which is the beginning of Fiscal Year 2014. The Board also asked for additional spending  
5 authority to cover increased Personnel Costs for the current fiscal year while Ms. Ewing  
6 is out of the office.  
7

8 **B. FINANCIAL REPORT:**

9 Ms. Youtz reported that, although only 25% of the year has passed, the Board has  
10 expended 29% of the total allocation in both Personnel Costs (PC) and Operating  
11 Expenses (OE). The additional PC costs occurred because of the current staffing  
12 fluctuations. The OE costs are skewed because of a lump-sum payment to the Division of  
13 Financial Management to cover the Board's legal counsel for the entire fiscal year, and  
14 will even out as the fiscal year progresses. The Board also budgeted \$2800 for Capital  
15 Outlay (two new desktop computers for office staff) equipment, but will have \$600 that  
16 will not be spent during this fiscal year. This unspent allocation will go back into the  
17 Board's Free Fund Balance.  
18

19 Revenue is up significantly from this time last year, which is due to the fee increase. Ms.  
20 Youtz estimates that another fee increase will not be needed for at least five years.  
21

22 **C. RENEWAL STATISTICS FOR THE 2012 LICENSE RENEWAL CYCLE**

23 The Board had a net loss of three veterinarians during the 2011 renewal cycle and gained  
24 48 new veterinary technicians. The 2012 net loss for veterinarians was 17 licensees.  
25 Licensing trends continue to remain stable. Based on historical data from the last ten  
26 years, the Board cannot rely on a steady increase in the number of licensees and  
27 certificate holders. Our operating expenses will continue to rise, but our licensing base  
28 remains steady. This is one reason the fee increase was necessary.  
29

30 The Board staff received very few complaints regarding the fee increase, due to the  
31 surveys and communications before the fee increase was adopted. Approximately \$6100  
32 in late fees was collected during the most recent renewal cycle, which is the highest  
33 amount ever collected. The Board anticipates that there will be many fewer late renewals  
34 next year, which was the entire purpose of raising the late fee for veterinarians from \$50  
35 to \$200.  
36

37 Dr. Coplin asked about the status of Continuing Education (CE) tracking. Ms. Youtz  
38 reported that veterinarians and technicians have always been required to keep track of  
39 their own CE attendance. Effective December 2011, Board staff no longer enters any CE  
40 credits from sign-in sheets – only from Certificates of Attendance  
41

42 **DAVE SCHULZ, DVM, OUTGOING LIAISON OFFICER**

- 43 a. **BVM-967 FOLLOW-UP, CIVIL PENALTY FOR RECORD-KEEPING**  
44 *Not discussed because of lack of time*  
45

1 **b. DISCUSSION OF FUTURE STAFFING NEEDS AND POTENTIAL CHANGE OF DUTIES FOR**  
2 **EXISTING STAFF**

3 (a) Hire current temp as a full-time temp (on BOVM payroll)?

4 1. Buy out contract from temp agency?

5 Dr. Walker moved to authorize the Executive Director buy out the contract with the staffing  
6 agency (ProPeople), and to hire Cindy Hedge as full-time temporary staff, effective  
7 Tuesday, Oct 16, 2012 or as soon as the paperwork can be processed. Job title will be  
8 Technical Records Specialist II. Dr. Coplin seconded the motion. Motion passed  
9 unanimously.

10  
11 **c. IDAHO BOARD OF PHARMACY (IBOP) RULES**

12 Dr. Les Stone, IVMA President gave a report on IVMA's perspective of the new IBOP rules  
13 regarding dispensing veterinary drugs. Veterinarians did not participate in the negotiated rule-  
14 making process, and now some of IBOP's rules do not seem to apply to the practice of  
15 veterinary medicine. Dr. Stone asked IBOP if a veterinarian had to be in the building when  
16 medications are dispensed. Mark Johnston, IBOP Executive Director, wrote that because  
17 veterinarians are described as dispensers, they are required to comply with the new rule.

18  
19 IBOP's general counsel issued a decision on August 16, 2012 stating that veterinarians cannot  
20 legally dispense. Idaho's Veterinary Practice Act is silent on the subject of dispensing, so it  
21 appears that the law may need to be amended to expressly allow licensed veterinarians to  
22 dispense controlled substances when a valid Veterinarian-Client-Patient Relationship (VCPR)  
23 exists.

24  
25 If IVMA is going to pursue a change to the Veterinary Practice Act (VPA), then they may  
26 want to work through BOVM's general counsel. Mr. Gabel opined that the verbiage in the  
27 Veterinary Rules should mirror the Pharmacy Rules. The language regarding dispensing  
28 should be clarified to give specific authority for licensed veterinarians to dispense veterinary  
29 drugs and controlled substances, as long as a valid *veterinary-client-patient relationship*  
30 (VCPR) exists.

31  
32 Dr. Carlson (AVMA delegate) stated that she has language about dispensing from other states.  
33 If IBOP feels that BOVM's rules should be amended during the 2013 Legislative session, then  
34 the Board agreed to have Mr. Gabel work with the IVMA to construct language.

35  
36 **d. POSSIBLE STATUTE OR RULE CHANGE REGARDING WHEN LICENSE APPLICATIONS ARE**  
37 **REVIEWED.**

38 Dr. Schulz suggested changing the law about when license applications will be accepted. Dr.  
39 Clark questioned how a possible change would affect the licensing process. Ms. Youtz  
40 advised it could mean reconfiguring the work load. Both the Statute(s) and Rules would have  
41 to be amended to give the office staff authority to issue permanent licenses. Dr. Clark is in  
42 favor of allowing this, but would like to **table the discussion for a future Board meeting.**

43  
44 **EQUINE GNATHOLOGICAL TECHNICAL INTSITUTE (EGTI) UPDATE –**

45 Review attending veterinarian's patient records and make recommendation to the State Board of  
46 Education on the Institute's curriculum as a proprietary school.

1  
2 The Board staff requested patient records from EGTI's attending veterinarian in April 2012, and  
3 again in August 2012. The Board office received the patient records for 25 horses that were  
4 allegedly examined and treated at the June 2012 EGTI training session. The medical charts  
5 record only temperature, pulse, respiration (TPR), and, in some cases, the amount of sedation  
6 administered.

7  
8 The Board's focus will be to make recommendation to the Idaho Board of Education stating that  
9 school appears to be in violation of Idaho's Veterinary Practice Act for multiple reasons.

10  
11 One of the Subject Matter Experts (SME) consulted by the Board also reviewed the medical  
12 records. The SME's written letter stated that he could not tell from the patient record if an equine  
13 dental exam had been performed on 23 of the 25 records he reviewed, nor was there any written  
14 diagnosis or treatment plan.

15  
16 Dr. Clark questioned if the Department of Education is requesting a decision. Ms. Youtz states  
17 yes. The Board needs a motion to approve or disapprove EGTI's curriculum. Mr. Gabel  
18 reminded the Board that it doesn't regulate schools; it regulates the practice of veterinary  
19 medicine. **Dr. Coplin moved to recommend that the Board of Education disapprove EGTI's**  
20 **published curriculum, based on inadequate record keeping standards, no diagnoses or**  
21 **treatment plan, and possible unlicensed practice .Dr. Eklund seconded, and the motion**  
22 **passed.**

23  
24 Board members expressed concern over the record-keeping standards of the attending  
25 veterinarian. Mr. Gabel suggested the Board refer the matter to the Liaison Officer to see if there  
26 are any alleged violations of the Practice Act. Ms. Youtz will draft a letter for the Board  
27 President to send to the Liaison Officer.

28  
29 **Update on RFP for purchase of new licensing and regulatory software package.**  
30 GL Solutions was the successful bidder of the software proposal, and has been awarded a  
31 contract to provide licensing and regulatory software to the following state agencies:

- 32 A. Idaho Board of Medicine  
33 B. Idaho Board of Veterinary Medicine  
34 C. Idaho Board of Dentistry  
35 D. Idaho Board of Pharmacy  
36 E. Idaho Bureau of Occupational Licensing (comprising 29 separate professions)

37  
38 Ms. Youtz asked the Board if they want to delegate this database conversion process to the office  
39 staff, or if one of the Board members would like to be part of the decision process. Dr. Clark  
40 asked if the Board needed an approval process for the spending. Ms. Youtz reported that the  
41 2012 Legislature allocated a one-time expenditure for \$28,000 for FY2013, and an ongoing  
42 software maintenance expenditure of \$12,000 per year.

43  
44 The Board utilizes the Fiscal Division of the Idaho State Department of Agriculture to provide  
45 oversight for all Board expenses and revenues. Dr. Clark asked general counsel to write a policy  
46 statement for the record.

1  
2 The Board office will pay a monthly subscription fee based on how many software licenses are  
3 being used. Ms. Youtz estimates that maintenance fees will be slightly less than the budgeted  
4 amount of \$12,000 per year. The monthly fee will not increase unless the Board decides to  
5 change the service plan or adds employees to the office staff.  
6

## 7 **REPORT ON AAVSB ANNUAL MEETING**

### 8 **A. BACKGROUND CHECKS FOR RENEWING LICENSEES/CERTIFICATES** (follow-up from 9 Joyceanne Fick, NBVME officer)

10 Ms. Fick reported that she randomly ran 36 CVT names and 36 DVM names through the Idaho  
11 Court Repository's website. Ms. Fick found that over 50% of DVMs have some kind of  
12 misdemeanor issues. Most were speeding and DUI offenses.  
13

14 Mr. Gabel reminded the Board that this issue has already been discussed, and the Board decided  
15 not to pursue it. The Board President opined that we have to put some trust in our veterinarians.  
16 Ms. Youtz will write a newsletter article about self-disclosure. **The board took no action.**  
17

### 18 **B. REPORTS FROM AAVSB ATTENDEES**

19 Dr. Clark stated the meetings for new members are very helpful and informational. The  
20 presentations from each of the entities provide useful information and give Board members an  
21 idea of what each entity does and how our Board can use the information.  
22

23 Dr. Clark, as Board president, is the Board's voting delegate. He participated in voting to adopt  
24 or reject AAVSB bylaw changes. The delegates' overwhelming decision to reject one of the  
25 proposed bylaws shows that the delegates are informed participants in the entire voting process.  
26

27 Dr. Clark thinks that our Board should always support this meeting; it's very informative and  
28 educational for new members.  
29

30 Ms. Youtz said that each Board member will be scheduled to attend at least twice during his/her  
31 term of service.  
32

### 33 **FALL 2012 NEWSLETTER**

34 Ms. Youtz asked the Board about publishing out a Fall newsletter. The Board determined that  
35 there was no need for a newsletter until the Spring renewal season.  
36

### 37 **UPCOMING 2012 FARB CONFERENCE IN SAN DIEGO, JAN. 25-27, 2013**

38 Dr. Clark asked what the difference is between FARB and AVSB. Ms. Youtz advised that  
39 FARB is for all regulatory boards, and the AAVSB is only veterinary boards. She noted that the  
40 Executive Director has traditionally been the one to attend and feels the conference is helpful to  
41 see how other regulatory boards function throughout the nation.  
42

43 Dr. Clark asked if the Board had budgeted for this meeting. Ms. Youtz stated the meeting was  
44 an ongoing budgeted item, and would cost approximately \$1800 to send one person for three  
45 days. Dr. Clark stated that if anyone attends it should be the Executive Director. Ms. Youtz  
46 states that the Board has the authority to recommend sending one or more, or no one at all. Dr.

1 Coplin asked about joining FARB and what the cost would be. The Board would like Ms. Youtz  
2 to investigate cost and benefits of becoming a FARB member. Dr. Clark moved to approve  
3 sending the Executive Director to the January 2013 FARB Forum in San Diego. Dr. Eklund  
4 seconded, and the motion passed.

#### 6 AVMA VOLUNTEER OPPORTUNITIES

7 Ms. Youtz received an email message from the American Veterinary Medical Association  
8 (AVMA) about opportunities for Idaho Board members to serve at a national level. Ms. Youtz  
9 states there are two openings for the **Educational Commission for Foreign Veterinary Graduates**  
10 **(ECFVG) certification program**. These are not paid positions. If a member of our Board is selected  
11 to serve, all travel expenses are paid by AVMA.

#### 13 MISCELLANEOUS BUSINESS

##### 14 a. **Review Rule 46.01.01.154.05 Ownership of Medical Records**

15 The 2012 legislative session removed the requirement for written authorization for the  
16 release of veterinary medical records. The office staff has received multiple phone calls  
17 and emails from licensees who are confused about this Rule change. Ms. Youtz opined  
18 that this may be simply an educational issue, and will readdress the topic in the Spring  
19 2013 newsletter.

20  
21 Dr. Eklund wondered if the Board wanted to readdress the fourteen-day period to supply  
22 patient records to another clinic. She felt that fourteen days is a long time to wait for  
23 records if an animal is very ill.

24  
25 Ms. Youtz had a recent phone call about medical records being requested by boarding  
26 kennels. Dr. Coplin advised that boarding kennels only need vaccination records, along  
27 with brief notes if the animal is currently on medication.

- 28 • One Board member suggested changing the fourteen-day requirement to three  
29 days.
- 30 • Another member felt that twenty-four hours is reasonable, and why are we  
31 making a difference between vaccination records and medical records?

32  
33 Mr. Gabel suggested the Board go through the *negotiated rulemaking process* and have  
34 Ms. Youtz prepare an article for the Spring newsletter. The Board proposed that the time  
35 period should be changed to twenty-four (24) hours for providing both vaccination  
36 records and patient medical records to a veterinarian who provides subsequent care.

##### 38 b. **CERTIFIED EUTHANASIA TASK FORCE (CETF) UPDATE**

39 Ms. Youtz reported that the Task Force held a meeting in Boise on October 3. The Board  
40 asked if the Task Force agreed with the proposed Rule change regarding not reusing  
41 needles or syringes. Ms. Youtz advised there was no issue.

42  
43 Over the life of the program, the Certified Euthanasia Program has been heavily subsidized  
44 by the licensing fees paid by Idaho veterinarians. There have never been enough euthanasia  
45 agencies and euthanasia technicians to generate sufficient revenue to pay for the expenses

1 generated by the program. Because euthanasia renewal fees were doubled beginning in the  
2 2012 renewal cycle, the subsidy has decreased from \$14,000 to \$5,000 annually.

3  
4 Ms. Youtz also stated this is the first year the Task Force has recorded annual euthanasia  
5 statistics by agency and animal species. After at least two more years of gathering statistics,  
6 the Task Force will be able to analyze trends and provide legislative reports upon request.

7  
8 Dr. Eklund asked about Fish & Game and Bird Center euthanasia and where the authority  
9 lies. The Idaho Department of Fish & Game (IDFG) has its own veterinarian on staff.  
10 However, the Bird Rescue Center has no veterinarian on staff. Dr. Clark asked that Ms.  
11 Youtz follow-up on this issue.

12  
13 **c. OTHER MISCELLANEOUS DISCUSSION**

14 Vicki Smith, IVMA Executive Director, reported on a current bill before the Federal Trade  
15 Commission. Ms. Smith noted that, as of October 15, 2012, the AVMA has only received  
16 560 comments nationwide. The most pressing problem is when pharmacists change  
17 veterinary prescriptions without the approval of the prescribing doctor. Ms. Smith is asking  
18 all veterinarians to go online and submit comments before end of November.

19  
20 **SELECT DATES FOR 2013 BOARD MEETINGS**

21 The Board selected the following dates for the 2013 quarterly meeting:

- 22 1. Monday, Jan 28, 2013 (review applications)
- 23 2. Monday, April 22, 2013
- 24 3. Monday, June 17, 2013 (review applications)
- 25 4. Monday, October 7, 2013

26  
27 BVM-942 disciplinary hearing reconvened at 1:17 pm by Dr. Clark. Dr. Clark announced that it  
28 has been established that Dr. Murphy violated three counts of the Veterinary Practice Act. The  
29 Board members wished to proceed with setting sanctions, which may include administrative  
30 fines and/or reimbursement of investigatory and hearing costs.

31  
32 Dr. Eklund moved that the Board, pursuant to Idaho Code 67-2345, convene in executive session  
33 to consider records that are exempt from public disclosure. The motion was seconded by Ms.  
34 Simpson. Ms. Youtz took a roll call vote:

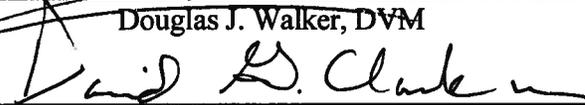
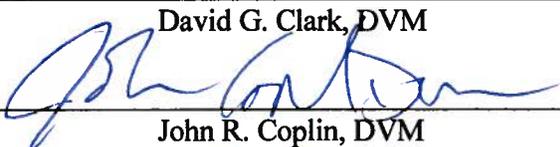
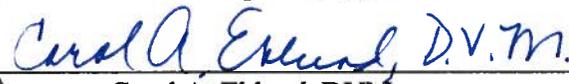
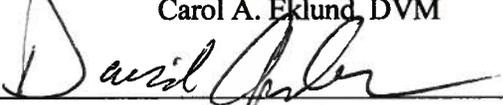
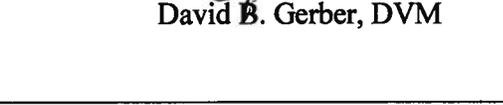
- 35 Dr. Clark – yes
- 36 Ms. Simpson – yes
- 37 Dr. Eklund – yes
- 38 Dr. Coplin - yes

39 The executive session convened at 1:46 pm. Board members and Board office staff were asked to  
40 remain. All other meeting attendees, including the certified court reporter, were excused.

41  
42 2:10 pm Dr. Coplin moved to recess the executive session and return to the open meeting. Dr.  
43 Eklund seconded, and the motion passed.

1 The Respondent and other meeting attendees returned to the room, and the Board read out the  
2 sanctions that were discussed in executive session. The sanctions were recorded by the certified  
3 court reporter, the Board's litigation attorney, and the Board staff.  
4

5  
6 There being no further business to discuss, Dr. Clark moved to adjourn. Dr. Coplin seconded,  
7 and the motion passed. Meeting adjourned at 2:16 pm.  
8

9		1/28/13
10	_____ Douglas J. Walker, DVM	Date
11		1/28/13
12	_____ David G. Clark, DVM	Date
13		1-28-13
14	_____ John R. Coplin, DVM	Date
15		
16	_____ Carol A. Eklund, DVM	Date
17		1/28/13
18	_____ David B. Gerber, DVM	Date
19		
20	_____ Kathy Simpson	Date
21		
22		
23		
24		
25		
26		
27		