



STATE OF IDAHO
BOARD OF VETERINARY MEDICINE

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BOVM DRAFT MINUTES

MONDAY, June 23, 2014, 8:30AM to 5:00PM MDT

Idaho State Department of Agriculture Building
2270 Old Penitentiary Rd, Boise ID 83712

Conference Rooms Main A&B

(Portions of this meeting may be held in Executive Session in accordance with Chapter 23, Title 67, Idaho Code.)

In attendance:

- John Coplin, DVM – Board President
- David Clark, DVM – Liaison Officer
- Carol Eklund, DVM – Vice President
- David Gerber, DVM – Member
- Jody Rockett, DVM – Member
- Kathy Simpson – Public Member
- Jodie Ellis – Executive Director
- Carol Youtz – Technical Records Specialist II
- Roger Gabel – Board Counsel

- Guests: Emily Mac Master, DAG
- Rita Jensen, DAG paralegal

The meeting was called to order at 8:31 AM by Dr. John Coplin, Board President.

1. Public Hearing regarding proposed FY2016 Statute and Rule Changes: Docket No. 46-0101-1401(Gabel)

- a. Proposed change: A person applying for accreditation from the Board as a Certified Veterinary Technician must have graduated from a program approved by the AVMA. No written comments were received during the public comment period, and no members of the public attended the Board meeting regarding the proposed change.
- b. Housekeeping changes are needed regarding the new office address and fax number. Dennis Stevenson, Administrative Rules Coordinator, determined that the usual rulemaking procedures will not be necessary in this case.

2. Update on the search for a new investigator

A review of the proposed contract for the new investigator was presented by Gabel. Bill Burns, Administrator of the Idaho Division of Purchasing, ruled that the contract will not need to go out to bid. The contract will be valid for one year, with two automatic yearlong renewals if agreeable to both parties. The new investigator will be paid \$50.00 per hour. There will be a 200 hour per year cap on the number of hours the Investigator may work; after the 200-hour limit is reached, s/he must get permission from the Board to continue. Before investigating a case, the Liaison Officer will provide the investigator with a bullet list of points of interest to focus on. The investigator will not offer opinions on cases, or attempt to interpret Idaho code, but will concentrate on gathering relevant information, conducting interviews, preparing investigational reports, etc. Ellis will set up a

1 teleconference during which Board members to interview candidates.

2
3 3. Emily Mac Master presented two *Stipulations and/or Consent Agreements* for the Board's approval:

4 a. *BVM 14-04a*, in which the respondent began practicing veterinary medicine before being
5 licensed by BOVM. Gerber moved to accept the stipulation as prepared by Mac Master.
6 Eklund seconded, and the motion passed.

- 7 • Coplin - AYE
- 8 • Eklund - AYE
- 9 • Gerber - AYE
- 10 • Rockett - NAY
- 11 • Simpson - NAY

12 The respondent will reimburse \$435 in attorney investigative costs, and pay a \$500 fine.

13
14 b. *BVM 14-04b*, in which the respondent employed the respondent in BVM 14-04a, and thus
15 enabled the illegal practice of veterinary medicine by the employee.

16 Eklund moved to accept the stipulation. Simpson seconded, and the motion passed.

- 17 • Coplin - AYE
- 18 • Eklund - AYE
- 19 • Gerber - AYE
- 20 • Rockett - AYE
- 21 • Simpson - AYE

22 The respondent was reprimanded, must reimburse \$220 in attorney and investigative
23 costs, and pass the BOVM jurisprudence exam.

24
25 4. *Upcoming meetings (Ellis)*

26 Eklund, Gerber and Ellis will attend the AAVSB annual meeting in St. Petersburg, FL (September 11-
27 13 2014). The Board agreed to send Gabel to the FARB Regulatory Law meeting in Annapolis, MD
28 (Oct 2-5, 2014). The October Board meeting was rescheduled for Monday, October 20, 2014, to
29 accommodate travel schedules.

30
31 5. *Results of the Idaho Licensed Veterinarians Cancer Investigation by the Cancer Data Registry (CDR)*
32 *of Idaho (Ellis)*

33 The draft report provided by the CRD indicated a slightly higher incidence of prostate cancer in Eastern
34 Idaho, but this finding was statistically insignificant.

35 6. *Request from Center for Disease Control and Prevention (CDC) and National Association of State*
36 *Public Health Veterinarians (NASPHV) for assistance in informing Idaho veterinarians of national*
37 *survey regarding mental well-being (Ellis)*

38 The CDC requested that the BOVM provide email addresses of veterinarians from its database, which
39 would be used to request licensees' participation in a national survey regarding mental health issues in
40 the veterinary profession. The Board decided that it would be inappropriate for a regulatory board to
41 provide the e-mail address list, and Ellis will recommend that the CDC contact IVMA for assistance.

42 7. *Budget update and financial report (Ellis)*

43 Ellis provided handouts to the Board for review. For FY2015, Ellis would like to purchase two printers
44 and a laptop. Ellis will request extra funding in FY2015 to hire a temp worker.

45 8. *2014 licensing renewal stats as of June 23, 2014 (Youtz)*

46 There were still 518 licenses and/or certificates that had not been renewed as of June 23, 2014. This
47 will create a significantly increased "last-minute" workload for Board staff, as each late licensee will

1 need to be contacted by phone, email, and USPS to notify him/her that there may be a late fee assessed
2 if the renewal form and payment is not postmarked by June 30, 2014.

3 **9. Request for new Board member from Eastern Idaho (Ellis)**

4 A new Board member needs to be appointed by the Governor for service beginning in FY 2015. Ellis
5 will submit the candidates' information to the Governor's office, and the Board will be informed of the
6 new appointment later in the summer.

7
8 **10. Presentation and discussion: "License Application Questions Regarding Mental Health." (Gabel)**

9 Gabel presented an article from the Professional Licensing Report in which the federal DOJ took issue
10 with some of a state board's application questions, feeling that they might violate the Americans with
11 Disabilities Act. A discussion ensued in which the Board decided to retain questions #19 and 20.

12
13 **11. Open forum for public comment: No one came forward.**

14
15 **12. Request from licensee for Board to consider "limited" licenses for Idaho veterinarians who wish to
16 work only a few days a year in the state (Ellis)**

17 The majority of the Board felt that in those circumstances an active license to practice in Idaho should
18 be required. Ellis will add agenda item to discuss in October to write a Rule to allow the Board to
19 allow exceptions in the case of emergency.

20
21 **13. Update on GL Solutions (Gabel)**

22 GLS has not responded to either the BOVM or the Division of Purchasing. There was an earlier
23 indication that GLS might counter-sue the BOVM for \$50-60K in lost profits. Per request of the
24 Division of Purchasing, the BOVM will not take any further action until the Idaho Board of Medicine
25 and the Idaho Board of Occupational Licensing goes online with GLS.

26
27 **14. Strategic Plan draft: review and approval (Ellis)**

28 Ellis presented a draft for the Board's review. Some points were:

- 29 • An increasing workload justifies hiring a part time Technical Records Specialist II
- 30 • Emphasis on the trend of vets hiring more CVTs
- 31 • A need for improvements in data-management
- 32 • Whether the BOVM should offer the option of complainants engaging the IVMA peer review
33 committee in lieu of a formal complaint to the Board.

34
35 **15. Equine dentistry update and discussion (Ellis and Coplin)**

36 The Letter to the Editor that the Board recently sent to Idaho newspapers resulted in reporting of two
37 definite cases. Gabel listed the Board's options on this equine dentistry topic. He spoke with Mac
38 Master about a possible stipulation, specifically regarding violations of Idaho Code § 54-2118. Gabel
39 suggested using Mac Master's office to draft stipulations or "cease and desist" letters. The Board
40 recommends a \$5,000 fine for unlicensed practice for the two cases presented.

41
42 **16. Review of meeting minutes (Coplin)**

43 Minutes from the April 7, 2014 Board meeting were reviewed. Eklund moved to approve the minutes
44 as presented. Rockett seconded. The motion passed.

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46 **17. Special consideration of license renewal application per request of applicant, V-1184 via conference
47 call with applicant**

48 Licensee V-1184, who suffers from emotional problems, does not wish to convert his veterinary

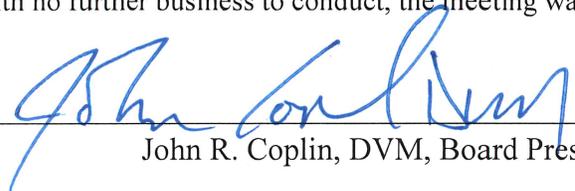
1 license to inactive status, but also does not wish to provide medical records for the Board to review.
2 Gabel emphasized that the Board needs more information from the licensee's doctors before it can
3 make a decision. The licensee stated that he does not expect to recover to the point where he can
4 practice again, and will consider withdrawing his renewal application. Dr. Gerber again discussed
5 inactive status with the licensee. When the licensee asked if the Board was then denying renewal of
6 his license, Dr. Coplin replied no, but that the licensee needs to make a decision on his own course of
7 action. The licensee conceded that he needs to make the decision himself. Ellis will draft a letter to
8 the licensee reiterating what was discussed and his options. If the licensee decides to inactivate his
9 license, he will need to send a \$50 check before June 30 2014. If the licensee sends \$175 for an active
10 license renewal, the Liaison Officer recommends denying the renewal request.
11

12 **18. Special consideration of CET applications with CBC hits**

- 13 a. CET-4391: In 2007, applicant was convicted of a felony, which violates IDAPA46.01.01.206.09a
14 After discussion, Simpson moved to award the certificate. Clark seconded. Motion passed.
15 b. CET-4389: In December 2012, applicant pled guilty to a DUI, which violates IDAPA
16 46.01.01.206.09b. After discussion, Eklund moved to award the certificate. Clark seconded. The
17 motion passed with Gerber abstaining.
18

19 **19. The Board then reviewed forty-five (45) license and certificate applications (ten technicians and
20 thirty-five veterinarians).**

21
22 With no further business to conduct, the meeting was adjourned at 3:32 PM.

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24 
25 John R. Coplin, DVM, Board President

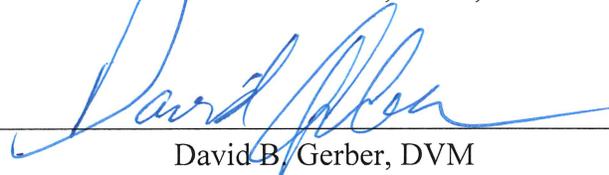
24 10-20-14
25 Date

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29 David G. Clark, DVM, Liaison Officer

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28 Date

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31 Carol A. Eklund, DVM, Vice-President

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31 10-20-14
32 Date

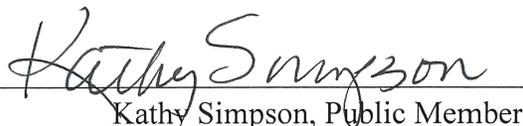
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34 David B. Gerber, DVM

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34 10-20-14
35 Date

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39 Jody Rockett, DVM

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39 10-20-14
40 Date

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43 Kathy Simpson, Public Member

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42 10/20/14
43 Date
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