

GEORGIA STATE BOARD OF VETERINARY MEDICINE
Board Meeting Minutes
Professional Licensing Boards
237 Coliseum Drive, Macon, GA
April 19, 2017 - 9:30 a.m.

The Georgia State Board of Veterinary Medicine met on Wednesday, April 19, 2017. The following members were present:

Board Members Present

Dr. Henry Bohn, Chairperson
Dr. John Sundstrom, Vice Chair
Dr. Edsel Davis, Board Member
Dr. Becky Malphus, Board Member
Dr. Larry Corry, Board Member

Staff Present

Ms. Adrienne Price, Executive Director
Ms. Kathy Osier, Licensing Supervisor
Ms. Michelle Foster, Board Support Specialist

Attorney General's Office

Betsy Cohen, Assistant Attorney General

Board Members Absent

Mr. Nic Haynes, Consumer Member

Visitors Present

Scott Piper, Associate Director, Georgia Veterinary Medical Association (GVMA)
Jamie Rauscher, RVT, President, Georgia Veterinary Technician and Assistant Association (GVTAA)

Call to Order: Dr. Bohn established a quorum of the Board was present and called the meeting to order at 9:33 a.m.

OPEN SESSION

Agenda The Board accepts the agenda as presented.

Open Session Minutes

1. February 15, 2017 Board Meeting Minutes

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the February 15, 2017 open session Board meeting minutes as presented.

2. April 18, 2017 Investigative Committee Minutes

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to approve the April 18, 2017 open session investigative committee minutes as presented.

Licenses to Ratify **February 8, 2017 – April 12, 2017**

Dr. Sundstrom motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to ratify the licenses by application and by reinstatement that were issued in accordance with Board Rules and Policies between Board meetings.

Correspondence - Dr. Andrew Smith - Eliminating LEAP CE

Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to thank the writer for his input and for his suggestions.

Discussion - ICVA Veterinary Assessment In-Focus Newsletter March 2017

The Board accepts the information regarding the ICVA Veterinary Assessment In-Focus Newsletter for March 2017 as information.

Discussion - AAVSB

1. Annual Meeting Delegate and Alternate Delegate

Dr. Corry motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to nominate Dr. Sundstrom as the primary voting delegate and to nominate Adrienne Price, Executive Director, to be the alternate voting delegate for the AAVSB Annual Meeting and Conference in September 2017.

2. AAVSB VTNE Job Analysis Project – Request for Veterinary Technician Subject Matter Experts & Licensee

The Board accepts the information regarding the AAVSB VTNE Job Analysis Project Request for Veterinary Technician Subject Matter Experts and Licensee Information as information.

3. AAVSB Call for Resolutions

The Board accepts the information regarding the AAVSB Call for Resolutions as information.

4. AAVSB Call for Nominations

The Board accepts the information regarding the AAVSB Call for Nominations as information.

Discussion - Mental Physical Examination (MPE) Requests (Sample Letter)

The Board discussed the MPE Requests form letter and made the recommendation to add “Board Certified in Addictionology or Addiction Psychiatry” to the requirement for an evaluator and to remove the title of “psychologist” as approved to administer the evaluation.

Discussion - Ovariectomy vs. Ovariohistorectomy - Dr. Lyn Lewis

Dr. Malphus motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to notify the writer that the Board does not have a policy or position statement regarding these procedures and it is suggested that the writer seek guidance from his personal counsel he chooses to move forward with the procedure.

Discussion – Telemedicine

1. AAVSBs Response to AVMA's Telemedicine

2. Recording - VetBoard Connect - Telemedicine Conversation Continued

3. AVSB Webinar - Telemedicine Update - 03-14-17 - final for sharing

The Board accepts the information regarding telemedicine as information and suggested that Dr. Sundstrom share the information with the Veterinary Practice Act Review Committee.

Veterinary Practice Act Review Committee Report – Dr. John Sundstrom

Dr. Sundstrom presented the Board with an oral report on the Veterinary Practice Act Review Committee. He stated the Committee worked on further defining language in the Practice Act during their first meeting. Dr. Malphus recommended that the Committee address minimum standards in regards to surgery parameters. She suggested they also address the use of tracheotomy tubes as well as guidelines for surgical procedures which last longer than five (5) minutes. Dr. Malphus continued by noting that the Board Rule for Unprofessional Conduct is not in the Practice Act and should be included. Ms. Price remarked that some of the issues raised may be addressed more specifically in the rules rather than the policies once the statutory revisions have been adopted. She recommended that the Committee begin taking notes about rule changes that may need to take place as they are proposing changes to the Practice Act to better enable them to keep track of issues that members may want to address in the rules during subsequent meetings.

Dr. Malphus motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to accept the Veterinary Practice Act Review Committee Report as presented.

Executive Director's Report – A. Price

Executive Director's report presented the Board with statistical data relevant to the processing of applications, the number of licensees, complaints/compliance matters and the status of renewal applications, to include the number of licenses that were lapsed and the number of Continuing Education applications pending, received and approved.

Because of the large number of lapsed licenses in the Executive Director's report, Dr. Sundstrom recommended to Mr. Piper that GVMA notify members of their lapsed status as a benefit of GVMA membership. Ms. Price said that the Board could vote to release the list of lapsed licenses because the information is of public record; however, the

list would not contain contact information such as phone numbers and email addresses because of confidentiality. The GVMA would be required to use their member records to contact licensees on the list.

Dr. Davis motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to accept the Executive Director's Report as presented.

Dr. Corry motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to hold a Board teleconference May 25, 2017 at 8:30 a.m. for the purpose of reviewing and voting on reinstatement applications.

Board Chair's Report – H. Bohn, DVM

No report presented.

Miscellaneous Discussion

Mr. Piper brought up an issue he discovered while reviewing the Georgia laws concerning Veterinarians dispensing drugs. He noted that there is a requirement for the licensee to report their intention to dispense drugs on their application at the time of renewal. Mr. Piper said there is no current reporting and pursuant to O.C.G.A. § 26-4-130, this information is to be reported to the Georgia Board of Pharmacy.

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to amend the renewal application to include a question that requires licensees to notify the Board of their intent to dispense drugs.

Dr. Corry made a motion, Dr. Sundstrom seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-19(h)(2) and 43-1-2(k) to deliberate on enforcement matters and to receive information on investigative reports and the Assistant Attorney General's report. Voting in favor of the motion were those present who included Dr. Henry Bohn, Dr. John Sundstrom, Dr. Larry Corry, Dr. Becky Malphus and Dr. Edsel Davis.

At the conclusion of Executive Session on Wednesday, April 19, 2017, Dr. Bohn declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were taken during Executive Session.

OPEN SESSION

Executive Session Minutes

1. February 15, 2017 Executive Board Meeting Minutes

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to approve the February 15, 2017 executive session Board meeting minutes as presented.

2. April 18, 2017 Executive Investigative Committee Meeting Minutes

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to approve the April 18, 2017 executive session investigative committee minutes as presented.

Attorney General's Report – B. Cohen

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to accept the Attorney General's Report as presented.

1. Process to Fill Vet Tech Seat

Dr. Davis motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to request funding for the appointment of a Veterinary Technician to the Board. Ms. Cohen explained that this has to be done through a specific appropriation presented to the General Assembly. Ms. Price said that the Division Director will be contacted to find out the next steps required for this process to take place and how to initiate the request.

2. BR 700-4-.01 Temporary Licenses

- i. AG MEMO – Attachment A – Board Version
- ii. AG MEMO – Attachment B – AG Version

Rule 700-4-.01 Temporary License: Military Spouses and Transitioning Service Members

- (1) An applicant is eligible for a temporary license when such applicant:
 - (a) Is identified as a military spouse, service member, or transitioning service member, as defined in O.C.G.A. § 43-1-34;
 - (b) Has submitted a complete application for temporary license, along with a fee in the amount established by the Board, and proof of lawful presence in the United States along with an approved secure and verifiable document;
 - (c) Is a holder of a valid veterinary or veterinary technician license in another state for which the training, experience, and testing substantially meet or exceed the requirements under this state to obtain a license, or has obtained a specialty, certification, training, or experience in the military while a service member which substantially meets or exceeds the requirements to obtain a license in this state.

- (2) For the purposes of this rule, an applicant's training, experience and testing is substantially equivalent if the applicant:
 - (a) Has attained the age of eighteen (18);
 - (b) Submits proof of an active license in good standing from another state, which is not currently suspended, revoked, or otherwise restricted for any reason.

- (3) Issuance of a temporary license shall authorize the holder to practice in this state for a period of up to six (6) months from the date of issuance or until the permanent license is issued, whichever occurs first.

- (4) In the discretion of the Board, a temporary license may be renewed for one six-month period only.

- (5) The holder of a temporary license may be subject to sanctions as provided in O.C.G.A. §43-50-41.

- (6) An applicant for permanent license who holds a temporary license may be issued a permanent license if the following requirements have been met:
 - (a) The Board has received proof that the applicant has achieved a passing score on the national examinations accepted by the Board.
 1. For veterinary applications, the Board accepts the North American Veterinary Licensure Examination (NAVLE) or the Clinical Competency Test (CCT) and the National Board Examination (NBE).
 2. For veterinary technician applicants, the Board accepts the Veterinary Technician National Examination (VTNE) or other examination similar in nature and scope.
 - (b) The applicant has caused the submission of an official transcript(s) directly from:
 1. an accredited college or school of veterinary medicine certifying completion of a Doctor of Veterinary Medicine program and the award of the Doctor of Veterinary Medicine degree or possesses an ECFVG certificate or its substantial equivalent; or,
 2. a veterinary technician program approved by the American Veterinary Medical Association certifying the applicant is a graduate.
 - (c) If the applicant is applying for a permanent license to be a veterinarian in this state, the applicant must complete and pass the Georgia Law Exam.

Authority: O.C.G.A. §§ 43-1-25; 43-1-34; 43-50-2, 43-50-21, 43-50-41, 43-50-42.

Dr. Sundstrom motioned, Dr. Corry seconded and the Board voted unanimously in favor of the motion to post Board Rule 700-4-.01 Temporary Licenses as amended.

The Board discussed the economic impact of Board Rule BR 700-4-.01 Temporary Licenses upon licensees. Dr. Sundstrom motioned, Dr. Davis seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Dr. Sundstrom motioned, Dr. Davis seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-1-34; 43-50-2, 43-50-21, 43-50-41, 43-50-42 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

3. BR 700-8-.01 Unprofessional Conduct

Rule 700-8-.01. Unprofessional Conduct

Within the meaning of Ga. Code subsection 43-50-21(a)(7), unprofessional conduct means:

(a) Advertising - defined: Advertising shall mean any information communicated in a manner designed to attract public attention to the practice of the licensee or registrant. Advertising shall include but not be limited to, a communication, published or displayed through the use of newspaper, internet, telephone directory, pamphlets or handouts, radio, television, signs, billboard, window display or any other means of medium.

1. A licensee or registrant shall not make any false, misleading or deceptive communication in any form of advertising.

2. Advertisement of prices must contain a complete description of veterinary services included in any advertised price and disclosure of any extra charges that may be required to serve the consumer's needs.

(b) Professional Relationships:

1. It shall be unprofessional conduct for a licensee or registrant without just cause and in bad faith or for the purpose of soliciting patronage or personal pecuniary gain to disparage the profession or professional capabilities of another licensee or registrant.

2. It shall be unprofessional conduct to aid any person, firm, or corporation to engage in the unauthorized practice of veterinary medicine.

3. It shall be unprofessional conduct for a licensee or registrant to guarantee a cure or to offer his name in a commercial setting in a testimonial as to virtues of proprietary remedies or foods.

4. Consultation by an attending veterinarian with other veterinarians who are experts in the particular matter on which consultation is sought is in the public interest and thus is expected of the attending veterinarian when the need arises. But such consultation is discouraged if the consulting veterinarian employs the relationship so created to disparage the attending veterinarian or to solicit business; such practices are not in the public interest.

(i) It shall therefore be unprofessional conduct for a licensee called as a consulting veterinarian to disparage in the presence of the client the competence of the attending veterinarian. The Board does, however, expect any incompetence or negligence to be reported to it and nothing in this rule prohibits such reports or the giving of testimony in public or private litigation.

(ii) It shall be unprofessional conduct for a consulting veterinarian to assume unauthorized control of the case or to utilize the consulting relationship to solicit business for himself or others.

5. It shall be unprofessional conduct for a licensee employed to render professional advice by one party in negotiations concerning the sale of an animal to accept to a fee from the other party.

(c) Failure to Maintain Patient Records:

1. A veterinarian shall prepare and maintain a record reflecting the care and treatment of animals treated.
2. These records shall contain clinical information sufficient to justify the diagnosis and warrant treatment and shall, if applicable, include but not be limited to the following information:
 - (i) Name, address and telephone number of the animal's owner;
 - (ii) Name of attending veterinarian and staff rendering care;
 - (iii) Patient identification, including name, ages, sex and breed;
 - (iv) Dates of examination, treatment and custody of the animal;
 - (v) Patient history;
 - (vi) Presenting complaint;
 - (vii) Vaccination history;
 - (viii) Findings from physical examination, including temperature and weight;
 - (ix) Clinical lab reports, if applicable;
 - (x) Medication and treatment, including frequency;
 - (xi) Anesthetic, including type and amount, if applicable;
 - (xii) Details of surgical procedure with complications and/or abnormalities noted, if applicable;
 - (xiii) Progress and disposition of the case;
 - (xiv) Differential diagnoses; and
 - (xv) X-rays if applicable.
3. All records shall be kept in a readily retrievable form, shall be recorded contemporaneously, and shall be filed promptly following treatment.
4. Patient records shall be kept by a veterinarian for three (3) years after a patient's last visit, notwithstanding any other provisions of law.
5. Copies of patient records must be made available to the owner of the animal upon written request to the veterinarian who treated the animal or to the veterinarian facility where the treatment was provided. Such records must be made available within ten (10) business days from request. The veterinarian may charge a reasonable charge for the search, retrieval, duplication and, if applicable, mailing of the patient records.
6. Failure to keep records as required by this subparagraph shall constitute a failure to conform to the minimal standards of acceptable and prevailing veterinary medical practice.

(d) Failure to have an appropriate Veterinarian/Client/Patient Relationship. An appropriate veterinarian/client/patient relationship will exist when:

1. The veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal(s) and the need for medical treatment, and the client (owner or other caretaker) has agreed to follow the instructions of the veterinarian;

2. There is sufficient knowledge of the animal(s) by the veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal(s). This means that the veterinarian is personally acquainted with the keeping and care of the animal(s) by virtue of his or her:

(i) ~~an~~ E xamination of the animal ~~(s) by the veterinarian~~ within the last twelve (12) months; ~~;~~ or

(ii) ~~m~~ M edically appropriate and timely visits ~~by the veterinarian~~ to the premises where the ~~patient~~ animal(s) is kept. ~~;~~

3. In cases involving operations or production systems and laboratories with several animals, the sufficient knowledge component of the Veterinarian/Client/Patient Relationship required by Rule 700-8-.01(d)(2) can be met by the veterinarian's:

(a) Medically appropriate and timely visits to premises within an operation or production system where the animal or groups of animals are kept; or

(b) Examination of health, laboratory or production records;

(c) Consultations with owners, managers, directors, caretakers or other supervisory staff who oversee the health care management program; and/or

(d) Review of information regarding the local epidemiology of diseases for the appropriate species.

4. A veterinarian/client/patient relationship cannot be established solely by telephone, computer or other electronic means: and

4.5. A licensed veterinarian is readily available for follow-up in case of adverse reactions or failure of the regimen of therapy.

(e) Prescription Drugs:

1. It is unlawful for a veterinarian to release, prescribe, and/or dispense any prescription drugs without having established a valid veterinary/client/patient relationship.

2. After a valid veterinary/client/patient relationship has been established, a veterinarian must make available, upon request, at a reasonable cost, a written prescription.

Authority: O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21 and 43-50-41.

Dr. Corry motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to post Board Rule 700-8-.01 Unprofessional Conduct as amended.

The Board discussed the economic impact of Board Rule BR 700-8-.01 Unprofessional Conduct upon licensees. Dr. Corry motioned, Dr. Sundstrom seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Dr. Corry motioned, Dr. Sundstrom seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-41 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

4. BR 700-12-.04 Record Keeping

Rule 700-12-.04. Record Keeping

(1) Complete, accurate and legible records must be maintained on all animals, or animal groups, including but not limited to, animal owner information, animal identification, and veterinary care (hereinafter referred to as “patient records”).

(a) All patient records must be maintained for a minimum of 3 years (including diagnostic imaging and other patient data) by the veterinary facility where the patient received treatment. If treatment is not performed at a veterinary facility, a patient record must be maintained by the veterinarian who provided treatment of the patient.

(b) The veterinarian must furnish clients with an established mailing address for obtaining medical/patient records.

(c) The requirements of subparagraphs (a) shall not apply to a veterinarian who has retired or sold his or her professional practice if said veterinarian has notified the client of such retirement or sale and offered to provide the patient records or copies thereof to another veterinarian of the client’s choice or has furnished the client with an established mailing address to submit a request for obtaining patient records.

Authority: O.C.G.A. Secs. 43-1-25, 43-50-21, 43-50-41.

Dr. Corry motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to post Board Rule 700-12-.04 Record Keeping as amended.

The Board discussed the economic impact of Board Rule BR 700-12-.04 Record Keeping upon licensees. Dr. Sundstrom motioned, Dr. Corry seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Dr. Sundstrom motioned, Dr. Corry seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-21, 43-50-41 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

5. BR 700-7-.03 Continuing Veterinary Education

Rule 700-7-.03. Continuing Veterinary Education

The Georgia State Board of Veterinary Medicine in accordance with the provisions of State Law and for the purpose of establishing certain minimum standards for continuing education in the best interest of and for the protection of the public health, safety and welfare hereby adopts the following rule:

(a) General Requirements:

1. Each veterinarian licensed to practice in the State of Georgia must obtain thirty (30) hours of Board approved continuing education per biennium for license renewal.

(i) Of the thirty (30) hours required, two (2) per renewal period must be acquired in Georgia laws, rules and professionalism, one (1) of which must be acquired in person. Georgia licensees who do not practice in the State of Georgia are not required to meet the two (2) hour requirement in Georgia laws, rules and professionalism; and

(ii) Effective January 1, 2017, eighteen (18) of the thirty (30) hours must include scientific subject matter. Scientific subject matter includes all conventional medical and surgical sub-categories that are evidence based in addition to

the science of diagnosis, treatment and prevention of disease as it relates directly to patients and includes a comprehensive range of the practice of veterinary medicine.

2. At the time of license renewal, each veterinarian shall certify to the Georgia State Board of Veterinary Medicine that he/she has completed the continuing education required for license renewal.

3. A veterinarian licensed during the first year of a biennium must obtain fifteen (15) hours of continuing education and is not required to meet the two (2) hour requirement in Georgia laws, rules and professionalism. A veterinarian licensed during the second year of a biennium is exempt from obtaining continuing education for that renewal period. After this time period, the entire thirty (30) hours is required for each renewal.

4. In the event that a veterinarian fails to verify or submit documentation of continuing education credits at the same time of renewal of his/her license, the Board will not process his/her renewal until continuing education requirements have been met and proof of such has been received and approved by the Board. If documentation of continuing education is requested and not received by the Board prior to the expiration date, the license will expire.

5. A veterinarian may not carry over continuing education credits from one biennium license renewal period to the next.

6. Each veterinarian must maintain a record of credit hours earned and proof of attendance of such hours for a period of three years from the date of the preceding renewal period and must provide the Board with said documentation upon request.

7. Veterinarians who attend programs where more than one course is taught must maintain proof of the courses attended and the number of hours awarded for each course.

(b) Approved Continuing Education Programs and Hours:

1. Blanket approval is awarded to any National, State and International veterinary association meetings, United States Department of Agriculture and Georgia Department of Agriculture sponsored meeting, Board Certified Specialties programs recognized by the American Veterinary Medical Association, all AVMA accredited veterinary college or school sponsored classes and programs, all AAVSB RACE approved programs, any GVMA constituent organization programs, AAHA programs, programs sponsored by the United States or Southern Animal Health Association and any course approved by another state board. Blanket approval does not apply to any continuing education programs on Georgia laws, rules and professionalism.

2. All continuing education courses on Georgia laws, rules and professionalism (LEAP) or any continuing education course which is~~Prior approval must be granted for any courses~~ not offered by a blanket approved organization must be awarded Board approval.

3. Providers may be awarded Board approval for a continuing education course by submitting~~Such requests shall include~~ the following for consideration by the Board:

(i) A continuing education application form;

(ii) ~~a~~A detailed course outline or syllabus;

(iii) ~~a~~A current curriculum must be provided for each speaker or lecturer;

(iii) ~~the~~The procedure to be used for recording attendance; and,

(iv) ~~the~~The number of continuing education hours for which the course sponsor requests approval.

3. In addition to the LEAP requirements, the remaining credit hours may be earned as follows:

(i) One (1) hour may be given for each 50 minutes of contact time. Seminars are composed of lectures or labs; welcoming remarks, business sessions, unstructured demonstrations or degree programs are not considered seminars.

(ii) Three (3) hours can be for journal studies where follow-up testing is required. Fifteen (15) hours of interactive computer generated courses will be allowed. Follow-up testing is required.

(iii) A maximum of twelve (12) hours will be allowed per calendar day.

(iv) A maximum of six (6) hours for veterinarians can be acquired through in house training at the licensees' place of employment.

(v) A maximum of ten (10) hours can be acquired through in house training for veterinary faculty at AVMA accredited institutions.

(c) Continuing Education Audit:

1. During the renewal period, the Board staff will randomly select up to 25% of its licensees to audit for continuing education compliance. If selected for continuing education audit, each licensee must submit continuing education records to meet the renewal requirements for that license renewal period.

(d) Provider and Sponsor Criteria: All providers and sponsors must provide the following information to the Board if they have not been awarded blanket approval:

1. Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

2. Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

3. Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, faculty credentials and fees.

4. Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.

5. Providers shall develop policies and procedures for the management of grievances.

6. Providers shall provide each participant with adequate documentation of his/her successful completion of the program. The documentation shall include:

(i) Name and license number of participant;

(ii) Name of provider;

(iii) Name and title of program;

(iv) Hours/CEU's completed;

(v) Date of completion; and

(vi) Authorizing signature.

7. All continuing education providers seeking approval of the continuing education program by the Georgia State Board of Veterinary shall submit a Program Approval Form for each program presented. These forms should be submitted 60 days in advance.

Authority: O.C.G.A. Secs. 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52.

Dr. Corry motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to post Board Rule 700-7-.03 Continuing Veterinary Education as amended.

The Board discussed the economic impact of Board Rule BR 700-7-.03 Continuing Veterinary Education upon licensees. Dr. Malphus motioned, Dr. Davis seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Dr. Malphus motioned, Dr. Davis seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

6. BR 700-7-.04 Veterinary Technician Continuing Education

Rule 700-7-.04. Veterinary Technician Continuing Education

Effective January 1, 2010, the Georgia State Board of Veterinary Medicine in accordance with the provisions of State Law and for the purpose of establishing certain minimum standards for continuing education in the best interest of and for the protection of the public health, safety and welfare hereby adopts the following rule:

(a) General Requirements:

1. Each veterinary technician licensed to practice in the State of Georgia must obtain ten (10) hours of Board approved continuing education per biennium for license renewal. Of the ten (10) hours required, one (1) per renewal period must be acquired in Georgia laws, rules and professionalism. Georgia licensees who do not practice in the State of Georgia are not required to meet the one (1) hour requirement in Georgia laws, rules and professionalism.
2. At the time of license renewal, each veterinary technician shall certify to the Georgia State Board of Veterinary Medicine that he/she has completed the continuing education required for license renewal.
3. A veterinary technician licensed during the first year of a biennium must obtain five (5) hours of continuing education and is not required to meet the one (1) hour requirement in Georgia laws, rules and professionalism. A veterinary technician licensed during the second year of a biennium is exempt from obtaining continuing education for that renewal period. After this time period, the entire ten (10) hours is required for each renewal.
4. In the event that a veterinary technician fails to verify or submit documentation of continuing education credits at the same time of renewal of his/her license, the Board will not process his/her renewal until continuing education requirements have been met and proof of such has been received and approved by the Board. If documentation of continuing education is requested and not received by the Board prior to the expiration date, the license will expire.
5. A veterinary technician may not carry over continuing education credits from one biennium license renewal period to the next.
6. Each veterinary technician must maintain a record of credit hours earned and proof of attendance of such hours for a period of three years from the date of the preceding renewal period and must provide the Board with said documentation upon request.
7. Veterinary technicians who attend programs where more than one course is taught must maintain proof of the courses attended and the number of hours awarded for each course.

(b) Approved Continuing Education Programs and Hours:

1. Blanket approval is awarded to any National, State and International veterinary association meetings, United States Department of Agriculture and Georgia Department of Agriculture sponsored meeting, Board Certified Specialties programs recognized by the American Veterinary Medical Association, all AVMA accredited veterinary college or school sponsored classes and programs, all AAVSB RACE approved programs, any GVMA constituent organization programs, AAHA programs, programs sponsored by the United State or Southern Animal Health

Association and any course approved by another state board. Blanket approval does not apply to any continuing education programs on Georgia laws, rules and professionalism.

2. All continuing education courses on Georgia laws, rules and professionalism (LEAP) or any continuing education course which is ~~Prior approval must be granted for any courses~~ not offered by a blanket approved organization must be awarded Board approval. Such requests shall include Providers may be awarded Board approval for a continuing education course by submitting the following:

(i) A continuing education application form;

(ii) ~~a~~ detailed course outline or syllabus;

(iii) ~~a~~ current curriculum must be provided for each speaker or lecturer;

(iii) ~~the~~ procedure to be used for recording attendance;

(iv) ~~the~~ number of continuing education hours for which the course sponsor requests approval.

3. In addition to the LEAP hour requirement for resident veterinary technicians, the remaining credit hours may be earned as follows:

(i) One (1) hour may be given for each 50 minutes of contact time. Seminars are composed of lectures or labs; welcoming remarks, business sessions, unstructured demonstrations or degree programs are not considered seminars.

(ii) Not more than four (4) hours can be obtained from veterinary journal studies or interactive computer generated courses where follow-up testing is required.

(iii) A maximum of three (3) hours for veterinary technicians can be acquired through in house training at the licensees' place of employment.

(iv) A maximum of five (5) hours can be acquired through in house training for veterinary technicians at AVMA accredited institutions.

(c) Continuing Education Audit:

1. During the renewal period, the Board staff will randomly select up to 25% of its licensees to audit for continuing education compliance. If selected for continuing education audit, each licensee must submit continuing education records to meet the renewal requirements for that license renewal period.

(d) Provider and Sponsor Criteria: All providers and sponsors must provide the following information to the Board if they have not been awarded blanket approval:

1. Each sponsor or provider shall have an administrator whose responsibility is to maintain the criteria for quality in programming.

2. Providers shall use qualified personnel to develop and present the programs, which shall utilize appropriate instructional materials and resources.

3. Providers shall provide to the Board adequate advanced promotional information, material about target audiences, program content, faculty credentials and fees.

4. Providers shall provide a means of registration of the participants at each program and maintain a record of attendance for a period of three years from the date of the program.

5. Providers shall develop policies and procedures for the management of grievances.

6. Providers shall provide each participant with adequate documentation of his/her successful completion of the program.

The documentation shall include:

(i) Name and license number of participant;

- (ii) Name of provider;
- (iii) Name and title of program;
- (iv) Hours/CEU's completed;
- (v) Date of completion; and
- (vi) Authorizing signature.

7. All continuing education providers seeking approval of the continuing education program by the Georgia State Board of Veterinary shall submit a Program Approval Form for each program presented. These forms should be submitted 60 days in advance.

Authority: O.C.G.A. Secs. 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52

Dr. Corry motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to post Board Rule 700-7-.04 Veterinary Technician Continuing Education as amended.

The Board discussed the economic impact of Board Rule BR 700-7-.04 Veterinary Technician Continuing Education upon licensees. Dr. Malphus motioned, Dr. Davis seconded, and the Board voted unanimously in favor of the motion that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative.

Dr. Malphus motioned, Dr. Davis seconded, and the Board voted unanimously in favor of the motion that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-25, 43-50-2, 43-50-21, 43-50-40, 43-50-52 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Veterinary Medicine.

Investigative Committee Report – B. Malphus, DVM

Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to accept the Investigative Committee Report as presented.

Investigative Interview

VET170060 Refer to the Attorney General’s Office for a Public Consent Agreement for Reinstatement to include five (5) years’ probation and additional terms. Accept upon receipt of signed Consent Agreement.

Discussion Cases

- VET160002 Refer to Investigations to confirm unlicensed practice.
- VET160081 Table pending verification of unlicensed practice.
- VET160084 Table pending verification of unlicensed practice.
- VET160085 Table pending verification of unlicensed practice.
- VET160095 Table pending verification of unlicensed practice.
- VET140061 Schedule Investigative Interview. Respondent may bring mobile vet office to the Investigative Committee meeting and to provide medical records on any cases where intubation has been used.
- VET150011 Table until June 21, 2017 Board meeting in order to receive AAHA control substance log used in the practice to include dates the log was started up through early June 2017.
- VET150053 Close the case. Respondent satisfied Investigative Committee request.
- VET160064 Close the case.
- VET160067 Close the case.
- VET160068 Refer to Investigations for unlicensed practice for S.S and close the case regarding social media against T.A.H.
- VET160069 Close the case with a Letter of Concern regarding client communication.
- VET160071 Schedule Investigative Interview. Respondent is required to provide original records.
- VET160072 Close the case.

VET160075 Close the case.
VET160078 Schedule Investigative Interview and require Respondent to provide original records. Schedule practice veterinarian for an Investigative Interview and require treatment notes for review.
VET160089 Proceed with investigation to obtain records to confirm if Complainant consented to pet vaccination. Determine if Respondent received records request to include providing proof of release of records and the confirmation that this request was provided to Complainant.
VET160101 Close the case.
VET170021 Close the case. Out of jurisdiction.
VET170026 Refer to Attorney General's Office for a Private Consent Agreement for licensure with additional terms
VET170027 Schedule Investigative Interview with Respondent. Request records from second treating veterinarian. Follow up with Complainant to obtain an itemized statement invoice and the bottle of medication provided by Respondent.
VET170029 Close the case.
VET170030 Close the case with a Letter of Concern regarding poor client communication to include discussion of possible positive and negative outcomes to include documentation of those discussions with client.
VET170031 Close with a Letter of Concern regarding carefully documenting client communication regarding diagnosis and to offer referrals on difficult cases with documentation of referrals.
VET170033 Close the case.
VET170035 Close the case.
VET170037 Close the case with a Letter of Concern regarding client communication and to document offer of referral.
VET170038 Close the case.
VET170039 Close the case.
VET170040 Close the case with a Letter of Concern regarding establishing a client relationship prior to euthanasia.
VET170041 Schedule Investigative Interview.
VET170042 Schedule Investigative Interview.
VET170048 Close the case.
VET160112 Dr. Bohn motioned, Dr. Sundstrom seconded and the Board voted unanimously in favor of the motion to refer to the Attorney General's Office for a Summary Suspension based on failure to comply with a Board Order.

Applications for Board Review

Applications

Dr. Bohn motioned, Dr. Malphus seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

S.M.D.V. Issue the license.
M.D.J. Issue the license with a Letter of Concern regarding alcohol.
J.L.O. Issue the license.

Reinstatements

Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to accept the following recommendations made in Executive Session.

K.S.B. Issue the license.
J.A.G. Refer to Legal Services to issue a Private Consent Agreement for Reinstatement of Licensure with a fine of \$400 for unlicensed practice from January 1, 2015 to February 25, 2016. Applicant must submit proof of 2 hours of Board approved LEAP CE prior to Reinstatement of Licensure and CE's submitted for reinstatement cannot be used towards the upcoming renewal period.
S.N. Refer to Attorney General's Office to issue a Private Consent Agreement for Reinstatement of Licensure with a fine of \$200 for unlicensed practice from January 1, 2016 to April 10, 2017 and

- CE's submitted for reinstatement cannot be used towards the upcoming renewal period. Accept signed Consent Order upon receipt.
- R.C.R. Refer to Attorney General's Office to issue a Private Consent Agreement for Reinstatement of Licensure with a fine of \$200 for unlicensed practice from January 1, 2017 to April 6, 2017 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period. Accept signed Consent Order upon receipt.
- B.B.S. Refer to Attorney General's Office to issue a Private Consent Agreement for Reinstatement of Licensure with a fine of \$200 for unlicensed practice from January 1, 2017 to April 6, 2017 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period. Accept signed Consent Order upon receipt.
- F.M.S. Refer to Attorney General's Office to issue a Private Consent Agreement for Reinstatement of Licensure with a fine of \$200 for unlicensed practice from January 1, 2017 to April 6, 2017 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period. Accept signed Consent Order upon receipt.
- M.W.T. Refer to Attorney General's Office to issue a Private Consent Agreement for Reinstatement of Licensure with a fine of \$600 for unlicensed practice from January 1, 2015 to April 12, 2017 and CE's submitted for reinstatement cannot be used towards the upcoming renewal period. Accept signed Consent Order upon receipt.

Renewals

Dr. Malphus motioned, Dr. Davis seconded and the Board voted unanimously in favor of the motion to accept the following recommendation made in Executive Session.

- D.S.H. Renew the license with a strong Letter of Concern regarding alcohol and require licensee to notify Board of the final adjudication of cases within 10 days of completion, to include submission of certified copies of the final disposition.

Adjournment No further business was discussed and the meeting adjourned at 1:19 p.m.

Minutes recorded by: Michelle Foster, Board Support Specialist
Minutes reviewed and edited by: Kathy Osier, Licensing Supervisor, Adrienne Price, Executive Director
Minutes approved on: June 21, 2017 (as amended)

HENRY BOHN, DVM
BOARD CHAIRPERSON

ADRIENNE PRICE
EXECUTIVE DIRECTOR