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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF REGISTRATION IN VETERINARY MEDICINE
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CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

Massachusetts Board of Veterinary Medicine
Open Board Minutes for August 13, 2015

Present:

Dr. David Diamond – Chair
Dr. Karen Patti – Member
Dr. Sheri Siegel – Member
Donna Turley, Esq. – Member

Board Staff:

Erin LeBel, Executive Director
James O'Connor, Board Counsel
Ann Barry, Associate Executive Director
Alan Van Tassel, Supervising Investigator
Robert Williams, Investigator
Leija Meadows, Board Administrator
Elizabeth Regan, Administrative Assistant

9:40 AM: Dr. Diamond called the Open Session to order with a moment of silence for our troops. Jim O'Connor reviewed evacuation plans in the event of an emergency. Ann Barry, Associate Executive Director, was introduced as the incoming (as of October) Executive Director of the Veterinary Medicine Board. The reorganization within the Division has redistributed duties and Boards. The transition will occur officially in October when Erin LeBel and Leija Meadows will step down from their roles with the Veterinary Board. They will remain active with three other Boards: Social Work, Mental Health, and Psychology.

Review of the Open Minutes from the June 11, 2015 meeting was Tabled by the Board until September meeting.

Open Session continued and moved onto **Other Board Business:**

- 1. Correspondence (2) from Susan Curtis of the Massachusetts Veterinary Medical Association (MVMA).** Ms. Curtis and her colleague, Nathanael Oster, VMD, were in attendance. Ms. Curtis summarized her members' concerns about dispensation of prescribed dietary product by non-prescribing entities with no VCPR. Food is not a controlled substance so pharmacy regulations do not apply. The prescription from the veterinarian is the authorization to fill the prescription so, as such, the location of purchase can be anywhere dietary product is available. Current regulations include an exception for food. No policy update is necessary. Policy stands as written.

Susan Curtis distributed a draft of a proposed bill that the MVMA will be introducing in the coming weeks. The bill seeks to revise the language of House Bill 2061 such that it amends current Massachusetts pharmacy law to allow veterinarians to "stock, administer, and dispense limited quantities of compounded medication for the treatment of urgent



and emergency situations.” Point of draft distribution was to inform Board of MVMA plan and seek support.

10:00 AM: Dr. Siegel moved to suspend the Open Session pursuant to G.L c. 112 § 65 C and enter into Closed Session so that the Board could enter into Investigative Conference to discuss cases. It was estimated the conference would last approximately 20 minutes. The motion was seconded by Atty. Turley. Motion passed unanimously. Ms. Curtis and Mr. Oster left the room.

10:24 AM: Dr. Patti moved to leave Investigative Conference and return to Open Session. The motion was seconded by Dr. Siegel. Motion passed unanimously.

The Board met with Prosecuting Attorney Jenna Hentoff to provide clarifying settlement terms for the following cases:

VT 15-013	Reprimand with Fine
VT 15-014	Reprimand, Fine, Probation
VT 15-002	Reprimand with Fine

Open Session continued with **Other Board Business:**

- 2. Email correspondence from Cynthia Malone (Tufts) regarding licensure for veterinary pathologists.** The Board agreed that a valid, regular Massachusetts veterinary license or the Tufts institutional license is required for those practicing pathology at Tufts. This is not applicable under the statutory exemption. Board Counsel O'Connor will respond.
- 3. Email correspondence from Sheryl Blancato (Executive Director, Second Chance Animal Shelter) regarding shelters and the VCPR.** The Board agreed that it is appropriate for the shelter to adopt-out dogs and send them home to their new owners with the medications they are on at the time of adoption. If there are issues or questions post-adoption, the owner can contact the veterinarian who prescribed the medication (contact information is on the label). Board Counsel O'Connor will respond.
- 4. Inquiry from FDA about veterinary feed directives.** What is meant by “veterinary feed directives?” The consensus of the Board is that it pertains to livestock. If that is true, then the regulations and directives as they now exist are adequate. Jim O'Connor will seek further clarification from the FDA and will bring back to the Board for further discussion if warranted. Board Counsel O'Connor will respond.

10:41 AM: Alan Van Tassel and Robert Williams returned to Board meeting. Dr. Siegel moved to suspend the Open Session pursuant to G.L c. 112 § 65 C and return to Closed Session so the Board could enter into Investigative Conference again and continue to discuss cases. The motion was seconded by Atty. Turley. Motion passed unanimously. Ms. Curtis and Mr. Oster left the meeting.

The Board made the following decisions while in Investigative Conference:

Email correspondence from EL regarding breeder dispensing medication. Board agreed to not pursue disciplinary action. Alternatively, an advisory letter will be sent out by Alan Van Tassel.

2015-1323-IT-ENF	Closed with No Action
VT 2015-1318	Refer to Office of Prosecutions
VT 15-1302	Dismiss with Advisory
VT 15-1309	Dismiss Current Case and open matter regarding CE (Dr. Diamond recused himself)
VT 15-1314	Dismiss
VT 15-1316	Refer to Prosecutions
VT 15-1322	Dismiss with Prejudice
VT 15-1325	Dismiss with Advisory (Dr. Diamond recused himself)
VT 16-1336	VSA accepted
(2015-1336-IT-ENF)	

11:53 AM: Dr. Siegel moved to suspend the Closed Session pursuant to G.L c. 30A § 18 and enter into Quasi Judicial Session to discuss **VT 12-045** and **VT 11-050**. The motion was seconded by Atty. Turley. Motion passed unanimously. Mr. Van Tassel and Mr. Williams left the meeting.

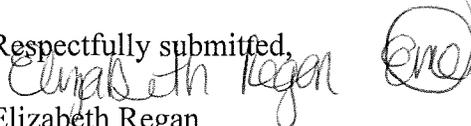
12:25 PM: Atty. Turley moved to end the Quasi Judicial Session and return to Open Session. The motion was seconded by Dr. Siegel. Motion passed unanimously.

Open Session continued and moved onto **Items Not Reasonably Anticipated by the Chair:**

- 1. Reinstatement of Dr. Stephanie Andruskevich's Massachusetts veterinary license.** Dr. Patti reviewed and approved. Sought Board approval because some of the CEUs lacked provider-specific information. The Board determined conditions met were sufficient for reinstatement.
- 2. Regulations need to be reviewed.** Jim O'Connor distributed copies of the regulations to the Board members with request that they begin to review them. Discussion and possible revision of regulations will be added to future Board meeting agenda.

The Board meeting adjourned at 12:27 PM.

Respectfully submitted,


Elizabeth Regan
Administrative Assistant

List of documents:

- Draft Minutes of June 11, 2015 meeting
- Correspondence from Susan Curtis, MVMA
- Email correspondence from Cynthia Malone, Tufts
- Email correspondence from Sheryl Blancato
- Email correspondence from EL
- Inquiry form FDA on veterinary feed directives