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Commonwealth of Massachusetts
Division of Professional Licensure
BOARD OF REGISTRATION IN VETERINARY MEDICINE
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BUSINESS REGULATION

CHARLES BORSTEL
DIRECTOR, DIVISION OF
PROFESSIONAL LICENSURE

Massachusetts Board of Veterinary Medicine
Open Board Minutes for November 12, 2015

Present:

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

Board Staff:

Ann Barry, Executive Director
James O'Connor, Board Counsel
Elizabeth Regan, Board Administrator
Robert Williams, Investigator

9:35 AM: Dr. Diamond called the **Open Session** to order with a moment of silence for our troops. Atty. Jim O'Connor reviewed the evacuation plan in the event of an emergency.

Vote on Minutes: October 8, 2015

The Board reviewed the Minutes from October 8, 2015. Motion was made by Dr. Siegel to approve the minutes. Dr. Diamond seconded the motion. Motion passed unanimously by the Board.

Board Chair Business/Updates:

- (a) Board Counsel O'Connor discussed implications of the North Carolina Dental Board case for the practice of veterinary medicine in Massachusetts. In general, the scope of practice is outlined in the Massachusetts regulations and should be followed.
- (b) Dr. Diamond provided the Board with an update on the recent AAVSB meeting.
- (c) Dr. Diamond provided the Board with clarification he received from the FDA regarding 'veterinary feed directives' that were discussed at the August 13, 2015 Board meeting.
- (d) Dr. Diamond discussed the availability of several CE online courses that have been brought to his attention. The Board does not endorse/sponsor courses but can make licensees aware of CE offerings. The AAVSM is also offering Board members "complimentary" courses. Executive Director Barry notified the Board that Board Members must submit disclosure and ethics forms to the Division of Professional Licensure and the Office of Consumer Affairs for permission to attend any "complimentary" course.

Investigative Conference – Closed Session:

Dr. Diamond moved to suspend the Open Session pursuant to M.G.L. ch. 112, § 65C and enter into Closed Session so the Board could enter into Investigative Conference. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.



The Board made the following decisions while in Investigative Conference:

VT-15-020 (JS): The Board provided Prosecutor Seth Henderson with guidance on the matter.

VT-14-056 (JW): Removed from meeting Agenda per request of Prosecutor Deborah Kravitz.

VT-2015-1337 (VH): Dr. Diamond recused himself and left the room during the discussion. A motion was made by Dr. Patti to close with no action and not open a formal complaint. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

VT-2015-1344 (SH): A motion was made by Dr. Patti to issue Advisory Letter. The motion was seconded by Dr. Diamond. Motion passed unanimously by the Board.

VT-2015-1353 (FV): A motion was made by Dr. Patti to forward the matter to the Office of Prosecutions. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

VT-2015-1321 (KS): A motion was made by Atty. Turley to dismiss. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

Quasi-Judicial Session - Closed Session under M.G.L. ch. 30A, § 18: 2015-001336-IT-ENF (SM) – Respondent’s Motion to Reopen and Clarification:

Dr. Diamond moved to suspend the Investigative Conference pursuant to M.G.L. ch. 30A, § 18 and continue in Closed Session so the Board could enter into Quasi-Judicial Session to discuss 2015-001336-IT-ENF (SM) – Respondent’s Motion to Reopen and Clarification. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board. A motion was made by Atty. Turley to deny the Licensee’s Motion to Reopen. The motion was seconded by Dr. Patti. Motion passed unanimously by the Board. Attorney O’Connor shall contact the Licensee’s attorney.

A motion was made by Dr. Patti to resume open session. The motion was seconded by Attorney Turley. Motion passed unanimously by the Board.

Compliance Monitoring: Darol Duca (Docket No. VT-13-046) – Request to terminate Probation

A motion was made by Atty. Turley to terminate the probation. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

Executive Director’s Report to the Board: No updates

Board Counsel’s Report to the Board:

(a) Legal Update: No updates

(b) Atty. O’Connor and Board resumed Regulation Review per Executive Order 562. A motion was made by Dr. Diamond to approve the proposed amendments subject to Board review. The motion was seconded by Dr. Siegel. Motion passed unanimously by the Board.

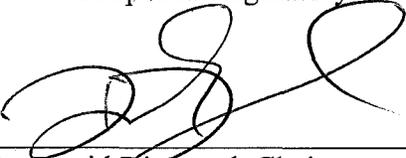
Other Board Business:

- (a) **Report from Office of Investigations:** Chief of Office of Investigations Christopher Carroll updated the Board on the work of the Office of Investigations. Mr. Carroll encouraged the Board to make the Division of Professional Licensure (DPL) aware of any trends in the veterinary medicine profession that might better inform the DPL on how to serve that profession better/more effectively. Atty. Turley expressed concern that the Board of Veterinary Medicine is down one member. DPL continues to accept and screen applicants to fill vacant Board spots.
- (b) **Limited License Applicant (PC):** Applicant for a Limited License is requesting that the NAVLE be waived. Executive Director Barry will review the requirements with the Board's former Executive Director.
- (c) **Correspondence (email) to Board from Dr. Deirdre Fornari regarding timeframe guidelines for VCPR:** The Board indicated that there is no set timeframe, per se, and Massachusetts has adopted the AVMA guidelines on this issue. A veterinarian should always use her/his best judgment. The Board's staff shall notify the Licensee.

Dr. Patti moved to adjourn the meeting at 12:35 PM. Motion was seconded by Atty. Turley. Motion passed unanimously by the Board.

List of documents:

- Minutes of October 8, 2015 meeting
- Correspondence (email) from Dr. Deirdre Fornari
- Proposed Regulatory Amendments to 256 CMR 1.00 to 10.00



Dr. David Diamond, Chair
Board of Veterinary Medicine