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Division of Occupational Licensure
Board of Registration in Veterinary Medicine

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LAYLA D'EMILIA
COMMISSIONER, DIVISION OF
OCCUPATIONAL LICENSURE

Public Meeting Minutes
September 8, 2022
1000 Washington Street,
Boston, MA 02118-6110

Members Present: Dr. Stephanie Kube, <i>Chair</i> Dr. Karen Patti, <i>Secretary</i> Dr. David Diamond, <i>Member</i> Dr. Rachel Orłowski, <i>Member</i> Dr. Candance Sloane, <i>Public Member</i>	Administrative Staff Present: Keith Gleason, <i>Executive Director</i> Tamara Smith, <i>Program Coordinator</i> Jenna Hentoff, <i>Board Counsel</i>
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The meeting was called to order by the chair at 9:34 A.M.

1. Dr. Kube announced that Dr. Sloane would be participating in the meeting remotely pursuant to the Open Meeting Law, 940 CMR 29.10.
2. Review public minutes of the meeting August 11, 2022. Dr. Diamond made a motion, seconded by Dr. Kube, to approve the minutes as presented. The motion passed unanimously, with Dr. Sloane abstaining.
3. The Executive Director reported on the following:
 - a) The Executive Director reported to the Board that an updated draft of application instructions and Frequently Asked Questions has been completed in an effort to streamline the process for licensure.
 - b) The Executive Director further reported to the Board that there will be procedural changes to application processing to ensure that all applications are filed online.
 - c) The Executive Director notified the Board that he will be going on leave.
4. The Legal Counsel report was deferred to the discussion on regulations later in the meeting.
5. Board Correspondence Review/Discussion
 - a) Question about suspected monkey pox in canines.
 - The Executive Director read the email correspondence, which was marked read and filed by the Board. The Board did discuss that if the Department of Public Health issued guidance to regarding monkeypox arising in animals, the Board would disseminate that

information to licensees.

b) Question regarding obtaining a temporary permit.

- The Board reviewed this correspondence in which the individual is seeking practice options as a graduate who is not eligible for a temporary permit or limited practitioner license. After discussion, the Board stated that the individual could work as an intern if enrolled at a university or can practice as a veterinary technician/assistant under the supervision of a licensed veterinarian.

c) Question regarding veterinary technician tasks absent supervision of a licensed veterinarian.

- The Board reviewed this correspondence in light of proposed regulations that address the supervision of veterinary technicians/assistants. After discussion, the Board stated that a licensed veterinarian may provide indirect supervision over the listed tasks.

6. Review/Discuss

a) Meeting Calendar

- The Board discussed how future Board meetings may be held. The Executive Director agreed to investigate whether the Board members might be able to hold remote meetings while a majority of its members meet at the Board offices.
- The Board's 2023 calendar will be discussed in an upcoming meeting.

b) Regulation Review

- Counsel provided the draft amendments to the Board's regulations at 256 CMR 2.00, 8.00 and 9.00 and discussed the draft amendments to 256 CMR 3.00.
- The Board members agreed to review Sections 4.00 and 5.00 of its regulations at the November meeting for possible amendments.
- Dr. Sloane asked to spend more time discussing the proposed amendments, including Section 8.00.
- Dr. Diamond asked for staff to investigate updating the website to reflect the links for the specific statutes pertaining to the Board rather than to all Massachusetts General Laws. The Executive Director agreed to look into that.

c) Clarifying delegations to the Board staff (I.e., application waivers, case dismissals, etc.)

- The Board discussed delegating certain tasks to Board staff in consultation with Board Counsel, such as the ability to dismiss complaints in the case of a death, fulfillment of set Board requirements on continuing education or when complaint allegations are negated in the case of required licenses or certifications.
 - Dr. Patti made a motion, seconded by Dr. Orlowski, to so delegate such authority to Board staff and Counsel. The motion passed by a majority vote with Dr. Sloane opposed.
 - Dr. Sloane made a motion to so delegate the authority to Board staff and Counsel with the

ability to amend the delegation in the future only after the matter is reviewed by the Board.
The motion failed.

- The Board discussed delegating to Board staff and Counsel the ability to waive the requirements for a limited practitioner licensure under 256 CMR 3.03(6).
- Dr. Patti made a motion, seconded by Dr. Orłowski, to so delegate the authority to Board staff and Counsel. The motion passed by a majority vote with Dr. Sloane and Dr. Diamond opposed.
- After further discussion, a second motion to delegate such authority to Board staff and Counsel was made by Dr. Diamond, seconded by Dr. Sloane. The motion failed.

d) Institutional Licenses (renewal & approval processes)

- The Executive Director reviewed with the Board the requirements of M.G.L. c. 112, s. 56D for institutional licenses. He asked for the Board’s guidance as to what information the Board would like to receive from the institution in order to meet this requirement.
- The Board asked that institutional licensees remind its participants that they are only covered to practice at the institution and not elsewhere and discussed requesting information including but not limited to: an outline of all documentation that is required and collected by the institution of the individuals covered by the license; a report of individuals meeting the Board’s continuing education requirements; and clarification of the main purpose of the Tufts Walpole facility.

7. Matters not reasonably anticipated 48 hours in advance of the meeting. No matters reported.

8. Executive Session (M.G.L. c. 30A, §21 – Closed session) – No matters considered.

9. Investigative Conference (M.G.L. c. 112, § 65C – Closed session)

At 11:42 A.M. the Chair announced that the rest of the meeting will be for discussion of items in closed session, and upon conclusion, the Board would adjourn.
Dr. Orłowski made a motion, seconded by Dr. Patti, to enter Investigative Conference. The motion passed unanimously.

a) Discussion of complaints prior to the issuance of an order to show cause

Docket	Determination	Recusal
2022-000443-IT-ENF	Dismiss w/ Advisory	
2022-000467-IT-ENF	Forward for prosecution	
2022-000499-IT-ENF	Forward for prosecution	Dr. Diamond
2022-000544-IT-ENF	Dismiss w/o prejudice	
2022-000554-IT-ENF	Dismiss w/o prejudice	
2022-000669-IT-ENF	Forward for prosecution	

b) Discussion of negotiated settlement(s)

The Board provided guidance to the prosecutor in the following cases:

- 2021-001007-IT-ENF
- 2021-001209-IT-ENF
- 2022-000067-IT-ENF
- 2022-000151-IT-ENF

10. Quasi-Judicial Session to discuss disciplinary decisions (Closed per M.G.L c. 30A, §18) – No matters considered.

11. Adjournment – the next scheduled meeting is October 13, 2022

At 1:44P.M., Dr. Orłowski made a motion, Dr. Patti seconded, and the members unanimously voted to adjourn the meeting.

Meeting minutes signed by:



Board Chair, Dr. Stephanie Kube

List of Documents Used During the Public Meeting:

- Meeting Agenda
- August 11, 2022, Public Meeting Minutes
- Correspondences
- Draft Board regulations, 256 CMR 2.00, 3.00, 8.00 and 9.00
- Copy of M.G.L. c. 112, s. 56D and 256 CMR 4.00