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Board of Registration in Veterinary Medicine
November 14, 2024, Public Meeting Minutes

A public meeting of the Massachusetts Board of Registration in Veterinary Medicine ("the Board") was held remotely *via* video and telephone conferencing pursuant to Chapter 2 of the Acts of 2023, allowing remote participation by Board members and the public.

Attending Members: Dr. Rachel Orlowski, Board Chair; Dr. David Tubman, Secretary; Dr. David Diamond, Member; Dr. Stephanie Kube, Member; Dr. Candace Sloane, Public Member

Members Absent: None

Staff: Marjorie Campbell, Executive Director; Keith Gleason, former Executive Director; Philip Chan, Board Counsel; John Hill, Board Administrative Staff; and Ann Barry, Prosecutor

The meeting was called to order at 9:33 A.M. Board members, Board staff, and members of the Public were introduced and welcomed, and all present were informed the meeting was being recorded.

- **Read and Approve Minutes:**
- The Board reviewed the minutes from the Open Meeting of October 10, 2024, and agreed to accept the minutes as written:
 - Motion made by Dr. Diamond to accept the October 10, 2024, Public Session of the Board meeting minutes
 - Seconded by Dr. Kube
 - Roll Call vote
 - In Favor: Dr. Diamond, Dr. Kube, Dr. Orlowski
 - Opposed: none
 - Abstain: Dr. Sloane and Dr. Tubman
 - Motion passes
- **Executive Director Report**
 - The Executive Director (ED) informed Board members that our Agency, the Division of Occupational Licensure (DOL) will be moving to One Federal Street, Boston, MA in 2025. Currently, the plan is for the move to take place in March of 2025, and the ED will continue to keep the Board updated as more details are forthcoming. As of now, the plan is to continue to allow for virtual Board meetings.



- **Board Counsel Report**

- Board Counsel reported that he is reviewing current policies, including the Delegation of Authority policy, to include default hearings and reinstatement procedures as well.

- **CE Review**

- Public Responsibility in Medical Research Conference, submitted by Dr. Tyler Caron: Dr. Caron presented details regarding a conference that he will be attending, seeking approval for the CE's offered at this Conference. The Conference will focus on research and animal care, including setting standards for Veterinarian care and research. Board members support accepting the CE's from this Conference:
 - Motion made by Dr. Sloane to accept the CE's from this Conference
 - Motion seconded by Dr. Tubman
 - Roll Call Vote
 - In Favor: Dr. Diamond, Dr. Kube, Dr. Sloane, Dr. Tubman, and Dr. Orłowski
 - Opposed: None
 - Motion passes

- **Correspondence Items:** Board Members reviewed the following questions that were submitted by the public

- Question about Compounding Medications: question submitted seeking guidance on laws in Massachusetts regarding compounding medications and Veterinary practice. Board Counsel reviewed the question and stated that he did not find any other statutory language other than that submitted in the query regarding compounding medication. Board members discussed and recommended that this person be directed to the Pharmacy Board for further guidance. No vote was taken.

- **Discussion Items:**

- Discussion of Colorado Proposition #129: This recent Colorado law addresses a new licensing/practice professional to assist with Veterinary Medicine, called the Veterinary Professional Associate (VPA). Board members discussed this new law. It is only in Colorado, and the VPA would only be able to practice in Colorado. This is not law in Massachusetts. Most of the Board members expressed some concern about this practice, and discussed the benefit of obtaining more information about the VPA practice so that the Board could be pro-active if this proposal were to be introduced in Massachusetts. Board Counsel suggested that the Board take no stance at this time, or make any legislative suggestions. No vote was taken.
- Queries from the AAVSB:
 - Question about the Treatment or Euthanasia of a suffering animal where the owner cannot be reached for approval: Board members discussed that we do have a regulation addressing the emergency care of animals on the premises, however, euthanasia is a different circumstance, and we do not have a regulation on point to this

specific situation. Board members stated that the best response would be to say that while we do have regulations that address the emergency care of animals, euthanizing an animal without the owner present would be factually dependent on the situation. Veterinarians should always try to contact the owner of any animal that is in this situation. No vote was taken.

- Question about a Veterinarian's responsibility to report the substandard practice of another licensee: Board members discussed some of the pros and cons of having this as a requirement. Currently, our regulations do not mandate this reporting. No vote was taken.

- **Matters not reasonably anticipated 48 hours in advance of the meeting:** No Items
- **Public Comment:** No Items

- At this time, there were no further matters for the Public Session. At 10:22 am, a Motion was made by Dr. Sloane to close the Public Session and enter the closed Investigative Conference Session, pursuant to M.G.L. c. 112, sec. 65C. The Board does not anticipate re-entering the public session, and there are no items under the Executive Session or the Quasi-Judicial Session.

- Motion by Dr. Sloane to close the Public Session of the Meeting and enter into the Closed Investigative Session
- Motion seconded by Dr. Diamond
- Roll Call vote
- In favor: Dr. Diamond, Dr. Kube, Dr. Sloane, Dr. Tubman, and Dr. Orłowski
- Opposed: None
- Motion passes

- **Investigative Conference (Closed per M.G.L. c. 112, § 65C):**

The following actions were taken during the Investigative Conference: (Dr. Kube left the meeting at 12:48 pm)

Settlements

- 2023-000788-IT-ENF: Deny revision to the OTSC. Refer back to Prosecution

Cases:

- 2024-000602-IT-ENF: Dismiss
- 2024-000631-IT-ENF: Refer back to OI
- 2024-000605-IT-ENF: Dismiss w/Advisory (Dr. Diamond recused)
- 2024-000607-IT-ENF: Dismiss (Dr. Kube recused)
- 2024-000620-IT-ENF: Dismiss
- 2024-000640-IT-ENF: Dismiss (Dr. Kube recused)
- 2024-000156-IT-ENF: Dismiss (Dr. Diamond recused)
- 2024-000502-IT-ENF: Refer to Prosecution (Dr. Diamond recused)
- 2024-000597-IT-ENF: Dismiss (Dr. Diamond recused) Open new complaint
- 2024-000529-IT-ENF: Dismiss (Dr. Diamond recused)
- 2024-000513-IT-ENF: Refer to Prosecution (Dr. Diamond recused)

Adjournment: At 1:13 PM, a Motion to Adjourn meeting was made.

- Motion to Adjourn meeting made by Dr. Sloane
- Motion seconded by Dr. Orłowski
- Roll Call vote
- In favor: Dr. Diamond, Dr. Sloane, Dr. Tubman, and Dr. Orłowski
- Opposed: None
- Motion passes

Meeting minutes signed by:

A handwritten signature in black ink, appearing to read 'Rachel Orłowski, DVM'. The signature is fluid and cursive, with the letters 'R', 'O', and 'D' being particularly prominent.

Board Chair, Dr. Rachel Orłowski

Documents Used During the Public Meeting:

- Agenda for the November 14, 2024, Open Meeting
- Minutes from the October 10, 2024 Open Meeting
- Question submitted about Compounding Medications and statutes
- Article regarding Colorado proposition #129, law addressing Veterinary Professional Associates
- Correspondence submitted by the AAVSB
- Materials submitted for CE review of conference: Public Responsibility in Medical Research

