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Board of Registration in Veterinary Medicine
December 12, 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 Orłowski, Board Chair; Dr. David Tubman, Secretary; Dr. David Diamond, Member; Dr. Stephanie Kube, Member; Dr. Candace Sloane, Public Member (admitted to meeting at 9:42 am)

Members Absent: None

Staff: Marjorie Campbell, Executive Director; Philip Chan, Board Counsel; Nirit Eriksson, Attorney; John Hill, Board Administrative Staff; Amanda Chaves, Prosecuting Counsel; Ashley Polin, Senior Prosecuting Counsel; and Andrew Lutynski, Chief of Investigations

The meeting was called to order at 9:35 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.

- **Review and Approve Minutes:**
- The Board reviewed the minutes from the Open Meeting of November 14, 2024. Dr. Diamond noted that he did recuse from the 2024-000513-IT-ENF case, and requested that the minutes include that revision. Board members agreed to accept the minutes with the noted revision:
 - Motion made by Dr. Diamond to accept the November 14, 2024, Public Meeting Minutes with revision
 - Seconded by Dr. Kube
 - Roll Call vote
 - In Favor: Dr. Orłowski, Dr. Diamond, Dr. Kube, and Dr. Tubman
 - Opposed: none
 - Motion passes
- **Executive Director Report**
 - The Executive Director (ED) reported on a question that came up at last month’s meeting regarding the oversight of zoos in the United States. Zoos are federally regulated, by the Animal and Plant Health Inspection



Services (APHIS), and the Association of Zoos and Aquariums (AZA) is the national accrediting agency.

- Voting of Board Officers: Board members want this tabled to the February 2025 Board meeting.

- **Board Counsel Report**

- Draft Policy: Delegation of authority to staff on certain disciplinary matters: Attorney Chan drafted a delegation draft policy for Board members to review. Attorney Chan explained to Board members that the purpose of this draft policy was essentially to try and help expedite some of the processes, by delegating some authority to staff; such authority to cover only limited processes. Such staff delegation authority would include: drafting documents such as Orders to Show Cause, Advisory Letters, executing amendment agreements, and executing default judgments. The policy would also specifically allow Board staff to authorize Final Decisions and Orders, with a maximum penalty in the egregious cases and where the licensees did not respond. The Board members were in agreement with staff having delegation authority for these processes.

Board members did have some questions with staff delegation authority as it relates to Reinstatement requests and Summary Suspensions, and much of the discussion involved these processes. Board members asked in cases where a licensee had been revoked, and was seeking to reinstate, shouldn't that licensee have to come before the Board, versus staff having this delegated authority? Attorney Chan informed Board members that the Board does not have a current policy on reinstatements, but that the Board can request to review any reinstatement following a revocation. This is the current process, and the Board can continue to follow this process when it comes to revocations and reinstatement requests.

There was also discussion about the Summary Suspension process. Board members agreed that in the rare cases where Board staff would seek to summarily suspend a licensee, Board staff would notify the Board Chair, and if the Board Chair agrees, then the Summary Suspension would be initiated. Board members also wanted to ensure that the Summary Suspension matter would then be heard at the next Board meeting for full Board discussion. Board members requested that Attorney Chan revise the draft policy to add the language "and agrees" after the language about the Board Chair being notified about the Summary Suspension.

Board members motioned to accept the draft delegation policy, with the revised language as noted above, adding "and agrees" after the Board Chair being notified:

- Motion to approve the draft delegation policy with the amended language made by Dr. Sloane
- Motion seconded by Dr. Tubman
- Board Chair called for a roll call vote
- In Favor: Dr. Orlowski, Dr. Diamond, Dr. Kube, Dr. Sloane, and Dr. Tubman
- Opposed: None
- Motion passes

- **CE Review**
 - Board members received documents regarding a CE course review request from a Dr. Jasmin Keramaty. The title of the course is “Flourish Leadership Development Partnership Program,” and the goal of this course is to bring together key UVC operations and support center team members with hospital leaders, under the guidance of industry positive-leadership expert, Josh Vaisman. The goal is to elevate the business of veterinary medicine through leadership training, collaboration, and the establishment of peer-to-peer network. Board members did review the course outline and documents submitted by Dr. Keramaty, but Board members did not see sufficient focus on the practice of veterinary medicine in this proposed course. Board members agreed that they would not support continuing education credits for this course.
 - Motion made by Dr. Tubman to deny CE credit for VT licensure from this conference
 - Motion seconded by Dr. Diamond
 - Roll Call Vote
 - In Favor: Dr. Diamond, Dr. Kube, and Dr. Tubman
 - Opposed: None
 - Abstained: Dr. Sloane
 - Recused: Dr. Orlowski
 - Motion passes
- **Correspondence Items:** Board Members reviewed the following question that was submitted by public inquiry:
 - Question about the sharing of canine vaccination records and associated personal information between veterinary clinics and local city government offices. This person was concerned that there was personal information on the Rabies vaccination record that he received from the local City Clerk’s office (such as his address and phone number, and his dog’s microchip number). The question was whether it was standard practice for veterinary clinics to share such information with municipalities without the owner’s knowledge or consent. Board members took this question under advisement and discussion. The answer is that there are regulations that require veterinary practices to send Rabies information to the county offices, and that the owner and pet information is required to be on the documents. The specific regulation covering the information that is required for the Rabies certificate can be found at: 330 CMR 10 (3). No vote was taken.
- **Matters not reasonably anticipated 48 hours in advance of the meeting:** The Executive Director informed the Board that there was a case that has come to the Board’s attention: 2024-000912-IT-ENF; and this matter will be discussed in detail under the Quasi-Judicial Session.
- At this time, there were no further matters for the Public Session. At 10:22 am, a Motion was made by Dr. Tubman to close the Public Session and enter the Executive Session, which is closed to the public per M.G. L. c. 30A, § 21(a)(1). Following the Executive Session, the Board will move directly into the closed Quasi-Judicial Session to discuss

disciplinary decisions, per M.G.L. c. 30A, § 18; followed by the closed Investigative Conference, to discuss open cases, pursuant to M.G.L. c. 112, § 65C. The Board does not anticipate re-entering the public session.

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

Quasi-Judicial Session (Closed per M.G.L. c. 30A, § 18)

- 2024-000912-IT-ENF: Accepted the Voluntary Surrender Agreement

At 10:44 am, Motion made to exit the Quasi-Judicial Session and enter into the Investigative Conference.

- Motion by Dr. Orłowski to close the Quasi-Judicial Session and enter into the Investigative Conference
- Motion seconded by Dr. Tubman
- Roll Call vote
- In favor: Dr. Orłowski, Dr. Diamond, Dr. Kube, Dr. Sloane, and Dr. Tubman
- 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

- 2024-000544-IT-ENF: Dismiss
- 2024-000099-IT-ENF: Dismiss (Dr. Tubman Recused)

Cases:

- 2024-000610-IT-ENF: Refer to Prosecution
- 2024-000645-IT-ENF: Dismiss with Advisory
- 2024-000646-IT-ENF: Dismiss
- 2024-000647-IT-ENF: Refer to Prosecution (Dr. Kube recused)
- 2024-000651-IT-ENF: Refer to Prosecution (Dr. Kube recused)
- 2024-000662-IT-ENF: Refer to Prosecution
- 2024-000663-IT-ENF: Dismiss
- 2024-000739-IT-ENF: Refer to Prosecution
- 2024-000743-IT-ENF: Table, refer back to OI
- 2024-000783-IT-ENF: Dismiss

Adjournment: At 12:58 PM, a Motion to Adjourn meeting was made.

- Motion to Adjourn meeting made by Dr. Orłowski

- Motion seconded by Dr. Diamond
- Roll Call vote
- In favor: Dr. Orlowski, Dr. Diamond, Dr. Kube, Dr. Sloane, and Dr. Tubman
- Opposed: None
- Motion passes

Meeting minutes signed by:



Board Chair, Dr. Rachel Orlowski

Documents Used During the Public Meeting:

- Agenda for the December 12, 2024 Open Meeting
- Minutes from the November 14, 2024 Open Meeting
- Draft Policy: Delegation of authority to staff on certain disciplinary matters
- Documents to be reviewed for CE Course: The Flourish Positive Veterinary Leadership Program with Josh Vaisman
- Question submitted from the public about the sharing of canine vaccination records and associated personal information between veterinary clinics and local city government offices

