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Commonwealth of Massachusetts
Division of Occupational Licensure
Board of Registration in Veterinary Medicine

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OCCUPATIONAL LICENSURE

Public Meeting Minutes, January 12, 2023

<p>Members Present: Dr. Stephanie Kube, <i>Chair</i> Dr. David Tubman, <i>Member</i> Dr. David Diamond, <i>Member</i> Dr. Rachel Orłowski, <i>Member</i> Dr. Candance Sloane, <i>Public Member</i></p>	<p>Administrative Staff Present: Keith Gleason, <i>Executive Director</i> Tamara Smith, <i>Program Coordinator</i> Milla Lewis, <i>Admin Assistant</i> Jenna Hentoff, <i>Board Counsel</i></p>
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All Board members and staff appeared by videoconference.

The meeting was called to order by the chair at 9:32 A.M.

1. Review public minutes of the meeting December 8, 2022. Dr. Orłowski made a motion, seconded by Dr. Diamond, to approve the minutes as presented. The motion passed by a majority of the members present. Abstained: Dr. Sloane and Dr. Tubman

2. Discussed Institutional License Renewal of Tufts University Cummings School of Veterinary Medicine
 - Dr. Alastair Cribb, the Dean of the Tufts University Cummings School of Veterinary Medicine (“Tufts”), attended the meeting at the Board’s request to discuss the upcoming renewal of the institutional license issued to the Tufts. Board members posed a series of questions to Dr. Cribb regarding the individuals approved to practice under the Tufts institutional license (“Tufts practitioners”) pursuant to G.L. c. 112, s. 56D. The Board members and Dr. Cribb discussed matters including the licensure of the individuals practicing at the Tufts VETS facility in Walpole; continuing education as completed by the Tufts practitioners; whether the Tufts practitioners are aware that the approval does not allow them to practice outside of Tufts; and how the school handles professional disciplinary issues. Suggestions were raised as to manner in which the Board and staff would like for future renewals of the institutional license to proceed and information that may be requested of Tufts and any other institutions which are licensed pursuant to G.L. c. 112, s. 56D.

- Staff will work to develop this renewal process for further review by the Board and will also discuss with Dr. Cribb to clarify what may be required for future renewals.
3. Administrative Report
- The Executive Director reported on Board member appointments and welcomed new member Dr. David Tubman who replaced Dr. Karen Patti. He then reviewed the rules of etiquette and procedure guidelines for conducting Board meetings and further noted that beginning next month, the public session meetings will be recorded.
 - The Executive Director reviewed the Board’s 2023 meeting calendar. Counsel Hentoff stated that the current provision for remote meetings will expire on March 31 though it is likely to be continued in some form past that date. Board members will be notified when information is received.
4. Legal Counsel report
- Counsel Hentoff requested additional Board member participation in an upcoming administrative hearing scheduled for January 24-26. Board members able to participate will be confirmed via email.
5. Board Correspondence Reviewed/Discussed
- Dr. Emily Finn reported that she did not have enough interactive CEs for renewal and asked for guidance from the Board. After discussion, Dr. Diamond made a motion, seconded by Dr. Orłowski, to grant Dr. Finn an extension to complete 9 credits of interactive CE by June 1, 2023. The motion passed unanimously.
 - Dr. Lauren Blaeser requested a 3-week extension in order to complete her 2022 CE requirement for renewal of licensure. After discussion, Dr. Orłowski made a motion, seconded by Dr. Sloane, to grant the extension. The motion passed unanimously.
 - Dr. Gerard Ferrick requested information on the Board’s stance regarding CBD use for companion pets.
 - Counsel noted that the Board’s statutes and regulations do not address the use of any specific products, including CBD. The Board has previously discussed the use of CBD in the context of enforcement of any complaints brought based on its use during its meeting in October 2019.
 - At permission of the Chair, Jaimie Falzone of the MVMA addressed the Board and stated that currently there are no cannabis derived drugs approved for use on animals.
 - After discussion, the Board directed staff to refer Mr. Ferrick to the FDA or the AVMA for any guidance issued by those entities.
 - Dr. Cheryl Brocki requested guidance on whether veterinary students enrolled in AVMA accredited programs and working under the direct supervision of a licensed veterinarian may assist with surgery and procedures.

- Counsel directed the Board members to G.L. c.112, s. 56 E which states that veterinary students engaged in clinical training or externships can practice without a license only under the direct supervision and control of a licensed veterinarian.
 - The Board concurred and directed the Executive Director and Counsel to draft a response accordingly. The Board also noted that the veterinarian should provide proper disclosures and obtain owner consent as to student participation.
 - Elisha Law- Simmonds advocated to the Board for the implementation of veterinary telemedicine and prescriptions in Massachusetts. The Board directed staff to mark this correspondence as read and filed.
6. Reviewed/Discussed use of DEA licenses for identification purposes at pharmacies
- Counsel noted for purposes of discussion that the use of a DEA number is not encouraged for use in identification according to the DEA.
 - At permission of the Chair, Jaimie Falzone of the MVMA addressed the Board. She stated that she previously raised this matter with the Board of Registration in Pharmacy which indicated that they have advised pharmacies against the practice.
 - Dr. Diamond pointed out that the pharmacies will collect a veterinarian's DEA number the first time a veterinarian's controlled substance prescription is filled at the pharmacy with no requirement to not keep the information on file.
 - The Executive Director stated that he would contact the Board of Registration in Pharmacy for further guidance and will advise concerned individuals accordingly.
7. Reviewed/Discussed Regulation Review
- Counsel reviewed the draft amendments to the Board's regulations at 256 CMR 2.00, 3.00, 4.00, 5.00, 7.00, 8.00 and 9.00, including amendments based upon the Board's discussion at the last Board meeting. She also provided the current section 10.00 for review.
 - The Board discussed additional amendments to its regulations, particularly in regard to consent. Counsel will review and provide the Board with updated draft regulations to review at a following meeting.
8. Investigative Conference (M.G.L. c. 112, § 65C – Closed session)
- At 11:51 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. Diamond, 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
2022-000821-IT-ENF	Forward for prosecution	
2022-000833-IT-ENF	Dismiss; open new complaint.	
2022-000917-IT-ENF	Forward for prosecution; open new complaint.	
2022-000926-IT-ENF	Dismiss w/o prejudice	
2022-001045-IT-ENF	Forward for prosecution	
2022-001146-IT-ENF	Dismiss w/o prejudice	Dr. Kube
2022-000804-IT-ENF	Dismiss w/o prejudice	Dr. Kube

b) Discussion of negotiated settlement(s) – The Board provided guidance to the prosecutor in the following case: 2022-000669-IT-ENF.

9. Adjournment – the next scheduled meeting is February 9, 2023.

At 1:40 P.M., Dr. Diamond made a motion, Dr. Orlowski 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
- December 8, 2022 Public Meeting Minutes
- Tufts related documents and correspondences
- Correspondences
- Draft Board regulations, 256 CMR 2.00, 3.00, 4.00, 5.00, 7.00, 8.00 and 9.00
- Board regulation 256 CMR 10.00