

## MINUTES

North Dakota Board of Veterinary Medical Examiners

Tuesday June 7, 2022

North Dakota Heritage Center

Board members present:

- Dr. Tammy Weiand-Ness (President)
- Ms. Janell Morman, LVT (Secretary)
- Dr. Carolyn Woodruff
- Dr. Russell Behm
- Mr. Thomas Job

Others present:

- Dr. Sara Lyons, NDBVME Executive Secretary
- Mr. David Schaibley, ND Attorney General's Office
- Ms. Pat Anderson
- Dr. Kim Brummond
- Dr. Brad Bartholomay
- Dr. Troy Dutton
- Dr. Derine Winning
- Dr. Lisa Christensen

The meeting was called to order at 9:00am by Dr. Weiand-Ness. All board members, Dr. Lyons and Mr. Schaibley were present. Remaining guests joined the meeting around 10am.

Motion by Ms. Morman to approve the agenda as provided with second by Mr. Job. Motion passed unanimously.

The following amendments to the January 25, 2022 meeting minutes were requested:

- Correct the citations in the Lenz motion to included parenthesis (Mr. Schaibley)
- Add 'with reevaluation in one year' to the end of the Lenz motion (Dr. Woodruff)
- Correct the motions regarding the minutes and agenda as they were transposed (Dr. Woodruff)

Motion by Dr. Woodruff to approve the minutes as amended with second by Ms. Morman. Motion passed unanimously.

20 applications for licensure were received but two applicants failed to complete the written examination. Motion by Dr. Woodruff to approve licensure for the following 18 candidates who have successfully completed the written examination upon receipt of all proper documentation. Second by Dr. Behm. Motion passed unanimously.

- Valenna Becker, DVM – missing verifications from MT and CO
- Rachel Chmelovski, DVM – missing national examination scores and MN verification
- Janna Erickson, DVM – missing national examination scores, RI and MA verifications

- Jacob Froehlich, DVM
- Shelby Hanson, DVM
- Brittney LaDue, DVM
- Daniel Markwalder, DVM – missing national examination scores and multiple state verifications
- Douglas McInnis, DVM
- Michael Mohr, DVM – missing IA verification
- Hazel O’Doherty, DVM
- Cassie Podliska, DVM
- Michelle Schumann, DVM
- Marissa Soderberg, DVM
- Kenneth Thornberry, DVM
- Evan VanBeusekom, DVM – missing verifications from MN, WI and SD
- Rebecca Whitlock, DVM
- Kathryn Wolf, DVM
- Bianca Woller, DVM – missing diploma or transcript

The board roster was reviewed. The terms of Ms. Morman and Mr. Job expire June 30, 2022. Ms. Morman has agreed to serve another term. Mr. Job does not wish to serve another term but will stay on until a replacement is found.

Dr. Lyons reported that the new database software is working well. Mr. Schaibley requested that the website and database contracts are shared with him for review

Motion by Ms. Morman to accept the continuing education provided by Dr. Matt Heeb as fulfillment of the settlement agreement with second by Mr. Job. Motion passed unanimously.

Discussion was held regarding the complaint against Dr. Vince Stenson by Mr. Jacques Laschet. Dr. Woodruff referenced NDCC 23-36-01(12) regarding proper rabies certificate documentation and Dr. Weiland-Ness referenced standards for accredited veterinarian duties regarding completion of rabies certificates. The board expressed that there is no interest in determining what constitutes fair or unfair fees but feels that services were not provided that were paid for. Dr. Woodruff stated that the previous statement on the website was intended to be regarding complaints based solely on fees which this is not. Motion by Dr. Woodruff to reissue the same offer of settlement to Dr. Stenson with expiration of 30 days from mailing. Second by Dr. Behm. Mr. Job requested that the letter includes wording to explain that the board does not see this case strictly as a fee dispute. Motion passed with Dr. Woodruff, Dr. Behm and Mr. Job voting in favor and Dr. Weiland-Ness and Ms. Morman voting against.

Discussion was held on the complaint against Dr. Shelley Lenz by Ms. Katharine Novotny. An additional email was sent to the NDBVME by Ms. Novotny with further information regarding their rabbit. Dr. Weiland-Ness cited the AVMA code of ethics which states that if there is ongoing medical or surgical care necessary after termination of the VCPR the previous veterinarian will provide that care until a new veterinarian is found. Discussion was held regarding the responsibilities of a peer review committee and use of one in this case. Motion by Mr. Job to withdraw the previous settlement agreement and provide the email from Ms. Novotny to Dr. Lenz and allow 20 days for her response. The board will then review further. Second by Dr. Woodruff. Motion passed unanimously. Upon receipt of the response by Dr.

Lenz, Dr. Lyons will forward that response to the board members and Dr. Weiland-Ness will determine if a special meeting is warranted.

Board Rules update was passed and became effective April 1, 2022. Mr. Schaibley recommended that the board review that rules at each meeting and keep notes of possible changes and then determine when the next rule making process is necessary. Dr. Woodruff commented that guidelines regarding termination of a VCPR should be a topic for future consideration.

Exchange program forms and requirements were reviewed, and the board provided suggestions including addition of supervisor name and signature, number of hours spent, goals of the program and wording changes to reflect the process of observation and learning. Dr. Lyons will make changes as suggested and provide to the board for approval.

Guidelines for continuing education were clarified. Half of the required CE for veterinarians and technicians is to be done through an in-person CE meeting or seminar. Individual waivers can still be considered on a case-by-case basis.

The NDVMA had emailed a request for 1 hour of CE for a roundtable discussion at the NDVMA meeting in August 2022. Motion by Dr. Woodruff to approve the 1-hour roundtable from the NDVMA for CE with second by Dr. Behm. Motion passed unanimously.

Dr. Lyons brought up the question of licensing requirements for veterinary pathologists. There is nothing specific in statute. Dr. Lyons will poll the AAVSB membership to see what other states do and the topic can be discussed further at the next meeting.

Meeting adjourned for lunch by Dr. Weiland-Ness at 12pm.

Meeting reconvened by Dr. Weiland-Ness at 1:05pm.

Discussion was held regarding possible revisions to the ND Practice Act. The NDVMA representatives present expressed the desire to explore revisions to the Practice Act in cooperation with the NDBVME. One topic that both groups felt needed to be addressed was telemedicine. Dr. Schaibley discussed that this has been a popular legislative topic and offered suggestions based on experience with other boards. Due to the more restrictive guidelines for NDBVME meetings, Dr. Weiland-Ness requested that NDVMA take the lead on proposing Practice Act revisions. The NDVMA representatives will plan to discuss further with their board and form a task force to investigate possible revisions. Legislation would need to be submitted by the board in early November, but if a representative or Senator can present the legislation that deadline would be extended until January.

The AAVSB annual meeting will be held September 15-17, 2022 in Charlotte, NC. No board members are able to attend in person at this point in time but Dr. Weiland-Ness and Dr. Lyons will plan to attend virtually.

Upcoming meeting dates are November 1, 2022 and June 6, 2023.

Motion by Ms. Morman to adjourn the meeting at 2:10pm with second by Dr. Behm. Motion passed unanimously.

Minutes submitted by Sara Lyons, DVM