

**Oregon Veterinary Medical Examining Board**

**August 7, 2000**

**Portland, Oregon**

**FINAL MINUTES**

Present: Dr. Vera Rogers (Chair)  
Drs. Robert Anderson, Jonathan Betts, Emilio DeBess, Martha DeWees  
JoAnn Dewey, Public Member  
Don Hagglund, Public Member  
Lori Makinen, Executive Officer  
Michael Zagyva, Investigator  
Carol Parks, Assistant Attorney General  
Kim Christiansen, The Oregonian (from 12:30 p.m.)

The meeting was called to order at 8:30 a.m. The agenda was adopted as amended. July 7, July 13, and May 8, 2000 minutes were approved as amended.

**GUESTS**

Catherine Franklin, animal health technician, and Dr. Robert Franklin addressed the Board concerning its recent amendment to the 875-030-0010, Criteria for Becoming A Certified Veterinary Technician, stating that the amendment favors individuals who attended a two-year accredited school over those who did not, while both had to pass the same test for licensure in Washington. Dr. DeWees moved, Dr. Anderson seconded and the Board voted unanimously to amend the rule to include a waiver of the requirement of graduation from an AVMA-accredited school. Staff will draft an amendment for review at the next meeting.

Dr. Marilyn Waters updated the Board on the Veterinary Technician Short Course at Linn-Benton Community College. The course has been approved for federal financial aid and 26 credits are transferrable to other programs at LBCC, and courses are taught by board-certified veterinarians in a variety of disciplines.

**OLD BUSINESS**

Ms. Dewey reported on her attendance at the annual meeting of the American Association of Veterinary State Boards. Concerning complaints, recommendations include: maintaining separation between the Board and complaint investigations; establishing an ad hoc preview committee with Board adjudication; and staff review and referral to ad hoc committee. The Board agreed to have staff review, summarize and recommend action on jurisdictional complaints, as well as review a summary of all complaints, including non-jurisdictional and those resolved by staff.

Ms. Dewey reported on progress of the North American Veterinary Licensing Exam (NAVLE), which debuts in Fall 2000. The test is over 7 hours long and consists of six categories of questions. Translations into other languages are not available. The Board will continue to collect, screen and forward applications to the National Board Examination Committee. Applicants will be notified of eligibility and must schedule their tests at a participating test center. Applicants may apply through any state and test at any site in the country.

Information from the Veterinary Information Verifying Agency (VIVA), Registry of Approved Continuing Education (RACE), and Federation of American Veterinary Boards (FARB) was shared also. Staff or members will attend the next AAVSB and FARB meetings; the Board's attorney will be asked to attend the FARB Certification course for board attorneys.

AAVSB presented for boards' consideration a model national Practice Act.

## **COMMITTEES**

Continuing Education: the Board reaffirmed its position that one criterion for approval of continuing education is advertising and availability to all Oregon veterinarians.

Standards: Dr. DeWees reported that OVMA's response to the concept of certification for non-veterinarian dental technicians is mixed. She will review the model Practice Act and draft language to update and standardize radiograph requirements pertaining to minimum standards and record keeping.

Discussion of corporate ownership of veterinary practices was deferred to the next meeting.

## **NEW BUSINESS**

Ms. Makinen introduced new Board investigator, Michael Zagyva.

## **COMPLAINTS**

2000-03—Review pending.

2000-09—Complaint alleges that the veterinarian failed to diagnose properly and failed to document extralabel use of ringworm vaccine. The record indicated that differential diagnoses were appropriate. Clients took the dog to another veterinarian. The Board directed staff to advise the first veterinarian in writing concerning documentation in the record and to inform clients of extralabel drug use. Dr. Betts moved, Dr. Anderson seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-12—Complaint alleges that the veterinarian removed a tumor from a dog against client's wishes, overmedicated and overcharged. The veterinarian's record indicated that procedures had been explained to the client and consent was obtained. Mr. Hagglund moved, Dr. Anderson seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-13—Complaint alleges that the veterinarian failed to use a sterile thermometer to take a cat's temperature, which caused an infection, inadequately explained the cat's condition, and overcharged. Review of the patient record indicated a routine examination was conducted and that client was informed of the cat's condition. Mr. Hagglund moved, Dr. Anderson seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-14—Complaint alleges unprofessional conduct (belligerent attitude), overmedicating, contraindicated medication and overcharging. In reviewing the complaint and the veterinarian's record, the Board concluded that, although no violation of the Practice Act was evident, this veterinarian will be sent a letter advising: 1) clients be informed of side effects of medication; 2) caution in prescribing medications based on inconclusive laboratory findings; and 3) consideration of possible side effects; and 4) withdrawal of medications when signs of side effects appear. The letter will also advise the veterinarian that licensees should practice veterinary medicine in a way that reflects the highest professional ethics and standards.

2000-16—Complaint alleges that the veterinarian and staff performed a euthanasia in a way that was insensitive of the client and abusive to the cat. The patient record indicated a routine and unremarkable euthanasia of a severely ill cat presented without an appointment on an emergency basis. Mr. Hagglund moved, Dr. Anderson seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-17—Complaint alleges that client's dog contracted kennel cough after a stay in clinic to whelp and that the record indicated C-section instead of normal birth. The patient record indicated that client was advised of and agreed to C-section if needed due to uterine inertia, possibly resulting from inadequate nutrition. The dog whelped normally and this was recorded. However, a followup conversation with the client about the dog's cough was recorded and "C-section" was incorrectly referred to. Client was not billed for C-section. Client objected to the veterinarian's intent to charge for a followup appointment relating to the dog's cough, and took the dog to another veterinarian. The second veterinarian did not support the client's allegations. Mr. Hagglund moved, Dr. Anderson seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-18—Complaint alleges that the veterinarian failed to neuter a cat presented for that purpose and for vaccines. Cat was brought back and neutered; however, client wanted the veterinarian to re-administer the vaccines at no charge, which the veterinarian refused to do. The patient record indicated that the neuter had been performed and the vaccines administered. The veterinarian believed that two different cats were involved. Mr. Hagglund moved, Dr. Anderson seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-20—Complaint alleged that a specialist veterinarian overmedicated a cat. A second non-specialist veterinarian's opinion was unsupported and incomplete. The Board deferred to the expertise of the specialist. Dr. DeWees moved, Mr. Hagglund seconded, and the Board voted unanimously to find no violation of the Practice Act.

2000-21—Review pending.

2000-22—Review pending.

Next Board meeting: TBA, Portland.

There being no further business, the meeting was adjourned at approximately 5:00 p.m.

Respectfully submitted,  
Lori Makinen, Executive Officer