

BOARD OF VETERINARY EXAMINERS
Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

Date: Wednesday, October 17, 2012

Time: 10:00 a.m.

Place: Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Present: John K. Kaya, D.V.M., Chairperson
Alan Kaufman, D.V.M., Member
Elwood I. Kita, Member
Wendy L. Mah, Member
Jenee Odani, D.V.M., Member
Michael O. Woltmon, D.V.M., Member
Mellissa Yuen, D.V.M., Member
Shari Wong, Deputy Attorney General ("DAG")
Lynn Bhanot, Executive Officer
Lori Nishimura, Secretary

Guests: None.

Agenda: The agenda for this meeting was filed with the Office of the Lieutenant Governor, as required by Hawaii Revised Statutes ("HRS") section 92-7(b).

Call to Order: There being a quorum present, the meeting was called to order at 10:00 a.m. by Chairperson Dr. Kaya.

Additions/
Revisions
to Agenda: None.

Approval of
Minutes of the
July 18, 2012
Board Meeting: DAG Wong requested an amendment to the Board's minutes, second paragraph of page five (5); new verbiage underlined to replace words bracketed, to read as follows:

Chairperson Dr. Kaya stated that this Board reviews and evaluates each application and DAG Wong stated [that there is "no real affect to this Board"] there are no substantive problems in complying with this Act.

After discussion, it was moved by Dr. Kaufman, seconded by Dr. Woltmon, and unanimously carried to approve the minutes of the July 18, 2012 meeting as amended.

Ms. Mah arrived to the meeting at 10:02 a.m.

Election of Board Vice-Chairperson: Executive Officer Bhanot requested Board members to indicate their interest and/or to nominate another Board member(s) for the position of Vice-Chairperson; Mr. Kita was nominated for the position of Vice-Chairperson, there were no other nominations. It was moved by Dr. Woltmon, seconded by Dr. Yuen, and unanimously carried for Mr. Kita to be elected to the position of Vice-Chairperson of the Board.

Applications: A. Ratification of Issued Temporary Permit

After discussion, it was moved by Dr. Yuen, seconded by Dr. Odani, and unanimously carried to ratify the following issuances of temporary permits:

- (1) CENAL, Matthew F.K.
- (2) CENAL, Sara M.C.
- (3) MILNES, Casey M.L.
- (4) NAUSS, Hillary P.
- (5) ORTIZ, Tarin R.
- (6) TEDDER, Ryan W.

B. Ratification of Issued License

After discussion, it was moved by Vice-Chairperson Kita, seconded by Ms. Mah, and unanimously carried to ratify the following issued licenses:

- (1) BRANDT, Curtis M.
- (2) MILLEN, Katharine I.
- (3) MILNES, Casey M.L.
- (4) MISHIMA, Jodie H.
- (5) NOA, Kehaunani J.
- (6) PEGG, Deanna D.
- (7) SCHRADER, Gabrielle M.
- (8) SCHULMAN, Alexis A.
- (9) VISSER, Briar L.

Scope of Practice: A. Request for Board response to September 15, 2012 email inquiry from Dr. Lisa Labrecque regarding a non-profit 501c3 organization operating a veterinary clinic that serves the public and shelter animals.

Discussion ensued on an inquiry received from Dr. Labrecque, asking "can a non-profit 501c3 organization operate a veterinary clinic that serves the public, in addition to the shelter animals?". DAG Wong advised that the Board's laws and rules do not specifically address the operation or organization of a profit or non-profit company in the veterinarian business. The Board suggested Dr. Labrecque consult private counsel for appropriate advice and guidance.

In accordance with HAR section 16-201-90, the above interpretation is for informational and explanatory purposes only. It is not an official opinion or decision, and therefore is not to be viewed as binding on the Board.

Dr. Woltmon commented that this inquiry may be related to recent events whereby some states are closing shelters owned by non-veterinarians. He further commented that veterinarians are bound by a code of ethics, standards of care; therefore, may be one of the reasons why some states requires owners of clinics/shelters to be licensed veterinarians.

Chairperson's Report: A. Joint meeting with the Pharmacy Board regarding guidelines

Chairperson Dr. Kaya summarized his meeting with Dr. Ako and the Pharmacy Board's Executive Officer, Ms. Teshima, regarding veterinary products/medications available for purchase at pharmacy counters to consumers with no medical prescription by a veterinarian. Discussion ensued on the risk an unsuspecting consumer may take by purchasing these medications/products for their pets without consulting their veterinarians, and by relying on the pharmacists, who may be limited in their knowledge of animal care. Dr. Kaya noted that Ms. Teshima was not aware of this situation, and told him that she would follow up with the Regulated Industries Complaints Office on this matter. Dr. Kaya commented that while this may not be illegal, it was "not quite ethical".

Chairperson Dr. Kaya stated Dr. Ako suggested that the two Boards, the Veterinary Board and the Pharmacy Board, have a joint meeting to discuss and possibly set guidelines for pharmacies who are selling over the counter veterinary products/medications. Executive Officer Bhanot commented that Ms. Teshima would like to have this guideline in place by the ending of the year and that they may be able to utilize other existing guidelines they have in place with other Boards to help this Board.

DAG Wong commented that guidelines have no effect of law and are not binding to this Board. DAG Wong further commented that a disclaimer could be placed on the guideline, stating that the Veterinary Board did not vote on any matters regarding the impending guidelines, being that the next Board meeting is January 16, 2013.

Further discussion ensued on forming a committee who could meet and discuss on this matter and report to the Board at its subsequent meeting, to comply with the sunshine law. It was moved by Dr. Woltmon, seconded by Dr. Kaufman, and unanimously carried to form a committee to formulate guidelines for pharmacies, with the following members:

- Dr. Yuen
- Dr. Odani
- Ms. Mah.

Executive
Officer's
Report:

A. National Board of Veterinary Medical Examiners ("NBVME")
(1) 2011-2012 NAVLE Technical Report

Executive Officer Bhanot provided a brief summary of the 2011-2012 NAVLE Technical Report, items were written by veterinarians identified by the NBVME. Ms. Bhanot provided the following information based on that report:

- Fall 2011 testing window: (Nov – Dec 2011)
3,828 eligible candidates
3,767 sat for the exam
1 Hawaii candidate

- Spring 2012 testing window: (Apr 2012)
1,004 eligible candidates
962 sat for the exam
1 Hawaii candidate

Executive Officer Bhanot stated the report included statistics on the performance of candidates, sample score reports and diagnostic score reports, and results of an optional post-test survey.

B. American Association of Veterinary State Boards ("AAVSB")

(1) July 27, 2012 – 2012 Nominating Committee Report

The AAVSB 2012 Nominating Committee Report was circulated to Board members to review.

C. American Veterinary Medical Association ("AVMA")

(1) AVMA Volunteer Opportunities

Executive Officer Bhanot stated the Board received a September 21, 2012 email from AVMA for open volunteer positions, in which they commented that members of the Board may be "particularly interested in two volunteer positions" on the Educational Commission for Foreign Veterinary Graduates ("ECFVG"): (1) representing Senior Administrative Executives of State Veterinary Licensing Boards; and (2) representing Veterinary Members of State Veterinary Licensing Boards. Other volunteer positions were also available on their various committees.

D. October 24, 2012 Orientation for Professional and Vocational Licensing Board/Commission Members

Executive Officer Bhanot reminded Board members that the orientation presented by the department will take place on October 24, 2012 at the State Capitol.

E. 2013 Board Meeting Schedule

Board members were provided with the 2013 Board meeting schedule, with the following dates:

- January 16, 2013
- April 17, 2013
- July 17, 2013
- October 16, 2013.

Examinations:

A. Results of the State Veterinary Licensing Examination Administered on July 20, 2012

Candidates Eligible:	5
Exams Administered:	3
Successful:	3
Failed:	0
No Shows:	2

Results of the State Veterinary Licensing Examination Administered on August 16, 2012

Candidates Eligible:	1
Exams Administered:	1
Successful:	1
Failed:	0
No Shows:	0

Results of the State Veterinary Licensing Examination Administered on September 21, 2012

Candidates Eligible:	6
Exams Administered:	6
Successful:	6
Failed:	0
No Shows:	0

Next Board Meeting:

Wednesday, January 16, 2013
Queen Liliuokalani Conference Room
King Kalakaua Building
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Adjournment: There being no further discussion, the meeting adjourned at
11:02 a.m.

Taken and recorded by:

/s/ Lori Nishimura

Lori Nishimura, Secretary

Reviewed and approved by:

/s/ Lynn Bhanot

Lynn Bhanot, Executive Officer

LB:ln

11/07/12

Minutes approved as is.

Minutes approved with changes. See Minutes of _____