

MINUTES
UTAH VETERINARY PHYSICIANS LICENSING BOARD MEETING
MAY 18, 2023 9:00 A.M.
ROOM 402, 4TH FLOOR
160 E 300 S SALT LAKE CITY

Hybrid Meeting- In Person and Electronic

CONVENED: 9:03 AM

ADJOURNED: 10:25 AM

DOPL STAFF PRESENT:

Bureau Manager: Lisa Martin

Board Secretary: Maree Christensen

Compliance Specialist: Bernice Palama

Research Consultant: Lauren Beheshti

Board Secretary: Erin Genco

BOARD MEMBERS PRESENT:

Chair: Tonya Hardy, DVM

Amy Knollinger, DVM

Jason Gibson, DVM

Neil Moss, DVM

BOARD MEMBERS NOT PRESENT:

GUESTS ATTENDED ELECTRONICALLY:

Ashley Morgan

Dr. Clay Cannon

Dr. Jamie Rees – UVMA Pres Elect

Dr. Andre Tarassov

Jane Kelly - UVMA Immediate Class Pres

Dr. Katie Domann – UVMA Treasurer

Dr. Susan Benson – UVMA President

Note: Other guests may have been in attendance electronically but were not identified.

ADMINISTRATIVE BUSINESS:

CALL MEETING TO ORDER

Dr. Hardy called the meeting to order at 9:03 A.M.

REVIEW AND APPROVE JANUARY 19, 2023 MINUTES (00:04:08)

Dr. Gibson motioned to approve Minutes, as written.

Dr. Moss seconded the motion.

The Board motion passed unanimously.

APPOINTMENT ITEMS:

COMPLIANCE REPORT—BERNICE PALAMA *(Audio 00:05:06)*

Compliance Specialist Bernice Palama presented the compliance report.

Anna Hochstedler, update - supervisor reports received on time with good reviews, meets with the Board January 18, 2024.

Gary Durrant, no missed check-in's, supervisor reports received on time with good reviews.

GARY DURRANT, PROBATIONARY INTERVIEW *(Audio 00:05:50)*

Questions presented to the Board from Supervisor Dr. Clay Cannon.

Is it possible to apply for accreditation through USDA (United States Department of Agriculture)?

Dr. Gibson stated the USDA application asks if the current license has restrictions, however he had no objections.

Dr. Hardy recommended seeking an opinion from USDA.

Is it possible to relax the direct supervision requirement?

Ms. Palama stated due to Dr. Durrant's stipulation requirements, the Division requires Dr. Durrant to have direct supervision.

Dr. Moss stated he had no objection to only having one supervisor at the facility directly supervising Dr. Durrant.

Dr. Durrant stated he assumed the direct supervision was for a six-month timeframe.

Ms. Palama stated the direct supervision timeframe is entirely up to the Board's discretion.

Is it possible for Dr. Durrant to be able to write prescriptions?

Dr. Gibson asked how often the drug testing is completed.

Ms. Palama stated Dr. Durrant has approximately 12 to 14 random tests per year, to date all have been negative, the Board may always request more tests to be completed, the tests will continue for the duration of his stipulation, which is five years.

Dr. Gibson asked Ms. Palama how she would be notified if he had a positive result.

Ms. Palama stated the testing lab would contact her within three business days informing her of the result, she would then notify Ms. Martin and would reach out to Dr. Durrant, it is then presented to the Board for fines or sanctions.

Dr. Gibson stated he could understand the difficult task of not being able to write a prescription. Dr. Gibson stated he was willing to relax this requirement and allow Dr. Durrant to write prescriptions.

Dr. Moss recommended allowing Dr. Durrant to write non-controlled prescriptions.

Dr. Hardy stated she agreed with Dr. Moss's recommendation.

Dr. Hardy asked if he was participating in therapy.

Dr. Durrant stated he attends therapy twice a week.

Dr. Cannon asked the Board at what time frame would Dr. Durrant be able to request the Board amend the supervision requirement.

Ms. Palama stated the stipulation length is for five years, in 3 years if Dr. Durrant is still in good standing, he may discuss it before the Board to request indirect supervision.

MICHAEL BILOTTA, APPLICATION REVIEW *(Audio 00:22:45)*

Dr. Hardy asked Michael Bilotta for a quick review of the application request.

Mr. Bilotta stated he has been working in the field for approximately thirteen years and currently has resided in Utah for four.

Dr. Hardy asked if he had passed the VTNE exam.

Mr. Bilotta stated yes, he had.

Dr. Hardy asked if he still enjoys working in the field.

Mr. Bilotta stated his passion is emergency care.

Dr. Gibson asked if he had any legal issues since 2012.

Mr. Bilotta stated no, the requirement for supervised release was reduced two weeks ago.

Dr. Gibson asked how old he was at the time of the conviction.

Mr. Bilotta stated he was 30.

Dr. Gibson asked how often he met with the probation officer.

Mr. Bilotta stated he has only met with the officer a couple of times, then it was reassigned, however he submits monthly reports.

Dr. Gibson asked what the reports followed up on.

Mr. Bilotta stated mostly new crimes and substance use.

Dr. Gibson asked if internet activity was monitored.

Mr. Bilotta stated he has monitoring software installed on his phone and laptop, these are randomly spot checked.

Dr. Hardy asked if he had a good support network.

Mr. Bilotta stated yes, he did.

Dr. Hardy asked the Board for questions or concerns.

The Board had no concerns or objections in approving the application.

Dr. Hardy approved Michael Bilotta's Certified Veterinarian Technician application.

DISCUSSION ITEMS:

BOARD TRAINING *(Audio 00:33:19)*

Ms. Martin discussed the Board Member Training Division webpage that covers the duties, introductory to training, disciplinary process, statutes, rules, open public meetings, and rule writing. Ms. Martin stated she would send a link out to Board Members.

HB 187 – VETERINARY PRACTICE AMENDMENTS *(Audio 00:35:58)*

Ms. Martin discussed the HB 187 Veterinarian Practice Act amendment that took place during the 2023 legislative session, which exempts an individual who is testing bovine for pregnancy from the requirement to be licensed under the Veterinary Practice Act.

Dr. Moss stated he disagreed with the amendments as this could impact heavily on veterinary income sources in rural areas.

Dr. Gibson agreed with Dr. Moss comment.

Ms. Martin stated she would provide information on proposed bills in the future for the Board to provide feedback and input. Ms. Martin stated the Utah Veterinary Medical Association (UVMA) can be involved within the legislative sessions, however the Division cannot.

R156-17B-617(H) CLASS E PHARMACY OPERATING STANDARDS - VETERINARIAN PHARMACEUTICAL FACILITY PHARMACY *(Audio 00:39:45)*

Ms. Martin discussed with the Board the draft Class E Pharmacy Operating Standards for Utah Admin Code R156-17b -617(h) Veterinarian Pharmaceutical Facility Pharmacy, which was

drafted due to the recently released Federal Food and Drug Administration (FDA) guidance 263 document regarding distribution of products to sell over the counter (OTC) medications at feed stores. Ms. Martin stated the operating standards include maintaining an inventory drug list, list of employees and their training, a nominated responsible party, maintaining prescription records for five years, labeling, and locked and enclosed drugs when facility is closed.

Ms. Martin asked the Board for feedback.

Dr. Gibson stated the drafted standards look good, however recommended the Board look into them a little more deeply.

Ms. Martin stated she would send out the FDA guidance and the draft operating standards to the Board for review.

Dr. Moss asked what happens after the draft is approved.

Ms. Martin stated it would go before the pharmacy Board for approval.

FOREIGN VETERINARIANS – LAUREN BEHESHTI *(Audio 00:47:46)*

Ms. Behesti stated she has been employed with the Division since November 2022 and was hired specifically to create new pathways of licensure for internationally trained applicants due to the recently passed SB 35 in the 2023 legislative session. Ms. Behesti stated priority and categories are the top items being focused on for now, so far, there have been 1500 inquiries, 15 inquiries for veterinarians: three in Utah and four in other states, along with eight locations unknown. Ms. Behesti stated at the next Board meeting in September, she should have more information.

Dr. Gibson asked what specifically changed in the Veterinary Practice Act.

Ms. Behesti stated nothing changed in the Veterinary Practice Act for the international applicants, there is still lots of groundwork that needs to be figured out within the profession.

Dr. Moss stated Utah is being asked to consider extending temporary licensure to foreign graduates that are completing the American Veterinary Medical Association (AVMA) and Educational Commission for Foreign Veterinary Graduates (ECFVG) process, due to time restraints with visas. Dr. Moss stated the temporary licensure pathway would need to have time limits with reasonable constraints put into place. Dr. Moss stated there is however the concern that a foreign graduates could potentially take a job away from a U.S. citizen, another concern is that ECFVG and Program for the Assessment of Veterinary Education Equivalence (PAVE) are required to accept individuals to take their examinations with minimal clinical experience. This is a major problem when it comes to small animal surgery and anaesthesia, where many candidates have never spayed a dog before and often take the exam knowing they will fail, but take it to hone their skills. This stresses the examiners, who are required to watch in silence as an animal is subjected to poor surgical technique. In order to address this the ECFVG now requires that candidates have 6 documented spays before they can take the surgical exam, and many candidates find it difficult to perform these surgeries because they have no license. Limited licensure may provide a way for them to gain clinical experience before taking these exams.

Dr. Gibson validated Dr. Moss 's concerns.

Ms. Behesti stated the concerns that Dr. Moss shared are valid and noted.

MEETING ADJOURNED: 10:25 A.M.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

NEXT SCHEDULED MEETING: *Thursday September 21, 2023*

2024 Board Meeting Tentatively Scheduled:
January 18, May 16, September 19.

Tonya Hardy
Tonya Hardy (Sep 21, 2023 14:20 MDT)

Chairperson

09/21/2023

Date

Lisa Martin

Bureau Manager

09/21/2023

Date