

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

MINUTES OF MEETING

Date: Wednesday, April 29, 2015

Time: 10:00 a.m.

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

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

Excused: Wendy L. Mah, Member

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: Executive Officer Bhanot requested for the Board to add the following agenda items as follows:

Add: 5. LEGISLATION
* * *
B. Senate Bill No. 475 SD1 HD2, Relating to Open Government

Add: 6. CORRESPONDENCE
* * *
D. March 25, 2015 email from Marcos Unis, D.V.M.
Re: State license with the PAVE exam

Add: 8. EXECUTIVE OFFICER'S REPORT

* * *

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

* * *

2) April 6, 2015 Amended Call for Nominations
for Upcoming Open Positions

After discussion, it was moved by Dr. Odani, seconded by Dr. Woltmon, and unanimously carried to approve the aforementioned additions to the meeting agenda.

Approval of
Minutes of the
January 28, 2015
Board Meeting:

After discussion, it was moved by Dr. Kaufman, seconded by Vice-Chairperson Kita, and unanimously carried to approve the minutes of the January 28, 2015 Board meeting.

Applications:

A. Ratification of Issued Temporary Permit

After discussion, it was moved by Dr. Woltmon, seconded by Vice-Chairperson Kita, and unanimously carried (Dr. Kaufman recused himself from the vote) to ratify the following issued temporary permit:

(1) DOGAN, Hilal

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

(1) MALINOWSKI, Carolyn M.

(2) TSUTAHARA, Nicole M.

B. Ratification of Issued License

After discussion, it was moved by Dr. Kaufman, seconded by Vice-Chairperson Kita, and unanimously carried to ratify the following issued license:

(1) ALEXANDERSON, Lindsay R.

(2) CAMPBELL, April

(3) DIETRICH, Kristin R.

(4) HOLLOWAY, Destini R.

(5) SEWARD, Susanne L.

(6) TSUTAHARA, Nicole M.

(7) VAN DE WETERING, Andrea G.

After discussion, it was moved by Dr. Kaufman, seconded by Vice-Chairperson Kita, and unanimously carried (Chairperson Dr. Kaya recused himself from the vote) to ratify the following issued license:

(1) KELLY, Jenny R.

Legislation:

A. Senate Bill No. 751 and House Bill No. 733, Relating to Veterinary Technicians

Executive Officer Bhanot informed the Board that Senate Bill No. 751, Relating to Veterinary Technicians and its companion bill, House Bill No. 733, Relating to Veterinary Technicians, were both deferred indefinitely by the Senate and the House and that both bills will be carried over to the next Legislative session.

The Board reiterated that they were in support of the concept to register veterinary technicians but were not able to support the deferred bills as written. Dr. Odani commented that it appears the Legislators want a bill containing language agreeable by all parties involved. Executive Officer Bhanot commented that the Department of Commerce and Consumer Affairs does not intend to introduce an Administration bill on Veterinary Technicians for the next legislative session and further that Dr. Ako (the proponent of these bills) should be more involved with developing agreeable language. Dr. Kaufman commented that adequate time to review such bills should be given.

B. Senate Bill No. 475 SD1 HD2, Relating to Open Government

Discussion ensued on Senate Bill No. 475 SD1 HD2, Relating to Open Government; which may propose for board packets to be made available electronically and that may be accessible by the public as well as board members. Executive Officer Bhanot inquired if the Board may want to consider receiving their board meeting packets electronically; the consensus of the Board was to continue receiving hard copy meeting packets. Vice-Chairperson Kita suggested referencing website links

where applicable, such as legislative bills; thereby conserving paper, time, and lowering the cost of postage.

Correspondence: A. March 13, 2015 email from Dr. Richard Davis, Ph.D.
Re: Hawaii laws not being followed

Executive Officer Bhanot stated that an email was received from Dr. Davis concerning veterinarians who were not providing written prescription(s) which he stated violated HRS section 471-10(b)(12), which states, in pertinent part:

“Conduct or practice contrary to the recognized principles of medical ethics of the veterinary profession as adopted by the Hawaii Veterinary Medical Association and the American Veterinary Medical Association.”

Discussion ensued on the Principles of Veterinary Medical Ethics of the AVMA; it was noted that the pertinent Principle states “Veterinarians **shall** honor a client’s request for a prescription in lieu of dispensing.”; therefore, it is up to the discretion of the Veterinarian to adhere to the veterinary medical ethics. Executive Officer Bhanot suggested that veterinarians should make known their policy on written prescriptions and post it in their office.

Dr. Kaufman commented that each situation is unique; that there are many good reasons to not write a prescription without complete knowledge of the patient. Dr. Woltmon commented that with recent technology, written prescriptions aid in the increase of prescription drugs in the black market.

Executive Officer Bhanot stated that Dr. Davis did not want to file a complaint but rather wanted to educate the Board on this matter. Vice-Chairperson Kita commented that Dr. Davis should provide facts related to his matter and file a complaint with the Regulated Industries Complaints Office.

B. April 9, 2015 email from Isaac Maeda, D.V.M.
Re: Hawaii Animal Over-the-Counter Drug laws/regulations

Executive Officer Bhanot stated that an email inquiry was received from Dr. Maeda concerning laws/regulations on Hawaii animal over-the-counter ("OTC") drugs. She also stated that she spoke with Lee Ann Teshima, Executive Officer of the Hawaii Board of Pharmacy, who informed her that OTC drugs are not under their jurisdiction; thus, OTC drugs are not regulated.

C. April 18, 2015 email from John Elliot, D.V.M.
Re: Aloha Vet

Executive Officer Bhanot stated that an email was received from Dr. Elliot expressing his concerns with the practice of veterinary medicine by Dr. Scott Sims, D.V.M., as portrayed in his reality television show, Aloha Vets, that takes place on the Island of Kauai. Dr. Elliot expressed that no proper standards of care were given. Both Dr. Odani and Dr. Woltmon recused themselves from discussion. It was noted that Dr. Elliot may want to file a complaint with the Regulated Industries Complaints Office, as they are the enforcement agency delegated with complaint filing, investigation, and prosecution.

D. March 25, 2015 email from Marcos Unis, D.V.M.
Re: State license with the PAVE exam

Executive Officer Bhanot stated an email inquiry was received from Dr. Unis concerning the licensure requirement for himself as a graduate of foreign college of veterinary medicine, and whether the passing of the PAVE exam (instead of the ECFVG exam) would be accepted.

Discussion ensued on the acceptance of the PAVE exam by other states; Dr. Odani commented that there may be as many as forty (40) states that may have adopted the PAVE exam. The consensus of the Board was that further research/action to possibly accept the PAVE exam in the near future should be considered; however, this would require amending the statute/rules.

Further discussion ensued on HRS section 471-8(a)(2) Examinations, qualifications of applicants: which states, in pertinent part (and which may be applicable to Dr. Unis' situation):

“Is a graduate of a veterinary college meeting all the standards established by the American Veterinary Medical Association, or, in lieu thereof, has actively practiced for ten out of twelve years immediately preceding the date of application in a state having standards for licensing comparable to those in this State.”

Chairperson’s
Report:

Chairperson Dr. Kaya stated that the Veterinary Technician Program at Windward Community College has hired Dr. Jenny R. Kelly as its new Director as of June 1, 2015.

Chairperson Dr. Kaya congratulated Dr. Odani on her reappointment to the Board. He also congratulated and thanked Vice-Chairperson Kita (as it was his last meeting) for serving eight (8) years on the Board.

Executive Officer Bhanot stated that two seats will need to be filled; one public and one veterinarian; and of the two, one will need to represent the Island of Hawaii? She encouraged the Board to recruit prospective volunteers to apply on-line to the Boards and Commission of the Governor’s website.

Executive
Officer’s
Report:

A. National Board of Veterinary Medical Examiners (“NBVME”)

(1) February 2015 Quarterly Newsletter of the NBVME

The February 2015 Quarterly Newsletter of the NBVME was circulated to the Board.

(2) February 3, 2015 – Upcoming Enhancements to NAVLE Administration Procedures

Executive Officer Bhanot informed the Board that starting with the November-December 2015 testing window, NAVLE candidates will be able to access their score reports about four (4) weeks after completing the NAVLE exam.

B. American Association of Veterinary State Boards (“AAVSB”)

(1) December 2014 Veterinary Regulation News

The December 2014 Veterinary Regulation News was circulated to the Board.

- (2) April 6, 2015 Amended Call for Nominations for Upcoming Open Positions

The April 6, 2015 amended call for nominations for upcoming open positions was circulated to the Board.

Chairperson Dr. Kaya commented that CE tracking is available for veterinarians to log their CE credits required for license renewal. It is a program launched by the AAVSB.

C. American Veterinary Medical Association ("AVMA")

- (1) April 9, 2015 – AVMA Council on Education ("COE") Report of Accreditation Actions

The April 9, 2015 AVMA COE report of accreditation actions, which contained information on programs that are now current or continuing with their accreditation, was circulated to the Board.

Examinations:

A. Results of the North American Veterinary Licensing Examination ("NAVLE") Administered During the November – December 2014 Testing Window

Candidates Eligible:	3
Exams Administered:	2
Successful:	2
Failed:	0
No Shows:	1

B. Results of the State Veterinary Licensing Examination Administered on February 20, 2015

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

Results of the State Veterinary Licensing Examination
Administered on March 20, 2015

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

Next Board Meeting: Wednesday, July 15, 2015
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 11:20 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

05/26/15

[X] Minutes approved as is.
[] Minutes approved with changes. See Minutes of _____