

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

MINUTES OF MEETING

Date: Wednesday, January 28, 2015

Time: 10:07 a.m.

Place: King Kalakaua 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
Wendy L. Mah, Member
Jenee Odani, D.V.M., Member
Shari Wong, Deputy Attorney General ("DAG")
Lynn Bhanot, Executive Officer
Lori Nishimura, Secretary

Excused: Michael O. Woltmon, D.V.M., 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 10:07 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: 6. LEGISLATION

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

After discussion, it was moved by Dr. Kaufman, seconded by Vice-Chairperson Kita, and unanimously carried to approve the aforementioned addition to the meeting agenda.

Approval of
Minutes of the
October 15, 2014
Board Meeting:

After discussion, it was moved by Vice-Chairperson Kita, seconded by Ms. Mah, and unanimously carried to approve the minutes of the October 15, 2014 Board meeting.

Applications:

A. Ratification of Issued Temporary Permit

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

- (1) HOLLOWAY, Destini R.
- (2) KIMURA, Lauren N.
- (3) LEVINS, Kristin R.

B. Ratification of Issued License

After discussion, it was moved by Ms. Mah, seconded by Dr. Odani, and unanimously carried to ratify the following issued license:

- (1) BARRETT-NARITO, Chelsie C.N.
- (2) CAVANAUGH, Caitlin M.
- (3) DEVEAU, Erin E.G.
- (4) GILLEN, Eileen T.
- (5) IHA, Jandi A.
- (6) KIMURA, Lauren N.
- (7) LEVINS, Kristin R.
- (8) MCCURDY, Paul J.
- (9) MEAD, Shauna R.
- (10) RUDOSKY, Joanna C.
- (11) TOM, Noele T.K.
- (12) YUSHCHENKO, Ganna
- (13) ZIA, Carolin D.
- (14) ZIMMERMAN, Dawn M.

New Business:

A. Exam Questions

Executive Officer Bhanot commented that the Board had requested at its' last meeting for the following agenda items to be placed on future meeting agendas.

- 1) Exam Questions and Reference Materials Utilized

Discussion ensued on the possibility of updating cite reference(s) to exam questions. Dr. Kaufman suggested each veterinary board member write up exam questions with reference(s) readily available; considering what should be on the exam first rather than revising existing question(s). The consensus of the Board was to review the current references and subject matter and also review the exam questions currently in the pool; thus extended an invitation to Dawn Kubota, Professional and Vocational Licensing Exam Branch Chief, to attend the next Board meeting.

DAG Wong suggested the Board create an exam committee. After discussion, it was moved by Dr. Odani, seconded by Ms. Mah, and unanimously carried to appoint the following Board members to the exam committee:

- Dr. Odani;
- Dr. Kaufman; and
- Chairperson Dr. Kaya.

2) Exam Retake Duration

Executive Officer Bhanot provided a brief history of the Board's policy concerning the State licensing exam retake duration. She stated that the following are reflected in the meeting minutes of:

- January 7, 2000 meeting – discussion/concerns raised on exams;
- July 7, 2000 meeting - the Board approved a ninety (90) days wait period to retake exam, upon failing the exam; and
- November 15, 2006 and January 31, 2007 meeting – the Board reaffirmed monthly testing with a ninety (90) days wait period to retake exam, upon failing the exam.

Discussion ensued on the possibility of shortening the wait period of ninety (90) days. DAG Wong commented that the concern the Board had in 2006 was due to the limited number of questions in the pool for the exam. She also advised the Board

against changing the policy without more time, thought, and discussion.

3) Maximum Number of Retakes

Consensus of the Board was to defer discussion on this matter as it relates to the exam retake duration topic.

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

1) December 5, 2014 Email From Daphne Tabbytite
Re: 2015 Annual Meeting & Conference topics/sessions

Chairperson Dr. Kaya stated the 2015 AAVSB Annual Meeting and Conference will be held in Wisconsin and that delegate funding is available for a Board member to attend.

Discussion ensued on topics/sessions the Board may want to submit to include in that meeting's program; Dr. Kaufman suggested the following topics/sessions:

- How to create a good state board exam;
- How many number of questions;
- How to administer the exam;
- Security for database;
- How are questions rotated;
- Retake number; and
- Maximum number of retakes.

He further stated that his main concern he wants addressed are how are other state board creating their exams and what are some common complaints that they encounter and subsequent disciplinary action(s), if applicable, to those complaints.

2) December 12, 2014 Email From Chrissy Bagby
Re: AAVSB's Practice Act Model

The Board was provided with a copy of the email from Chrissy Bagby concerning the modifications to the AAVSB's Practice Act Model, which had been

approved at the 2014 Annual Meeting and Conference.

Legislation: A. Sunrise Analysis: Regulation of Veterinary Technicians Report No. 14-15

Discussion ensued on the State Auditor's finding on the sunrise analysis of the proposed legislation of Senate Bill No. 2502, Senate Draft 1, of the 2014 Legislature, to propose to regulate veterinary technicians and the practice of veterinary technology under Chapter 471, HRS. The State Auditor concluded that they found no evidence to support a need for regulation.

Dr. Kaufman commented that he is in support to add quality to the veterinary industry. DAG Wong commented that the bill did not address the structure for a vet tech license and limited access.

B. 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 introduced on January 23, 2015 and January 26, 2015 respectively. Dr. Kaufman commented that given the short time frame, it may be difficult for the Board to "digest everything", and provide comment(s) or take a position.

DAG Wong commented that Board members may submit their own testimony; testimonies do not need to be from the Board. Dr. Odani commented that schooling provides knowledge and skills; work experience may provide the skills but not the background knowledge. She further commented that the minimum five-year work experience should be decreased.

Chairperson Dr. Kaya commented that the duties outlined are vague. He further commented that the Practice Model Act may have a section on veterinary technicians, which Dr. Kaufman suggested Dr. Ako (proponent of the bill) to model after.

The consensus of the Board was that they supported the concept to register veterinary technicians but are unable to support the bill as written. Further consensus was to consult with the AAVSB to obtain clarification on the proposed scope of practice language as compared to the AAVSB Veterinary Technology Practice Act Model. The Board did point out the following conflicting language in the identical bills:

- Page 6, lines 7 to 9: the definition of "Practice of veterinary technology" refers to procedures only under the direct supervision of a licensed veterinarian; and
- Page 10, lines 1 to 3: includes an exemption that allows any person from assisting the veterinarian or veterinary technician while under the direct or indirect supervision of a licensed veterinarian.

The consensus of the Board was to appoint Chairperson Dr. Kaya as the representative of the Board to the legislative hearings and Dr. Odani to be his replacement, if needed.

Correspondence: A. December 9, 2014 Email From the Pharmacy Board Executive Officer, Lee Ann Teshima; Re: Veterinary Only Drug Distributors

The Board was provided with a copy of the email correspondence written by Lee Ann Teshima, Executive Officer of the Pharmacy Board, pertaining to wholesale distributors; that "a wholesale distributor's license would be required for any wholesale distributor located in this State to distribute any human drug even to a veterinarian."

B. January 21, 2015 Email From Sarah Smith Re: Brazilian Volunteer Vet Question

Executive Officer Bhanot stated that an email inquiry was received from Sarah Smith on "legalities of giving vaccinations in Hawaii" - the administering of vaccinations by a veterinarian who holds a "valid Brazilian license". Discussion ensued on HRS section 471-2(5), which states, in pertinent part, that nothing in the licensing statute prevents or prohibits:

“any person licensed to practice veterinary medicine in any state, or any certified scientist or professional in animal care, from practicing in this State when in actual consultation with or under the sponsorship of veterinarians of this State; provided that the person licensed from another state, or the certified scientist or professional in animal care, shall not open an office, or appoint a place to meet patients, or receive calls within the limits of the State;” (emphasis added.)

The Board’s consensus was that unless the veterinarian is licensed to practice in another state, the veterinarian with the valid Brazilian license would not be exempt from licensure.

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

Chairperson’s Report:

A. Update on the Veterinary Technician Program at Windward Community College

Chairperson Dr. Kaya stated that he has stepped down as Veterinary Technician Program Director at Windward Community College, as of January 22, 2015; he commented that he wants to focus more on his clinical practice. He also stated that the program has received prospective applicants for the position.

Chairperson Dr. Kaya commented that he believes veterinary technician students like registration. He stated that graduates of the program usually obtained an out of state license from Colorado or California.

Executive Officer’s Report:

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

- (1) November 2014 Quarterly Newsletter of the NBVME

The November 2014 Quarterly Newsletter of the NBVME was circulated to the Board.

Examinations: A. Results of the State Veterinary Licensing Examination
Administered on October 17, 2014

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

Results of the State Veterinary Licensing Examination
Administered on November 21, 2014

Candidates Eligible:	7
Exams Administered:	5
Successful:	4
Failed:	1
No Shows:	2

Results of the State Veterinary Licensing Examination
Administered on December 19, 2014

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

Results of the State Veterinary Licensing Examination
Administered on January 16, 2015

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

Next Board Meeting: Wednesday, April 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
12:15 p.m.

Taken and recorded by:

/s/ Lori Nishimura

Lori Nishimura, Secretary

Reviewed and approved by:

/s/ Lynn Bhanot

Lynn Bhanot, Executive Officer

LB:ln

02/23/15

[X] Minutes approved as is.

[] Minutes approved with changes. See Minutes of _____