

**HAWAII BOARD OF VETERINARY MEDICINE**  
Professional and Vocational Licensing Division  
Department of Commerce and Consumer Affairs  
State of Hawaii

MINUTES

Date: July 14, 2021

Time: 10:00 a.m.

Place: Virtual Videoconference Meeting – Zoom Webinar  
(use link below)  
<https://dcca-hawaii-gov.zoom.us/j/94204282507>

Present: Craig Nishimoto, D.V.M., Chairperson  
Leianne K. Lee Loy, D.V.M., Member  
Clayton Matchett, D.V.M., Member  
Aileen Wada, Member  
Shari J. Wong, Esq., Deputy Attorney General (“DAG”)  
Candace Ito, Acting Supervising Executive Officer,  
PVL, DCCA  
Chelsea Fukunaga, Executive Officer  
Kerrie Shahan, Executive Officer  
Jenny Yam, Executive Officer  
Lori Beth Van Cantfort, Executive Officer  
Leanne Abe, Secretary  
Marc Yoshimura, Secretary (Training)  
Christine Dela Cruz, Office Assistant

Excused: None.

Guests: Kristopher Bjornson, Medical Director, Pu’ulu Lapa’au  
Theodore Sakai, Executive Director, Pu’ulu Lapa’au  
Shawna Darrin, Director, Veterinary Emergency + Referral  
Center of Hawaii  
Stephanie Kendrick, Public Policy Advocate, Hawaiian  
Humane Society

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).

A brief video was played to explain procedures for this virtual  
meeting and how members of the public can participate and  
interact with the Board during the meeting.

Call to Order:

There being a quorum present, the meeting was called to order at 10:06 a.m. by Chair Nishimoto.

Chair Nishimoto proceeded with roll call. All Board members were present.

Approval of the Minutes of the April 14, 2021 & May 27, 2021 Board Meeting:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

After discussion, it was moved by Chair Nishimoto, seconded by Ms. Wada, and unanimously carried to approve the April 14, 2021 public and executive session minutes and May 27, 2021 meeting minutes with typographical errors as circulated.

The Board agreed by consensus to take the following agenda items out of order due to time constraints and quorum.

Permitted Interaction Group Formation:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

At 10:10 a.m., it was moved by Chair Nishimoto, seconded by Ms. Wada, and unanimously carried via roll call by Chair Nishimoto for the Board to enter into Executive Session to consider sensitive matters related to public safety or security, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order in accordance with HRS sections 92-5(a)(1),(6), and (8), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

At 10:26 a.m., the Board returned to public session.

Chairperson Nishimoto proceeded with roll call. All Board members were present.

Chair Nishimoto stated that the purpose of the Permitted Interaction Group ("PIG") is to investigate and research the

best practices of other states in regard to the regulation of out-of-state veterinarians who wish to practice in Hawaii on a temporary basis and to draft legislation as necessary to carry out the recommendations of the PIG.

The PIG members appointed by the Board are:

- 1) Chair Nishimoto, Board of Veterinary Medicine member
- 2) Aileen Wada, Board of Veterinary Medicine member
- 3) Jenee Odani, HVMA representative
- 4) Shawna Darrin, VERC representative
- 5) Stephanie Kendrick, Hawaiian Human Society representative

Chair Nishimoto stated that the PIG will report back to the Board by the October 13, 2021 board meeting or earlier if possible.

It was moved by Chair Nishimoto, seconded by Dr. Lee Loy, and unanimously carried via roll call by Chair Nishimoto to establish the PIG appointing Chair Nishimoto, Ms. Wada, Dr. Odani, Ms. Darrin, and Ms. Kendrick; and for the PIG to report back to the Board on or before the October 13, 2021 board meeting.

Chair Nishimoto advised the tentative date for the first PIG meeting on July 28, 2021 at 10:30 a.m.

Unfinished  
Business:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

At 10:31 a.m., it was moved by Chair Nishimoto, seconded by Dr. Lee Loy, and unanimously carried via a roll call vote by Chair Nishimoto for the Board to enter into Executive Session to consider sensitive matters related to public safety or security, to deliberate or make a decision upon a matter that requires the consideration of information that must be kept confidential pursuant to a state or federal law, or a court order in accordance with HRS sections 92-5(a)(1),(6), and (8), and to consult with the Board's attorney on questions and issues pertaining to the Board's powers, duties, privileges, immunities, and liabilities in accordance with HRS section 92-5(a)(4).

## EXECUTIVE SESSION

At 10:46 a.m., the Board returned to public session.

Chairperson Nishimoto proceeded with roll call. All Board members were present.

- A. June 29, 2021 email from Dr. Chi-Ya Chen  
Questions Regarding Board-Certified Surgeon (Licensed in Another State) Emergency Surgery, PAVE, and Temporary License Application
- B. July 5, 2021 Email from Dr. Erika Sox  
Questions Regarding Board-Certified Surgeon (Licensed in Another State) Emergency Surgery

The Board discussed PAVE pathway and it was summarized that at the November 9, 2020 board meeting, Dr. Yoshicedo stated that the HVMA supports accepting PAVE Certification in Hawaii. Dr. Yoshicedo indicated that the HVMA would be willing to introduce a bill to amend the statute to allow the acceptance of PAVE certification through a legislator. At the November 9, 2020 board meeting, the Board mentioned that they have discussed PAVE in the past and the Board had indicated interest in accepting PAVE. The Board is looking forward to HVMA's first draft and plans to work with the HVMA to finalize the draft for legislation 2022.

After discussion, it was moved by Dr. Lee Loy, seconded by Ms. Wada, and unanimously carried via a roll call vote by Chair Nishimoto that the Board is unable to accept Dr. Chen's request to perform emergency surgery because of the inability to meet the requirements of being ECFVG certified; however, Hawaii Revised Statutes do not prohibit Dr. Chen from gratuitously treating animals in case of emergency.

### Correspondence:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

- A. May 11, 2021 Email from Sara Geremia  
Scope of Practice – Does Energy Bodywork require veterinary supervision?

Ms. Wada inquired if this energy treatment would require veterinary supervision since Ms. Geremia is not providing medical treatment such as prescribing medication or performing surgery.

Chair Nishimoto replied that the Board will need to determine if they consider her type of therapy actual practice or treatment which would then fall under the Veterinary Practice Act.

Ms. Shahan cited Hawaii Revised Statutes section 471-1 which states:

***"Practice of veterinary medicine" means the diagnosis or treatment for the prevention, cure, or relief of, or the giving of advice concerning, a disease, pain, injury, deformity, or other physical condition of an animal, or a change of a physical characteristic of an animal for cosmetic or utility purposes. It includes medical, surgical, and dental care of animals;***

Dr. Lee Loy stated that based on the listed therapies of decreasing pain, treating for a disease, and acupressure; for acupressure there are Veterinarians who are certified and licensed in acupressure that would be able to perform it. She believes that based on the statutes and the therapies listed on Ms. Geremia's email, there should be a Veterinarian as part of that team.

Dr. Matchett commented that massage and chiropractic work on animals should be done ideally under the direct supervision of a Veterinarian or performed by a Veterinarian because of the significant manipulations and stretching that takes place.

After discussion, it was moved by Chair Nishimoto, seconded by Dr. Lee Loy, and unanimously carried via a roll call vote by Chair Nishimoto that the Board determined that the therapies listed on Ms. Geremia's email are within the jurisdiction of the Veterinary Practice Act and should be performed by a Veterinarian or under direct supervision of a Veterinarian.

B. May 7, 2021 Email from Dr. Leianne Lee Loy  
Request to Discuss On-Line Testing

Dr. Lee Loy stated that she recently attending a Hawaii Veterinary Medical Association meeting and colleagues were inquiring if there is a possibility that the Hawaii state veterinary licensing examination would be available online due to the current COVID-19 pandemic and circumstances.

Chair Nishimoto shared that it would be easier for out-of-state applicants to take the Hawaii state veterinary licensing examination; however, there are some concerns regarding the cost of online testing versus the number of examinations administered per year.

Ms. Shahan stated that they would have to do a cost analysis and will research the possibility of online testing. She is unsure of the exact number of examinations administered before the COVID-19 pandemic. She reported that in 2020, 26 (twenty-six) individuals took the Hawaii state veterinary licensing examination and as of June 2021, 27 (twenty-seven) individuals have taken the Hawaii state veterinary licensing examination.

**Dr. Matchett left the meeting at 11:00 a.m.**

Presentation:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. Dr. Bjornson and Mr. Sakai were both recognized by Chair Nishimoto to present their presentation.

A. Pu'ulu Lapa'au: The Hawaii Program for Healthcare Professionals

Mr. Sakai and Dr. Bjornson both introduced themselves and thanked the Board for providing them the opportunity to share about Pu'ulu Lapa'au, the Hawaii program for healthcare professionals. Mr. Sakai and Dr. Bjornson displayed a slideshow and provided a summary of the topics discussed:

- Mission

Promote patient safety and care by improving the health, well-being and effectiveness of healthcare professionals

- Services

Advocacy, education, information and consultation, fulfill joint commission accreditation requirements

- Structure

- Independent 501(c) 3 non-profit
- No formal relationship with any state licensing agency
- No formal affiliation with any medical society
- 12 volunteer board members: 7 physicians (specialties represented include surgery, obstetrics, psychiatry, internal medicine, emergency medicine, pediatrics and addiction medicine), 2 nurses, 1 pharmacist, 1 dentist, 1 attorney
- Staff: Executive Director, Medical Director and Program Coordinator

- Providers Served

- Physicians, Physician Assistants, Nurses, Pharmacists, Dentists, Psychologists, Medical Residents, Social Workers, Veterinarians, Medical Students

- Conditions

- Substance use disorders
- Mental and physical conditions (including cognitive disorders)
- Behavioral health (disruptive behavior, anger management)
- Boundary violations, including professional and sexual misconduct
- Stress management (burnout)

- Monitoring Agreements

- Three types: substance, medical (includes physical, mental health and cognitive disorders), behavioral (includes “disruptive behavior”)
- Duration varies from 1 to 5 years (or more)
- Expenses
  - Monthly: \$225 for substance, \$300 for behavior
  - Drug screens: varies from \$60 to \$200 per test depending on type
  - Other: treatment, time away from work
- General Monitoring Requirements
  - 1) Varies according to specific circumstances but most require:
    - Abstinence from all potential substances of abuse
    - Random, observed, drug testing (multiple tissue type)
    - 12 step meetings, documented with signature logs
    - Worksite monitoring and/or meetings with the Medical Director or Board of Directors
    - Release of information
  - 2) Some agreements may require engagement in mental, medical health treatment
- Examples of Non-Compliance
  - Drug test irregularities: includes positive test for substances, missed tests, dilute urine
  - Not attending the required number of 12 step meetings
  - Not meeting with the Medical Director or Board of Directors
  - Not meeting with worksite monitor
  - Refusal to follow recommendations
- Potential Actions
  - Order to cease practice



- Re-evaluation of sobriety/compliance status
  - Change in monitoring requirements: increased meetings, drug screens, use of other testing medium
  - Notification of third-party organizations
  - Extension of the monitoring agreement
- Monitoring Works
    - Study of 904 physicians monitored for substance use disorder in 16 state PHPs: 78% of participants were licensed and working at the end of a five-year monitoring period
- Why do healthcare providers do better than general population?
    - Zero tolerance for alcohol or other substances of abuse
    - Thorough evaluation and individualized treatment
    - Prolonged, frequent random testing for substances
    - Effective use of leverage
    - Swift, certain and meaningful consequences for substance use or non-compliance
    - Lifelong recovery rooted in 12-step fellowship
- Supportive Case Management Program
    - Confidential
    - Voluntary
    - Non-disciplinary
    - No cost for partner organization or self-referral
- 1) Referral source
    - Self-referral (preferred)
    - Partner organization
  - 2) Reasons for referral
    - Signs and symptoms of depression/burnout
    - Work-life imbalance
    - Behavioral concerns
  - 3) Exclusions
    - Severe medical, mental health disorders

- Substance use disorder
- Regulatory agency involvement/legal issues
- Supportive Case Management: Process
  - Evaluation: performed in-house by trained medical professional
  - Disposition Options
    - 1) Informal meetings/education with medical professional
    - 2) Referral to outside treatment services
      - employee assistance program
      - professional coaching
      - mindfulness programs
      - medical/psychological treatment
    - 3) Formal assessment and monitoring services
  - Maintenance Plan

Examinations:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

A. Results of the State Veterinary Licensing Examination Administered on April 16, 2021:

Candidates Eligible:	5
Exams Administered:	5
Successful:	4
Failed:	1
No Shows:	0

Results of the State Veterinary Licensing Examination Administered on May 21, 2021:

Candidates Eligible:	6
Exams Administered:	5
Successful:	5
Failed:	0
No Shows:	1

Results of the State Veterinary Licensing Examination Administered on June 18, 2021:

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

Executive  
Officer's  
Report:

Chair Nishimoto asked if any members of the public would like to provide oral testimony on this agenda item. There were none.

A. 2021 AAVSB Annual Meeting & Conference: Delegates & Attendees

Ms. Shahan stated that the 2021 AAVSB Annual Meeting & Conference will be held in Denver, Colorado on September 30, 2021 through October 2, 2021. Two (2) delegates may attend with funding provided by AAVSB. Ms. Wada expressed interest in attending the 2021 AAVSB Annual Meeting & Conference.

Next Meeting:

Wednesday, October 13, 2021  
10:00 a.m.  
Virtual Videoconference Meeting  
Zoom Webinar

Adjournment:

11:47 a.m.

Reviewed and approved by:

Taken and recorded by:

/s/ Kerrie Shahan

/s/ Leanne Abe

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Kerrie Shahan  
Executive Officer

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Leanne Abe  
Secretary

KS:la

8/13/21

[ X ] Minutes approved as is.

[ ] Minutes approved with changes. See minutes of.