

# Veterinary Medical Board

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## MEETING MINUTES MULTIDISCIPLINARY ADVISORY COMMITTEE

August 28, 2018  
1747 N. Market Blvd.  
1<sup>st</sup> Floor Hearing Room  
Sacramento, California

10:00 a.m. Tuesday, August 28, 2018

### **1. Call to Order/Roll Call/Establishment of a Quorum**

Multidisciplinary Advisory Committee (MDC) Chair, Dr. Jeff Pollard called the meeting to order at 10:02 a.m. Veterinary Medical Board (Board) Executive Officer, Ms. Jessica Sieferman, called roll; eight members of the MDC were present, and a quorum was established. Ms. Jennifer Loredo, Registered Veterinary Technician (RVT), Board Liaison was absent.

### **2. Committee Chair's Remarks, Committee Member Comments, and Introductions**

Dr. Pollard addressed the MDC and welcomed the new members.

#### Members Present

Jeff Pollard, Doctor of Veterinary Medicine (DVM), Chair  
Allan C. Drusys, DVM  
Kevin Lazarcheff, DVM  
Meg Warner, DVM  
Kristi Pawlowski, RVT (*departed at 10:50 a.m.*)  
Leah Shufelt, RVT  
Stuart Eckmann, Public Member  
Richard Sullivan, DVM, Board Liaison

#### Staff Present

Jessica Sieferman, Executive Officer  
Ethan Mathes, Administrative Programs Manager  
Amanda Drummond, Administrative Program Analyst  
Tara Welch, Legal Counsel

#### Guests Present

Valerie Fenstermaker, California Veterinary Medical Association (CVMA)  
Erica Hughes, California Animal Welfare Organization  
Bonnie Lutz



Ryan Marcroft, Department of Consumer Affairs (DCA), Legal Affairs Division  
Grant Miller, DVM, CVMA  
Allyne Moon, California Registered Veterinary Technician Association (CaRVTA)  
Mark Nunez, DVM, Veterinary Medical Board  
Ken Pawlowski, DVM, CVMA  
Cindy Savelly, RVT, CVMA and Sacramento Valley Veterinary Technician Association (SVVTA)  
Cheryl Waterhouse, DVM, Veterinary Medical Board

### **3. Review and Approval of May 22, 2018 Committee Meeting Minutes**

The MDC made minor changes to the May 22, 2018 meeting minutes.

- Ms. Kristi Pawlowski, RVT, moved and Dr. Richard Sullivan seconded to approve the minutes, as amended. The motion carried 6-0-2. Dr. Alan Drusys and Ms. Leah Shufelt, RVT, abstained.

### **4. Election of Multidisciplinary Advisory Vice-Chair**

Dr. Pollard requested nominations to the position of MDC Vice-Chair.

- Dr. Kevin Lazarcheff nominated Ms. Kristi Pawlowski, RVT, to the position of MDC vice-chair. Ms. Pawlowski accepted the nomination. The motion carried 8-0.

### **5. Update from the Complaint Process Audit Subcommittee; Potential Recommendation to Full Board**

Dr. Pollard updated on the recent Complaint Process Audit Subcommittee meeting that he and Dr. Lazarcheff conducted regarding written testimony from expert witness in formal discipline cases. The Complaint Process Audit Subcommittee has met several times over the course of three years and has reviewed approximately 100 cases. They reported that the most recently reviewed cases are the first cases reviewed that have been written by current expert witnesses.

The Subcommittee and MDC expressed concerns in their review of formal discipline cases, including possible biased, written comments made by expert witnesses. At times, expert witness comments were also used by the Deputy Attorney General (DAG) and were taken into consideration in drafting an accusation. The MDC identified a need to further educate expert witnesses to resolve these issues. Ms. Sieferman stated that, going forward, Board staff will reach out to expert witnesses to provide feedback with the expert witness reports, as well as to present these findings at the expert witness training for further guidance.

The MDC also discussed whether there was a continued need to maintain this Subcommittee. The consensus from the MDC was that the Complaint Process Audit Subcommittee was important and provided valuable feedback to the Board and expert witnesses, and if expert witnesses were to continue to improve, regular feedback from the Subcommittee was necessary.

## **6. Update from the Public and Private Shelters and Minimum Standards and Protocols for Shelter Medicine Subcommittee; Potential Recommendation to Full Board**

Dr. Sullivan presented proposed changes to the shelter minimum standards that Ms. Loredo and he recommended based on research and previous discussions at the May MDC meeting.

### CCR section 2035 – Duties of Supervising Veterinarian

The MDC discussed the proposed changes to Title 16, California Code of Regulations (CCR) section 2035. The MDC decided that the term “permit holder” was confusing, as it could be determined to mean premises permit holder and agreed to make a global change to replace “permit holder” with “VACSP holder.” The MDC also agreed that subsection (e), regarding rabies, was not appropriately placed in section 2035 as it specifically applies to animal shelters and agreed to move subsection (e) to CCR section 2035.5, new subsection (g).

The MDC also discussed potentially rewording subsection (d), but ultimately recommended that further research into the history of CCR section 2035 be conducted to determine the genesis of subsection (d) prior to its removal. Legal counsel will research the history of CCR section 2035, subsection (d) and report the findings at the November MDC meeting.

### CCR section 2035.5 – Duties of Supervising Veterinarian and Animal Health Care Tasks for R.V.T, Permit Holders, and Veterinary Assistant in the Shelter Setting

In addition to the changes identified in CCR section 2035, the MDC also agreed to add subsection (f) to allow for animals relinquished to the shelter with a valid prescription to continue receiving the prescription prior to a veterinarian examination. The MDC agreed that staff would draft the language for this section and present the language for consideration at the November MDC meeting.

### CCR section 2030.6 – Minimum Standards – Animal Shelter Medicine in a Fixed Facility

The MDC and members of the public discussed the definition of an “animal shelter facility” and whether the definition should include rescue organizations. The Committee agreed to table the discussion regarding the definition of an “animal shelter facility” to allow for legal counsel to research the purview of the Board regarding rescues and to allow the Subcommittee to reword the section preamble further.

The Committee also discussed CCR section 2030.6 subsections, modeled after CCR section 2030.1, to determine what was relevant to a shelter setting, determine if separate minimum standards for a shelter setting were needed, or whether a shelter is providing medical services if they fell under the regulations as defined in CCR section 2030.1. The MDC agreed to table the discussion until the November meeting.

## **7. Minimum Standards and Protocols for Dental Radiography Procedures; Potential Recommendation to Full Board**

Dr. Pollard reported that he and Ms. Shufelt were tasked with researching whether dental radiographs are considered the standard of care in veterinary medicine. This task, assigned to the MDC at the May Board meeting, evolved from the original discussion regarding RVT tasks for dental extractions. The MDC and members of the public discussed the differences between minimum standards and the standard of care in veterinary medicine and whether it would be appropriate to develop regulations requiring dental radiographs as a standard of care. It was determined that standard of care evolves over time and that requiring dental radiographs as a standard of care would limit public access to dental services. It was also discussed that approximately 70% of veterinary practices do not have dental radiograph equipment and do not provide this service, so mandating it as a standard of care would be difficult when most of the veterinary population does not offer this service. The MDC determined that no further action needed to be taken on this item.

## **8. Minimum Standards and Protocols for Pet Ambulances; Potential Recommendation to Full Board**

Ms. Sieferman reported that there are three types of pet ambulances: ambulances that are tied to an existing veterinary premise; ambulances that operate as mobile clinics; and ambulances that are transportation only. It was determined that if individuals are providing veterinary services on the ambulances, they are operating under the purview and requirements of CCR section 2030.2, and the Board has oversight over these licensees. Ms. Sieferman recommended that a frequently asked questions (FAQ) be developed and distributed to the public and other government agencies regarding the requirements to own and operate a pet ambulance. The MDC and members of the public were also encouraged to notify the Board if they are aware of any businesses offering pet ambulance services so that Board staff can research these businesses to ensure that they are not conducting unlicensed activity. The MDC determined that no further action needed to be taken on this item.

## **9. Public Comment on Items Not on the Agenda**

*There were no comments from the public, outside agencies, or associations.*

## **10. Future Agenda Items and Next Meeting Dates**

### **A. Next Meeting Dates**

- November 13, 2018, Sacramento

### **B. Multidisciplinary Advisory Committee Assignment Priorities**

Dr. Pollard reviewed and updated the list of MDC assignment priorities:

- Update from the Complaint Process Audit Subcommittee
- Review minimum standards for shelter medicine

- Pet Ambulance
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## **11. Adjournment**

Dr. Kevin Lazarcheff moved to adjourn, and Dr. Alan Drusys seconded the motion.

*The MDC adjourned at 3:51pm.*