

MULTIDISCIPLINARY ADVISORY COMMITTEE MEETING MINUTES

Department of Consumer Affairs
1747 N. Market Blvd.
1st Floor Hearing Room
Sacramento, California 95834

10:00 a.m., Wednesday, January 29, 2020

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

Multidisciplinary Advisory Committee (Committee) Chair Dr. Jeff Pollard called the meeting to order at 10:00 a.m. Veterinary Medical Board (Board) Executive Officer Jessica Sieferman called roll; eight members of the Committee were present, and a quorum was established. Ms. Jennifer Loreda was absent.

Members Present

Jeff Pollard, Doctor of Veterinary Medicine (DVM), Chair
Kristi Pawlowski, Registered Veterinary Technician (RVT), Vice-Chair
Stuart Eckmann, Public Member
Kevin Lazarcheff, DVM
Leah Shufelt, RVT
Richard Sullivan, DVM
Margaret Warner, DVM
Cheryl Waterhouse, DVM, Board Liaison

Staff Present

Jessica Sieferman, Executive Officer
Timothy Rodda, Administration/Licensing Manager
Patty Rodriguez, Hospital Inspection Program Manager
Tara Welch, Legal Counsel, Department of Consumer Affairs (DCA)

Guests Present

Larry Correia, DVM, Medical Director, VCA Asher Animal Hospital
Mark Cushing, Animal Policy Group
Ryan Dowling, International Longshore and Warehouse Union
Nancy Ehrlich, California Registered Veterinary Technicians Association (CaRVTA)
Valerie Fenstermaker, California Veterinary Medical Association (CVMA)
Anita Levy Hudson, RVT, CaRVTA
Liz Hughston, RVT, National Veterinary Professionals Union and CaRVTA
Martha Klein, DVM, Medical Director, VCA Mueller Pet Medical Center and The Pet Inn
Bonny Lutz, Esq., Klinedinst
Grant Miller, DVM, CVMA

Mark Nunez, DVM, Board Member
John Pascoe, DVM, University of California, Davis
Ken Pawlowski, DVM, CVMA
Mike Sanchez, Television Specialist, DCA
Cindy Savely, Sacramento Valley Veterinary Technician Association
Tyler Yuh, DVM, Medical Director, VCA Sacramento Animal Medical Group

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

Dr. Pollard reminded the Committee that two member terms would be expiring in June 2020, one veterinarian member term and one RVT member term.

3. Public Comment on Items Not on the Agenda

There were no public comments.

4. Review and Approval of October 8, 2019 Committee Meeting Minutes

The Committee reviewed the October 8, 2019 meeting minutes.

- Ms. Kristi Pawlowski moved and Dr. Margaret Warner seconded the motion to approve the meeting minutes. The motion carried 8-0.

5. Discussion and Potential Recommendation on Legislative and Regulatory Proposals Regarding Corporate Practice of Veterinary Medicine

Dr. Pollard turned the meeting over to Corporate Practice Subcommittee members Ms. Pawlowski and Mr. Stuart Eckmann to present the agenda item.

Ms. Pawlowski reported she personally reviewed all meeting content and discussion on this issue and, ultimately, all comments and concerns were considered and addressed. She added the goal of the revised proposal was to be solution-oriented, not problem-based. She also stated that the proposal addressed all areas of practice, and not just corporate practice. Ms. Pawlowski explained the proposal also addressed the premises concerns shared by Dr. Richard Sullivan and the additional concerns raised by CVMA and Ms. Bonnie Lutz.

Mr. Eckmann added there had been more than adequate opportunity to hear from all stakeholders, and the proposed language was very clear and balanced.

Ms. Pawlowski led the members through each page of the proposal, summarized the proposed amendments and additions, and addressed comments and questions.

Dr. Pollard welcomed comments from members of the public. Ms. Valerie Fenstermaker, Ms. Lutz, Dr. Grant Miller, Dr. Ken Pawlowski, and Mr. Mark Cushing provided comments to the Committee.

Medical Directors Dr. Larry Correia, Dr. Martha Klein, and Dr. Tyler Yuh also provided comment and information regarding practice at VCA hospitals.

After further discussion by Committee members and stakeholders, additional changes were made to the proposal, which included: Business and Professions Code (BPC) section 4853, subdivision (c) – revised; BPC section 4853, subdivisions (d) and (e) – added; BPC section 4853, subdivision (e) relettered as subdivision (g) and revised; BPC section 4854.1 – revised; BPC section 4883, subdivision (t) – revised; and BPC 4910.1 – struck.

- Ms. Kristi Pawlowski moved and Dr. Kevin Lazarcheff seconded the motion to recommend that the legislative proposal, as amended, go to the Board for approval. The motion carried 8-0.

6. Update from the Complaint Process Audit Subcommittee; Potential Recommendation to Full Board

Dr. Pollard discussed the work of the Complaint Process Audit Subcommittee over the last four and a half years.

Additionally, he stated the Subcommittee collaborated with the Board's enforcement team on expert witness training, which contributed to a model expert witness opinion that currently serves as a template for training.

Dr. Pollard asked Dr. Sullivan and Dr. Cheryl Waterhouse to provide their opinions on whether the Subcommittee should continue its work, since they served on the Board when the Subcommittee was formed.

Dr. Sullivan stated the original goal of the Subcommittee was to review cases and have oversight of Board functions. He indicated that he would be disappointed if the work of the Subcommittee was discontinued.

Dr. Waterhouse indicated that she agreed with Dr. Sullivan; and the Subcommittee should continue its work, in some form, based on current needs.

Ms. Siefertman stated that many concerns in the past had centered around subject matter experts (SMEs). She also explained there had been a lot of concerns about the complaint process. She stated that more focus needs to take place on the front end of the process, so SMEs can properly opine on whether the standard of care was followed. She stated that she was ok if the Subcommittee continued its work, but there needs to be focus on the underlying problems, so improvements can be made. She added that

the Subcommittee could look at the entire process, but measurable objectives should be established.

Ms. Lutz stated that improvements still could be made with regard to training the Board's expert witnesses and ensuring they are qualified.

Ms. Pawlowski stated the criteria for qualifying expert witnesses could be re-assessed. Dr. Pollard agreed that the process could be improved.

Dr. Waterhouse asked if the Subcommittee could meet with Ms. Sieferman and the enforcement team to establish a new plan going forward. Dr. Pollard and Ms. Sieferman agreed it could be done.

Dr. Pollard concluded by stating the Subcommittee would continue its work.

7. Future Agenda Items and Next Meeting Dates

Ms. Sieferman stated the Committee has completed many of the assignments given to it by the Board. However, she indicated there may be some additional work required, as a result of the cannabis legislation.

Ms. Sieferman also stated that staff was looking at costs associated with holding the April meeting in Fresno. However, she expressed concerns regarding access, travel time, and expense.

Dr. Pollard stated his term would end in June, so the April meeting would be his last meeting. He indicated the Committee would need to vote on a new chair at that time. Ms. Sieferman stated a recruitment notice would be sent out soon, so the Board could consider appointments at its next meeting.

Dr. Sullivan indicated the Committee could also look at a proposal for tiered premises registration fees.

8. Adjournment

Dr. Pollard adjourned the meeting at 3:00 p.m.