

Annual Report
Fiscal Year 2011

BOARD OF VETERINARY EXAMINERS

July 2011



**DIVISION OF CORPORATIONS, BUSINESS
AND PROFESSIONAL LICENSING**

This Annual Performance Report is presented in accordance with Alaska Statute 08.01.070(1) and Alaska Statute 37.07.080(b). Its purpose is to report the accomplishments, activities, and the past and present needs of the licensing program.

**ALASKA STATE BOARD OF VETERINARY EXAMINERS
FY 2011 ANNUAL REPORT**

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**ALASKA STATE BOARD OF VETERINARY EXAMINERS
FY 2011 ANNUAL REPORT
IDENTIFICATION OF BOARD**

<u>Board Member</u>	<u>Date Appointed</u>	<u>Term Expires</u>
Teresa Beck Veterinarian 1150 S Colony Way Ste 3 PMB 133 Palmer, AK 99645	March 1, 2010	March 1, 2014
John E. Tuomi Veterinarian PO Box 3329 Palmer, AK 99645	July 24, 2009	March 1, 2012
Martin Buser Public Member PO Box 520997 Big Lake, AK 99652	January 29, 2008	March 1, 2012
Margaret J. Eastman Veterinarian 900 Nordic St. North Pole, AK 99705	October 16, 2008	March 1, 2012
VACANT Veterinarian		

ALASKA STATE BOARD OF VETERINARY EXAMINERS
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IDENTIFICATION OF STAFF

Brenda Donohue, Licensing Examiner

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ALASKA STATE BOARD OF VETERINARY EXAMINERS
FY 2011 ANNUAL REPORT
NARRATIVE STATEMENT

The Board of Veterinary Examiners met four times during fiscal year 2011:
September 28, 2010 via telephone (discussion limited to a consent agreement)
October 29, 2010 in Fairbanks
January 28, 2011 in Anchorage
May 6, 2011 in Juneau

Present board members are Margaret Eastman, DVM, Chairperson - North Pole; Theresa Beck, DVM – Palmer; John Tuomi, DVM – Palmer; and Martin Buser, Public Member – Big Lake. The board is grateful to David Hunt, DVM for his eight years of service to the examining board and for acting as chair this past year.

Licensing Examiner Brenda Donohue is an invaluable resource to the board, and investigator Dawn Bundick has worked diligently to handle cases discretely and thoroughly.

The Board works with the Division of Occupational Licensing and its investigators to monitor compliance with Alaska statutes and regulations as they pertain to public health and animal welfare. Individual board members review complaints when requested by the investigator and have approved consent agreements presented at the conclusion of an investigation.

The board continues to monitor and comment on legislation relevant to the practice of veterinary medicine, mindful of our duty to protect the public by assuring that both licensees and laypeople adhere to the standards set forth in statute and regulation.

One of the Board's goals for this year has been to revisit the regulations for veterinary technicians so that they remain relevant to their employment in Alaska. Although the AAVSB (American Association of Veterinary State Boards) encourages those wishing to sit for the VTNE (Veterinary Technician National Exam) to complete their training at an accredited institution, the Board is committed to retaining on-the-job training as an alternate pathway to sit for the VTNE and obtain licensure in Alaska. Defining the parameters of "on the job" training will help ensure those veterinary assistants taking the VTNE are qualified to be licensed technicians while still providing an avenue to that profession in a state with no accredited veterinary technician program.

The Board is also aware of the increasing role non-veterinary professionals play in the treatment of our animal patients. We continue to look for ways to accommodate the public's desire to pursue alternative or complementary modalities while maintaining the integrity of the veterinary profession.

The Board continues to support the addition of PAVE (Program for the Assessment of Veterinary Equivalence) to the already accepted ECFVG (Educational Commission for Foreign Veterinary Graduates) as a pathway to veterinary licensure in the State of Alaska for graduates of veterinary colleges not accredited by the American Veterinary Medical Association.

Each year the Board reviews the Veterinary Handbook and in consultation with the State Veterinarian and makes changes as needed. The Board also reviews the jurisprudence exam completed by applicants for licensure to be sure the questions accurately reflect the statutes, regulations, and Veterinary Handbook.

The Board reviews all applications for licensure submitted by veterinarians and veterinary technicians as well as permits for fourth year veterinary student externs. Upon receiving an application, a board member may approve, disapprove with comment, or table the request. The Board also reviewed applications for courtesy veterinary licenses for special events such as sled dog races and health screening clinics

conducted by veterinary specialists as well as for temporary permits issued to relief veterinarians coming to Alaska.

Audits of continuing education credits for veterinarians and veterinary technicians were done at the May meeting. Guided by the standards utilized by RACE (Registry of Approved Continuing Education), the Board approved seminars sponsored by recognized veterinary medical associations that had not gone through the RACE approval process.

In September, 2010, Dr. David Hunt attended the annual AAVSB meeting and reported back to the board. It is the Board's intention to send a delegate to this year's meeting as well.

Meetings for FY 2011 are proposed to be held in October, 2011 in Fairbanks, January 2012 in Anchorage, and May 2012 in Juneau.

Respectfully,

Margaret Eastman, DVM
Chairperson
AK Board of Veterinary Examiners

ALASKA STATE BOARD OF VETERINARY EXAMINERS
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BUDGET RECOMMENDATIONS FOR FY 2012

Hold three Board meetings per year at approximately \$3,500 each	\$10,500.00
Travel, conference fee and per diem for one Board member to attend the American Association of Veterinary State Boards Annual Meeting	\$2,220.00
TOTAL COSTS	\$12,720.00

The Board of Veterinary Examiners continues to express the desire to continue meeting in the same format as in previous years. This involves the scheduling of three meetings per year, to be rotated between three major cities in Alaska. The board feels very strongly that a member of the board attend the American Association of Veterinary State Boards Annual Meeting or a national regulatory meeting on a consistent basis.

The board expects no significant changes in current costs for other budget line items (communications, memberships, advertising/printing, etc.) Continued membership in the American Association of Veterinary State Boards is essential.

The following budget request for travel is based on July 2011 travel costs and per diem rates. It assumes attendance at each meeting by one board member from Big Lake, one member from North Pole, two members from Palmer and one licensing examiner from Juneau. Currently there is one vacant Veterinarian position on the Board. Each meeting will be scheduled for a minimum of one day.

ALASKA STATE BOARD OF VETERINARY EXAMINERS
FY 2011 ANNUAL REPORT
RECOMMENDATIONS FOR PROPOSED LEGISLATION FOR FY 2012

Focus Area (Check all that apply)

- Economic Development
- Government Within Our Means
- Personal Responsibility / Empowering Alaska's Families
- Administrative Legislation (Sunsets, etc.)

1. Subject and Proposed Language (include intent and statutory reference)

- a. Amend AS 08.98.165(a)(2) to read “has, within the [60] 72 months preceding application for the license, passed a national examination for veterinarians approved by the board. This will eliminate the need to retake the NAVLE for an applicant who has taken the exam prior to graduation and falls into a situation where they passed the exam more than 60 months prior to application, but have not been in practice for the five years required to apply by credentials.
- b. The Board wishes to pursue wording to define Standards of Practice in statutes. If these Standards were defined it would allow for a more objective approach to potential violations of the Act. Defining standards of practice would also give both practitioners and the public a clearer idea of what constitutes a violation of standards.
- c. Current language leaves little flexibility for the rapidly changing fields and nature of the practice of veterinary medicine. In the future much more specialized testing may be necessary to reflect those changes. Revised language would allow for more timely updates to reflect these changes.
- d. The current use of the word ‘compensation’ in our act creates both a loophole for the untrained and confusion as to what constitutes ‘compensation’. Also some things, such as major surgery or diagnosing complex medical cases should only be done by those with adequate training even if no compensation changes hands. The new Act would eliminate these loopholes to create an enforceable document that could be utilized by state attorneys in prosecuting offenders. It is the opinion of the board that the definition of the practice of veterinary medicine should not be based on the fact compensation was exchanged. It is noted that the Board of Veterinary Examiners does not police the veterinary industry; it is a complaint-based board. Concerns have been voiced about the inclusion of friendly advice in regard to pets, or de-worming your own pet being considered the practice of veterinary medicine. This board investigates only written complaints made to the investigator’s office. The board feels that a process should be made available for the public to voice their concerns in regard to anyone considered practicing veterinary medicine with or without a license, regardless of who is accused. Discrimination should not be made on the exchange of compensation.

2. Explain the benefits the proposed legislation would provide.

The proposed changes would update and clarify the Practice Act.

3. Explain the consequences, if any, of not implementing the proposed statutory change.

By not changing the currently 60 months to 72 months for AS 08.98.165(a)(2), a few applicants do not qualify for licensing by either credentials or examination if they have not been in clinical practice for 5 of the previous seven years, but took the national exam more than 60 months prior to application.

By not defining the standards of practice in statute, it is confusing as to what constitutes a violation of standards.

By keeping the word "compensation" in the Practice Act a loophole remains for the untrained to practice veterinary medicine, as well as confusion regarding what constitutes "compensation".

4. Describe any potential negative impacts of this legislation and how they would be minimized.

The Board sees no negative impacts.

5. Who do you anticipate will support the bill and why? Include municipalities, groups, etc...

The Board did not consider this question.

6. Who do anticipate will oppose the bill and why?

The Board did not consider this question.

7. What other state departments will be affected by this legislation? Have you discussed the impact with the affected departments, and if so who and do they support this bill?

The Board did not consider this question.

8. Identify and describe any previous state or federal legislation or similar efforts in other states which affect or relate to this proposal.

None

9. Has this bill topic been previously introduced in the legislature? If so, what was the final outcome and why?

Issue of compensation was included in legislation about 3 years ago, and failed to pass.

10. In the event questions should be raised during review of this request, please indicate below which board member should be contacted:

Margaret Eastman, DVM, Board Chairperson

**ALASKA STATE BOARD OF VETERINARY EXAMINERS
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REGULATION RECOMMENDATIONS FOR FY 2012**

The Board continues to pursue regulation changes as needed to refine the regulations for veterinarians and veterinary technicians.

The Board currently has no regulation projects.

ALASKA STATE BOARD OF VETERINARY EXAMINERS
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GOALS AND OBJECTIVES FOR FY 2012

1. Continue membership in the American Association of Veterinary State Boards and send one member to a national regulatory board meeting.
2. Continue to implement, monitor, and develop the jurisprudence mail-out state examination. The jurisprudence exam will be reviewed for accuracy annually at the Jan/Feb. meeting.
3. Continue licensing veterinarians and veterinary technicians and continue monitoring continuing education hours.
4. Continue to review and evaluate current statutes and legislative proposals and develop new proposals as needed.
5. Monitor investigations and continue to support alternate methods to expedite the investigative process.
6. Monitor current probation cases.
7. Resolve ongoing investigations/litigation in a timely fashion through direct involvement of the board in the early review process.
8. Continue to update the Veterinary Handbook annually at the October meeting. A mailing of the Handbook will occur following a major revision.
9. Continue to review and evaluate current regulations and regulatory fees and develop new regulations as needed.
10. Continue to monitor continuing education programs and requirements.
11. Continue to monitor budget as it pertains to the self-supporting fees.
12. Continue to pursue the mission and vision statements of the board.
13. Investigate AVMA (ECVFG) and AAVSB (PAVE) guidelines for licensing foreign educated veterinarians.
14. Promote on-line license renewal.
15. Review issues and update veterinary technician regulations.

ALASKA STATE BOARD OF VETERINARY EXAMINERS
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SUNSET AUDIT RECOMMENDATIONS

The Division of Legislative Audit conducted a sunset performance review of the Board of Veterinary Examiners on Sept. 22, 2008. This performance review covered the fiscal years FY2005 through FY2008.

During the FY2009 the legislature extended the termination date of the Board of Veterinary Examiners until June 30, 2017. While the extension until June 30, 2017 exceeds the maximum period suggested in statute, it is within the legislative discretion according to AS 08.03.020(c).

The regulation and licensing of veterinarians and veterinary technicians benefits the public. The Board has demonstrated an ability to conduct its affairs in an efficient manner. The Board continues to propose changes to regulations to improve the effectiveness of the Board and ensure that veterinarians and veterinary technicians licensed in the State of Alaska are competent and capable of maintaining the integrity of the profession.

The Board satisfactorily carries out its responsibilities in a manner consistent with statutes, regulations, good administrative practice, and the public's interest.

FINDINGS AND RECOMMENDATIONS

Recommendation No. 1:

The Dept. of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing, in conjunction with the Board of Veterinary Examiners, should review licensing fees as provided by statute and consider reducing fees.

The veterinarian licensing fees were reduced from \$490 to \$325, effective 12/12/08.

Recommendation No. 2:

The Office of the Governor should fill vacant seats on the Board of Veterinary Examiners in a timely manner.

Dr. Margaret Eastman was appointed to the Board 10/16/2008, filling all seats.

FISCAL YEAR 20____ STATISTICAL OVERVIEW

Program: _____ AS 08. _____

12 AAC _____

Name of Individual Completing Report: _____ Date: _____

CATEGORY	NEW-ISSUED FY 20__	TOTAL AS OF 6/30/____	EXAMINATION/ CREDENTIAL
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A. Current Active Licenses, Endorsements, Permits, Exam Fees, Course Approval Fees

(student, locum tenens, limited, courtesy licenses)

List type and if issued by examination or credential, as applicable

(Do not list "temporary permits" or "temporary licenses")

Example: License Type	10	250	Exam: 6 Credentials: 4
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
TOTAL			

B. Current Inactive Licenses (not lapsed licenses)

(Only Medical, Chiropractic, CPA, and Real Estate)

CATEGORY	TOTAL AS OF 6/30/____
1.	
2.	
3.	
4.	
TOTAL	

