

West Virginia Board of Veterinary Medicine

Newsletter

May 2016

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NEW WEBSITE AND DATABASE UPDATE

The following features are now available on our new website:

- * Renewals—Veterinarian, RVT, CAET, Facility
- * Application Status
- * Change of Address
- * List of WV Board Approved CE's
- * Current News
- * Minutes/Agendas
- * Newsletters
- * Facility Inspections/Registrations
- * Budget
- * Applications -Veterinarian, RVT, CAET, Facility
- * Duplicate License Purchase
- * Licensee Search
- * Disciplinary Actions
- * Upcoming Events
- * Statute/Rules
- * Privacy Policy
- * Downloadable Forms
- * Complaint Form

WEBSITE PHOTOS

In addition to the animal photos we have chosen for our website, we would like to include animal photos submitted by our licensees. If you have an animal photo (no people) and would like it to be considered, please submit it along with a release statement. We do not guarantee all photos will be chosen.

26-4-1 PROPOSED RULE REVISIONS

The public comment period of this Rule revision was March 11– April 10, 2016. The Board received hundreds of comments. The Rule Making Committee met with the public Sunday, April 17, to discuss their concerns. The Board has 90 days from the close of comment period to submit a final revision of the proposed rule and it will be submitted to the Secretary of State and the Legislative Rule Making Committee (LRM). Once the LRM introduces this proposed Rule, it will be added to the 2017 legislation session.





CHANGES IN THE VETERINARY FEED DIRECTIVE VFD RULE

The Food and Drug Administration (FDA) amended its animal drug regulations regarding veterinary feed directive (VFD) drugs. This amendment is intended to improve the efficiency of the FDA's VFD program while protecting human and animal health.

The VFD drug is intended for use in animal feeds, and such use of the VFD drug is permitted only under the professional supervision of a licensed veterinarian.

For more information, please visit the following websites:

www.aasv.org

www.fda.gov

ANNUAL VETERINARIAN CE AUDITS

In February 2016, we conducted a random CE audit of 10% of the Veterinarians that renewed their licenses for 2016. Below are the results:

Audit Results	Possible Reasons for Non Compliance
Audited: 58	CE's were not approved by the Board
Compliant with Audit: 57	Did not submit CE's
Non-Compliant with Audit: 1	Submitted CE's after the due date

VETERINARY CONTINUING EDUCATION TRACKING (VCET)

The American Association of Veterinary State Boards (AAVSB) offers the VCET system to its membership. VCET is available for free to veterinary licensing boards and regulated veterinary professionals. It streamlines the process of tracking continuing education (CE).

Veterinarians and veterinary technicians can easily log their CE through a MyAAVSB portal and organize the information into a standardized report. When the licensing board asks for a record of CE, the user can either print the report to mail or email the Board directly from the VCET system.

Any veterinary professional can access VCET through the free MyAAVSB portal at aavsb.org/login. Those without an existing account will be prompted to complete a short application.

COMPLAINT/DISCIPLINARY PROCESS

After Receiving the Completed Complaint Form

- A letter is sent to the Complainant acknowledging that the matter will be reviewed.
- If the complaint is outside the jurisdiction of the Board, a letter is sent with suggestions as to how the complainant might best obtain a resolution.
- Send to the Respondent:
 - Certified letter requesting a response within 30 days of date of correspondence.
 - Copy of complaint and supporting documents

After Receiving Response From Respondent

- Mail Respondent’s response and supporting documents to Complainant.
- The disciplinary committee or investigator makes findings and recommendations to the board to find probable or no probable cause.

No Probable Cause Findings

- Send a No Probable Cause letter to Respondent, Complainant and attorney.

Probable Cause Findings

- The disciplinary committee and the board will discuss and vote for the appropriate disciplinary.
- Send a Statement of Charges and Consent Agreement and Order in lieu of a hearing to Respondent requesting response within 30 days of correspondence date.

Respondent Accepts Consent Agreement and Order

- The Consent Agreement and Order must be signed by the Respondent and the board chairman signs last. The effective date is the date of the chairman’s signature date.

Respondent Does Not Reply to Consent Agreement and Order or Request a Hearing

- Set up a hearing date with attorney general’s office and the administrative law judge.
- Send Notice of Hearing to the Respondent at least 30 days prior to the date of the hearing.
- The board will be represented by the attorney general’s office.

Administrative Law Judge Decision

- Within 45 days from receiving all required documents to decide the matter such as the administrative law judge’s decisions, the board will discuss whether to adopt, modify, or reject the judge’s recommended decision and vote for the appropriate disciplinary.
- Within 10 days after entry, send the Final Order to the Respondent, Complainant, and attorney via certified mail.

RECORD KEEPING DISCIPLINARY

For the past 3 years, 74% of probable cause disciplinary cases are from improper record keeping. From this percentage, it proves the importance of keeping good records due to the fact that the majority of our Consent Agreement and Orders require taking record keeping courses. Below is a breakdown of the past 3 years of disciplinary cases that involved improper record keeping. The Board is currently working on a Recording Keeping course that can be taken via our website. Once, it’s available, we will send out notification.

	2013	2014	2015
Probable Cause	3	4	5
Improper Record Keeping	2	3	4
Percentage	67%	75%	80%
Last 3 years Percentage	74%		

RECENT DISCIPLINARY ACTION

Copies of disciplinary action are available on our website.

CONSENT AGREEMENT—JULY 29, 2015

Violation: Failed to document in medical records the prescribed treatment plan for CPR and the other life saving measures that were taken for the Complainant's dog.

Penalty: Reprimanded. Complete 3 hours of Board approved CE in the area of medical record keeping practice Reimbursement for the cost of proceedings including but not limited to the administrative and legal expenses incurred by the Board.

ORDER—NOVEMBER 24, 2015

Violation: Board's statutory and regulatory provisions, including an immediate danger to the public.

Penalty: Suspended License (Hearing Pending)

CONSENT AGREEMENT—DECEMBER 2, 2015

Violation: Failed to provide the proper care and treatment of a female boxer by failing to perform an adequate and complete physical examination and failing to perform any diagnostic assessments

Penalty: Surrendered License

CONSENT AGREEMENT—JANUARY 16, 2016

Violation: Failed to provide the proper care and treatment of a dog by failing to perform the correct medical procedure, but instead improperly performing a neuter procedure, and by failing to maintain proper medical records.

Penalty: Reprimanded. Complete 6 hours of Board approved CE's in medical record keeping. Reimbursement for the cost of proceedings including but not limited to the administrative and legal expenses incurred by the Board.

CONSENT AGREEMENT—FEBRUARY 3, 2016

Violation: Failed to provide the proper care and treatment of a cat by failing to properly diagnose and treat for diabetes, and failing to maintain proper medical records.

Penalty: Reprimanded and 6 months probation. Submit medical records to the Board for review of one out-patient and one in-patient client every month for the duration of the probationary period. Shall be subject to random inspections of the veterinary practice including, review of medical records and observation of any medical procedures and bear the cost of these random inspections. Complete 3 hours of Board approved CE's in medical record keeping and 6 hours in Endocrinology, specifically in diabetes care and treatment. Reimbursement for the cost of proceedings including but not limited to the administrative and legal expenses incurred by the Board.

CONSENT AGREEMENT— FEBRUARY 19, 2016

Violation: Failed to provide the proper care and treatment of the dog by failing to perform a proper spay procedure and failing to identify the signs of the dog returning to estrous.

Penalty: Reprimanded and 1 year probation. Complete three (3) hours each of Board approved continuing education hours in following the designated areas: Pharmacology, Anesthesia, and Medical Record keeping. Complete the entire course offered by Human Alliance entitled "Veterinary Training Program" and not permitted to perform any spay procedures until such time successfully completion and passing of this course. Shall be subject to random inspections of the veterinary practice including, review of medical records and observation of any medical procedures and bear the cost of these random inspections. Reimbursement for the cost of proceedings including but not limited to the administrative and legal expenses incurred by the Board.

CAET CE'S AND TRAINING

CAET CE PROGRAM 2016

DE-STRESS YOUR WORK & LIFE FROM THE ROOTS UP

On April 1, 2016, we had our annual CE program in Charleston. The instructor was Sandra Ashley with PeopleWork Solutions. There were 52 certified animal euthanasia technicians that attended this program.

OTHER CE OPTIONS

We understand there may be times when you may not be able to travel to the location or on the date of our CAET CE program. You are welcome to search for another CE course either in classroom or online that meets the requirements and submit to the Board for prior approval for a \$50.00 fee. All courses are not automatically approved and the \$50.00 fee is non-refundable. Once courses are approved by the Board, we they will be posted on our website. Please feel free to contact the Board if you need more clarification on the CE approval process.

Also, the Board is always looking for other CAET CE options, if you have any suggestions, please contact the Board.

CAET CERTIFICATION/TRAINING 2016

**COURTYARD MARTIOTT, 460 COURTYARD STREET
MORGANTOWN, WV JUNE 10-12, 2016**

Applicants for certification must submit a completed application to the Board, pass the written practical, practical, and jurisprudence examinations and meet all the requirements of the Board to practice animal euthanasia technology in the state of West Virginia.

BOARD MEMBERS AS CAET'S

Because of the turnover rate for CAET's, the WV Board of Veterinary Medicine would like to suggest that Board members of County Commissions become CAET's. Not only would this provide a CAET for backup but it would also keep the Board members up to date with the current laws and procedures. Please be advised that this is only a suggestion from the Board and is not a requirement.

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Ms. Virginia Lee Hasting, Secretary– Treasurer
Dr. Mark A. Ayers
Dr. Keith B. Berkeley
Ms. Betty Burkett
Dr. Barbara Jean Meade
Dr. D. James Moore
Ms. Monica Patton, RVT
Dr. Ronald Lee Smith

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