



DOUGLAS A. DUCEY
- GOVERNOR -

VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

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VETBOARD.AZ.GOV

MINUTES

April 1, 2020

TELECONFERENCE BOARD MEETING

8:30 a.m

Live Stream/Phone-In

Members Present Telephonically/Electronically: Mr. Jim Loughead, Dr. Robyn Jaynes, Ms. Jessica Creager, Dr. Darren Wright, Ms. Jane Soloman, Dr. Sarah Heinrich, Dr. J. Greg Byrne and Ms. Nikki Frost, CVT.

Staff and Legal Counsel Present Telephonically/Electronically: Ms. Victoria Whitmore, Executive Director; Mrs. Mary Williams, AAG (Assistant Attorney General – disconnect at 10:00am); Mr. Marc Harris (Assistant Attorney General – connected at 10:00am); and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Dr. Wright at 8:30 a.m.

II. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on Executive Order 2020-10, "Delaying Elective Surgeries to Conserve Personal Protection Equipment Necessary to Test and Treat Patients with COVID-19," including discussion of its applicability to veterinarians.

Ms. Whitmore updated the Board on her conversations with the Governor's office regarding Executive Order 2020-10. She was advised that the Executive Order did intend to include veterinarians and it is up to the veterinarians to use their best medical judgment to determine whether or not to perform a specific surgery.

The Board discussed veterinarians could determine if a procedure could be postponed one to two months without causing harm to the and that a veterinarian would need to consider what could be an essential surgery on a case-by-case basis.

Ms. Whitmore also discussed the lack of enforcement authority in the Executive Orders. However, the Board discussed that the complaint process is still an option for individuals that have concerns for the Board to consider.

2. Board may review, discuss, and take action on Executive Order 2020-12, "Prohibiting the Closure of Essential Services," related to veterinary care and all healthcare provided to animals

being included as an essential service. Review, discussion and action may also occur in relation to the Board's role as an Essential Government Function.

Ms. Whitmore noted that Executive Order 2020-12 clearly states that veterinary care and healthcare provided to animals are essential services. Animal crematories are also essential services. It is not required that veterinary services or animal health care providers remain open.

Ms. Whitmore explained that the most essential part of the agency is licensing and changes have been made to make the application process easier. Additionally, the investigation division is still processing complaints.

3. Board may review, discuss, and take action on Executive Order 2020-15, "Expansion of Telemedicine."

Ms. Whitmore updated the Board regarding Executive Order 2020-15 with respect to telemedicine. The Order did not specifically address veterinarians; however, an Executive Order directed at veterinarians may be issued this week.

It was discussed that the Board cannot give legal advice or advisory opinions; the complaint process is still in place and the Board would have to consider a set of facts before them when reviewing a complaint. If related to telemedicine that occurs during the time of the Executive Order (should it be issued), the Board may also consider other modifications that have occurred to other State and federal laws during the COVID-19 pandemic, as well as guidance provided by the American Veterinary Medical Association.

4. Board may review, discuss, and take action on developing requirements and parameters for veterinary telehealth services during the State of Emergency related to COVID-19, including recordkeeping, which would not be more restrictive or less favorable to providers than are required for veterinary services delivered in-person, if given the authority by Executive Order to do so.

Ms. Whitmore advised that if the new Executive Order regarding veterinary medicine is issued, the Board will need to quickly create parameters and requirements. The Board could review and consider the AAVSB's recommended guidelines with respect to the appropriate use of telemedicine in veterinary medicine.

The Board discussed how an exam could take place under telemedicine and how it might need to be recorded; the need for informed consent, and the importance of stressing that telemedicine may not be a proper choice in many situations.

5. Board may review, discuss, and take action on Executive Order 2020-17, "Continuity of Work," including actions related to the COVID-19 situation to: (1) issue provisional licenses for applicants unable to complete the North American Veterinarian Licensing Examination (NAVLE) due to test center closures; (2) modify continuing education requirements for licensees and certificate holders; and (3) modify the process for collection of application, issuance, and license verification fees.

1) Ms. Whitmore explained that Executive Order 2020-17 was helpful in this area and asked if the Board would approve provisional licenses for individuals whose April NAVLE exams have been cancelled or rescheduled due to nationwide test center closures.

2) Ms. Whitmore explained that all continuing education for veterinarians and technicians can be obtained online as long as they meet the administrative rule requirements, including RACE

approved continuing education. After discussion and consideration, the Board approved "RACE pending" continuing education during the State of Emergency.

3) After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Wright to waive license verification fees in accordance with Executive Order 2020-17. Roll call: Ms. Soloman, aye; Dr. Wright, aye; Ms. Creager, aye; Ms. Frost, aye; Dr. Jaynes, aye; Dr. Heinrich, aye; Dr. Byrne, aye; and Mr. Loughead, aye. Motion passed unanimously.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to postpone license/certification fee payments, including application and issuance fees, until 30 days after the end of Executive Order 2020-17 in accordance with the Executive Order. Roll call: Ms. Soloman, aye; Dr. Wright, aye; Ms. Creager, aye; Ms. Frost, aye; Dr. Jaynes, aye; Dr. Heinrich, aye; Dr. Byrne, aye; and Mr. Loughead, aye. Motion passed unanimously.

6. Board may review, discuss, and take action on Executive Order 2020-18, "Stay Home, Stay Healthy, Stay Connected – Physical Distancing to Mitigate COVID-19 Transmission," including action to modify Board staff's availability for unplanned requests for in-person meetings and receipt of hand-delivered documents that could be provided electronically or by mail.

After discussion and consideration, the Board directed staff to require appointment-only visits by the public to drop off documents, applications, etc. in accordance with Executive Order 2020-18.

7. Board may review, discuss, and take action on veterinary license applications to sit for the State exam:

a. Payton Bayless

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to request applicant Payton Bayless to speak with the Board telephonically at a future Board meeting. Roll call: Ms. Soloman, aye; Dr. Wright, aye; Ms. Creager, aye; Ms. Frost, aye; Dr. Jaynes, aye; Dr. Heinrich, aye; Dr. Byrne, aye; and Mr. Loughead, aye. Motion passed unanimously.

b. Jetta Shimer

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Creager to allow applicant Jetta Shimer to sit for the exam. Roll call: Ms. Soloman, aye; Dr. Wright, aye; Ms. Creager, aye; Ms. Frost, aye; Dr. Jaynes, aye; Dr. Heinrich, aye; Dr. Byrne, aye; and Mr. Loughead, aye. Motion passed unanimously.

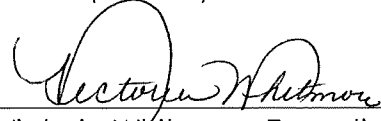
III. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held via teleconference and/or internet conference on **Wednesday, April 15, 2020**, beginning at **8:30 a.m.** Information on how the public may participate will be noted on the meeting notice and agenda.

IV. ADJOURNMENT

Meeting was adjourned at 10:17am.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victoria Whitmore", written in a cursive style. The signature is positioned above a horizontal line.

Victoria Whitmore, Executive Director