

MINUTES

BOARD OF VETERINARY MEDICAL EXAMINERS TASK FORCE MEETING

Date: June 9, 2020

Time: 9:00 a.m., CST

Location: Iris Room/ WebEx
665 Mainstream Drive
Nashville, TN 37243

Board/Task Force Members Present: Robert John Simpson, D.V.M., Board Member/Task Force Member
Elizabeth B. Thompson, D.V.M, Board Member/Task Force Member
Leslie R. Wereszczak, L.V.M.T., Board Member/Task Force Member

Staff Present: Kimberly Wallace, Executive Director
Lyndsey Boone, Board Manager
Shara Woodard, Board Administrator
Paul Richardson, Associate General Counsel

Dr. Simpson called the meeting to order at 9:12 a.m.

It is June 9, 2020 and the time is 9:12 a.m. My name is Kimberly Wallace, and I serve as the Executive Director of the Tennessee Board of Veterinary Medical Examiners. In order to ensure all requirements are met to have a valid teleconference via WebEx remote means, we must satisfy several formalities. Also, please note that a record of this meeting is being maintained.

First, to ensure each participant is connected, a roll call is required:
Taskforce Members, as I state your name, please make your presence known.

Dr. Robert Simpson, Committee Chairman	Present
Dr. Elizabeth Thompson, Committee Member	Present
Ms. Leslie Wereszczak, Committee Member	Present

Also in attendance and participating in the meeting today are members of the Board Administrative Office and the Board's attorney. As I state your name, please acknowledge your presence:

Board Manager, Ms. Lyndsey Boone	Present
Board Admin., Ms. Shara Woodard	Present
Board Attorney, Mr. Paul Richardson	Present

To ensure that everyone can hear each other I'm going to ask each of you individually if you were able to hear the response given by each and every participant of the call.

Dr. Simpson	Present
Dr. Thompson	Present
Ms. Wereszczak	Present
Ms. Boone	Present
Ms. Woodard	Present
Mr. Richardson	Present

Next, the purpose of this meeting is to review the Redlines of Rules that were drafted from the Taskforce Committee's last meeting.

This Taskforce was originally scheduled to meet on March 9, 2020, however due to the tornadoes that occurred across Tennessee in March, that meeting had to be rescheduled for today.

Because this Taskforce was unable to convene in a physical location today to consider these matters in light of the COVID-19 pandemic, for which the TN Governor and Mayor of Nashville have recommend limiting the number of attendees at meetings for the next several weeks, this WebEx remote meeting is necessary.

If the Taskforce wishes to proceed to conduct this electronic meeting for the aforementioned purpose, we need a motion, a second, and a roll call vote. Would anyone like to make a motion?

Dr. Thompson made a motion, seconded by Ms. Wereszczak, to proceed. After a roll call vote, the motion passed.

In addition, as I again state your name, please acknowledge whether you have received, prior to this meeting, copies of all the materials and documents that are to be discussed at this meeting.

Dr. Simpson	Yes
Dr. Thompson	Yes
Ms. Wereszczak	Yes

Finally, only certain matters are proper for a teleconference; accordingly, I need a motion and a second followed by a roll call vote if the matter or matters to be discussed today meet the following requirements:

- The subject matter requires timely action;
- The physical presence of all members is not possible considering the period of time required for action; and
- The participation by some or all of the members of the Committee by electronic means is necessary. Would anyone like to make a motion?

Dr. Thompson made a motion, seconded by Ms. Wereszczak, that the subject matter meets the requirements. After a roll call vote, the motion passed.

That covers the requirements for a teleconference.

Also, I would note that Public Comments will be heard during today's meeting. To do so, an attendee may click the "raise hand" icon at the bottom right side of the screen or a request to comment may be entered into the chat box. Your microphone will be un-muted at the appropriate time and you will be able to present your comment. Please note that the Taskforce may only take action on items that are listed on today's agenda.

As the meeting continues, I would remind all participants to please state your name each time you begin to speak. Mr. Chairman, all Taskforce Committee Members have acknowledged their attendance, and all of the necessary acknowledgments have been duly received. At the time of each Taskforce motion with second, I will conduct a roll call vote.

I will now turn the meeting over to you to continue moving through the items on today's agenda, which should be viewable on-screen at this time.

Redline Rules for Certified Animal Euthanasia Technician: Rule 1730-05.03(2)(d) were discussed with the following language presented:

Euthanasia Methods – proper methods of humanely euthanizing injured, sick, homeless or unwanted animals. This must include participation in the performance of proper euthanasia of an animal by each student

Dr. Thompson made a motion, seconded by Ms. Wereszczak, to approve. After a roll call vote, motion passed.

Redline Rules for Certified Animal Euthanasia Technician 1730-05-.07(1)(2)(3)(a-d) were discussed with the following language presented:

(1) Hours Required

- (a) In order to renew a certificate, the C.A.E.T. must obtain four (4) hours of continuing education each calendar year. A maximum of four (4) hours may be obtained in a multi- media format as defined in part (3)(d)2. of this rule.
- (b) C.A.E.T. certification holders are exempt from continuing education requirements for twenty-four (24) months following initial certification.
- (c) The Board approves courses for only the number of hours contained in the course. A C.A.E.T. will not receive credit for repeating the same course in a calendar year.

(2) Proof of Compliance

- (a) The due date for attendance and completion of the required continuing education hours is December 31 of each year. Each C.A.E.T. must attest, on a Board provided form, to attendance and completion of the required continuing education hours and that such hours were obtained during the preceding calendar year.
- (b) Timely completion of continuing education credits is solely the responsibility of the C.A.E.T. Except for multi-media courses, the C.A.E.T. must be physically present at these continuing education meetings.
- (c) Each C.A.E.T. must retain independent documentation of attendance and completion of all continuing education courses. This documentation must be retained for a period of four (4) years from the end of the calendar year in which the course is completed. This documentation must be produced for inspection and verification, if requested by the Board during its verification process.

(3) Course Approval

- (a) Courses to be offered for credit toward the required continuing education hours must receive approval from the Board, except as provided in subparagraph (e) of this rule.
- (b) Timely completion of continuing education credits is solely the responsibility of the C.A.E.T.. Except as provided in part (3)(d)2. of this rule, the C.A.E.T. must be physically present at these continuing education meetings and will be required to attest, at the time of renewal, that the requirement has been met.
- (c) Approval may be obtained by submitting the following information to the Board's administrative office at least thirty (30) days before the scheduled date of the course.
 - 1. A course description or outline;
 - 2. Names of all speakers and sponsors;
 - 3. Number of hours of educational credit requested; and
 - 4. Date of course.
- (d) Continuing education courses may be presented in any of the following formats:
 - 1. Lecture.
 - 2. Multi-Media - With successful completion of a written post-experience examination to evaluate material retention, multi-media courses may be taken for continuing education credit. Multi-Media courses may include courses using:

- (i) **The Internet**
- (ii) **Closed circuit television**
- (iii) **Satellite broadcasts**
- (iv) **Correspondence courses**
- (v) **Videotapes**
- (vi) **CD-ROM**
- (vii) **DVD**
- (viii) **Teleconferencing**
- (ix) **Videoconferencing**
- (x) **Distance learning**

Dr. Thompson made a motion, seconded by Ms. Wereszczak, to approve. After a roll call vote, the motion passed.

Redline Rules for Certified Animal Euthanasia Technician 1730-.05.07(4)(5)(6) were discussed with the following language presented:

(4) Waiver or Extension of Continuing Education

- (a) **The Board may grant a waiver or extension of the need to attend and complete the required hours of continuing education.**
- (b) **Waivers or extensions will be considered only on an individual basis and may be requested by submitting a written request to the Board's administrative office.**
- (c) **A waiver or extension approved by the Board is effective for only the calendar year for which the waiver is sought unless otherwise specified in writing by the Board.**

(5) Continuing Education for Reinstatement of an Expired Certification or Reactivation of a Retired Certification

- (a) **Any C.A.E.T. who applies for reinstatement of an expired certification or reactivation of a retired certification, and whose certification has been expired or retired for less than one (1) year, must attest to having completed a four (4) hour recertification course, or if expired or retired in excess of one (1) year, must complete the entire CAET certification course.**
- (b) **Any continuing education hours obtained as a prerequisite for licensure reactivation shall not count toward the continuing education hours required to be obtained before the end of the calendar year of reactivation.**
- (c) **The Board, upon receipt of a written request and explanation, may waive any or all of the continuing education for reactivation of a retired certification.**

(6) Certification Violations

- (a) Any C.A.E.T. who falsely attests to the attendance and completion of the required continuing education hours or fails to obtain the required continuing education hours may be subject to discipline by the Board pursuant to T.C.A. § 63-12-124(a)(1), (2), (4), (12), or (14).
- (b) Education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not count toward the continuing education hours a C.A.E.T. must obtain each calendar year.

Ms. Wereszczak made a motion, seconded by Dr. Thompson, to approve. After a roll call vote, the motion passed.

Redline Rules for Certified Animal Euthanasia Technician 1730-05-.08(1)(c)(3) were discussed with the following language presented:

Submit evidence of completion of continuing education courses equal to the number of hours required by the Board, during the period of time the Tennessee certification was retired.

Dr. Thompson made a motion, seconded by Ms. Wereszczak, to approve. After a roll call vote, the motion passed.

Redline Rules for Certified Animal Euthanasia Technician 1730-05-.08(2)(a)(3) and 1730-05.08(3)(b)(c) were discussed with the following language presented:

- (b) **When a certificate holder who has retired a Tennessee certificate to practice as a C.A.E.T. in another state wishes to reactivate the Tennessee certificate, said certificate holder must show evidence of the following:**
 1. Evidence of good standing where the retiree holds a certificate.
 2. Evidence of practice for an average of ten (10) hours per week during the period of retirement.
 3. Evidence of having completed continuing education courses equal to the number of hours required by the Board to maintain certification during the retirement period, up to a maximum of 4 years..
- (c) **C.A.E.T.s who have failed to engage in practice an average of ten (10) hours per month during the retirement period must submit completion of a full certification course pursuant to Rule 1730-05-.03(2) prior to reactivation of the certificate.**

Ms. Wereszczak made a motion, seconded by Dr. Thompson, to approve. After a roll call vote, the motion passed.

Redline Rules for Certified Animal Euthanasia Technician 1730-05.03(2) were discussed with the following language presented:

- (2) **Possess a certificate of completion, obtained within the last twelve (12) months, from a course on euthanasia which has been approved by the Board. The course must include, but is not limited to, the following:**

Ms. Wereszczak made a motion, seconded by Dr. Thompson, to approve. After a roll call vote the motion passed.

Redline Rules for Veterinary Facilities Rule 1730-02-.03(3)(j)(k) were discussed with the following language presented:

- (j) **Except as provided in subdivision (k), all veterinary facilities located in retail establishments shall have an entrance into the permitted premises that is directly on a**

public street or other area which adjoins the establishment, and such entrance shall be separate from the entrance primarily used by regular retail customers. For purposes of this chapter, "retail establishment" means any retail store in excess of two thousand five hundred (2,500) square feet that primarily sells goods not related to the practice of veterinary medicine; companion animal retail facilities that primarily sell goods in the categories of companion animal nutrition, food, supplies, and behavioral products; or any veterinary facility located in an enclosed shopping mall or enclosed shopping center.

- (k) Veterinary facilities located in retail establishments that were issued a premises permit prior to January 1, 2015, and that have a separate entrance used by regular retail customers shall maintain and utilize the separate entrance in order to comply with subdivision §63-12-139(c)(2). Veterinary facilities located in retail establishments that were issued a premises permit prior to January 1, 2015, and that do not have a separate entrance used by regular retail customers on July 1, 2016, are in compliance with §63-12-139(c)(2).

Ms. Wereszczak made a motion, seconded by Dr. Thompson, to approve. After a roll call vote, the motion passed.

Redline Rules for Veterinary Technician: Rule 1730-03.12(1)(a) were discussed with the following language presented:

(1) Hours Required

- (a) To renew a license, the licensee must obtain twelve (12) hours of continuing education each calendar year. Six (6) hours must pertain to the medical, surgical, and/or nursing care of animals. Six (6) hours may pertain to an area of special interest in veterinary medicine in fields other than the medical, surgical, or nursing care of animals, including practice management and state and federal regulatory programs. A maximum of four (4) hours may be obtained in a multimedia format as defined in part (3)(d)2. of this rule.

Ms. Wereszczak made a motion, seconded by Dr. Thompson, to approve. After a roll call vote, the motion passed.


A Rules packet for 1730-02 regarding Prescribing, Dispensing, and Inspection was briefly discussed. Dr. Walter Clark was in attendance and provided comments, with some historical information on this package, which originated in 2017 and is currently in process for review and future potential implementation. This package was for Task Force Members informational review only and no action was required.

Further, Rule 1730-01-.21(1)(b) regarding Prescribing, Dispensing, or Otherwise Distributing Pharmaceuticals was discussed. The Task Force decided to table any potential revisions for review at a later time.

There was a last call for public comment, the two members of the public in attendance did not have any comments to add at this time.

Dr. Thompson made a motion, seconded by Ms. Wereszczak, to adjourn. With a roll call vote, the motion passed. The task force meeting was adjourned at 12:36p.m.

That concludes this Board of Veterinary Medical Rules Taskforce teleconference. Thank you all for your participation.



Leslie R. Wereszczak, L.V.M.T, Secretary

6/15/2020
Date