

Iowa Board of Veterinary Medicine
Wallace State Office Building, Second Floor Conference Room
Open Meeting Minutes
January 26, 2023

Dr. Tom Burkgren called the meeting to order at 10 a.m. with the following Members present: Dr. Tom Burkgren, Dr. Yuko Sato, Dr. Scott Shuey (by telephone), Mrs. Ann Werner, and Mr. Will Yoder. Also present were Mr. Jake Larson, Assistant Attorney General, Dr. Jeff Kaisand, Executive Secretary, Meghan Orr, Administrative Assistant, and Ginny Eason, staff.

Guest(s)

Jenny Dorman, Carney & Appleby Law Firm (by telephone)
Chris Gruenhagen, Iowa Farm Bureau
Randy Wheeler, DVM, Iowa Veterinary Medical Association

Approval of the Agenda

Dr. Sato moved to approve the amended agenda adding 7c to the agenda for the January 26, 2023, Board Meeting. Motion was seconded by Mrs. Werner. Motion approved unanimously.

Public Comment (Public comment period is open and limited to two minutes)

Dr. Wheeler reminded everyone of the Iowa Veterinary Medical Association Winter Conference that is scheduled later this month. Dr. Wheeler also handed out a journal book to the Board Members and staff. Thank you, Dr. Wheeler, for the journal.

Dr. Wheeler reported Senator Grassley's office contacted him about Xylazine and that the FDA is in the process of rescheduling the drug. The reschedule would probably become effective in approximately 180 days. The drug Xylazine is being misused and it is widespread regarding human use. Law enforcement will become more involved with this type of crime.

Ms. Dorman spoke to the Board Members regarding the Veterinary Technician Iowa Code Task Force dated December 28, 2022; these are draft changes to Iowa Code 169. Ms. Dorman stated changes to definitions; changes to veterinary auxiliary personnel; the scope of practice, and veterinary assistants and students is being proposed.

Approval of the Open Meeting Minutes

Mrs. Werner asked for clarification of continuing education hours approved for the Iowa Veterinary Medical Association Winter Conference.

Mrs. Werner moved to approve the Open Meeting Minutes of December 29, 2022. Motion was seconded by Mr. Yoder. Motion approved unanimously.

Executive Secretary Report

Dr. Kaisand reported the Board's financial balance as of December 31, 2022, is \$41,463.37.

Dr. Kaisand reported on a positive flock in Buena Vista County this week. Dr. Kaisand mention all wild birds are possibly infected. There was a large population of pelicans in South America that died from Avian Influenza. The current virus strain is killing ducks, geese, and wild birds. Discussion was held among the Board Members regarding the migration of wild birds and the possibility of an increase of Avian Influenza cases.

Chairperson Report

Dr. Burkgren reported there is a non-profit lobbying group sponsored by Chewy.com that is pushing for telemedicine to establish the valid veterinarian/client/patient relationship. It was also stated the group does not have to disclose the list of contributors because the group is non-profit.

Assistant Attorney General Report

Mr. Larson reported on the Executive Order Number Ten issued by the Governor. There are several points that are addressed: 1) A moratorium for rule making; 2) Every Agency Board must review all rules and provide a cost analysis. The Agency Board must defend the rules they are keeping and the rules they are deleting.

Mr. Larson stated the Attorney General's office is seeking additional guidance from the Governor's office regarding the Executive Order Number Ten and he hopes to have a consistent approach to report to the Board Members.

Board Member Report

Dr. Shuey inquired about the RFID tags, and which ear the tag is to be attached to. He stated some veterinarians are inserting the tag in the right ear and he stated that the tags should be inserted in the left ear. Dr. Kaisand reported there is no specified regulation of which ear the tags should be inserted. Dr. Shuey stated the distributor, Allflex Company is stating to their customers to use the left ear for inserting the tags. Dr. Kaisand asked Dr. Shuey to send him an email with the information and Dr. Kaisand will contact the company regarding this issue.

Dr. Sato thanked the Governor's office for approving funding for Phase II of the Iowa State University Veterinary Diagnostic Lab.

Rulemaking/House/Senate Files

None

Correspondence

Dr. Wheeler distributed an updated draft version of the Veterinary Technician Iowa Code Task Force and stated the draft version was provided to the Legislative Services Agency. Dr. Wheeler stated it is mainly to protect the Registered Veterinary Technician title. Dr. Wheeler stated the Iowa Veterinary Medical Association has worked with Ms. Gruenhagen and several other entities to have better definitions and clarification on Veterinary Auxiliary Personnel titles. Dr. Wheeler also stated the Iowa State University Veterinary Medicine undergraduate students VM 1-3, and veterinary tech students are all considered auxiliary personnel, and veterinary assistants are performing functions they need to gain experience, but it is in violation of the current code.

Mrs. Gruenhagen stated Iowa Farm Bureau had conversations with the Iowa Veterinary Medical Association but had no input with this information provided in the draft. Mrs. Gruenhagen stated there are some good items in the draft but there are items that need to be discussed as well.

Dr. Wheeler stated some of the information was taken from what other states have in their Veterinary Practice Act and Administrative Rules. Dr. Burkgren asked if Dr. Wheeler had any information or feedback from the Illinois Veterinary Board? Dr. Wheeler stated Illinois had many changes in the Administrative Rules and not in the Veterinary Code. Dr. Burkgren asked if there are any changes to the certificate that does not expire to a three-year renewal?

Dr. Wheeler stated some veterinarians are allowing their Registered Veterinary Technicians to close wounds, close spays, and all the Veterinary Technician Programs in Iowa and the National Association of Veterinary Technicians in America (NAVTA) do not teach this to the students. The students do not have the skill set of what the suture patterns taught to veterinarian students consist of.

Mr. Yoder inquired about farrier work on equines and about corrective shoes or anything along those lines. Dr. Wheeler stated he would refer the individual to the State Veterinarian regarding the scope of practice. Mr. Yoder stated if the horse needed a corrective shoe due to a gate issue or some other issue with the horse's foot then a veterinarian would have to have a valid veterinarian/client/patient relationship with the client and patient to diagnose the issue and prescribe what the farrier would need to do to apply the correct shoe to the horse. Mrs. Werner stated if a horse needed a navicular shoe, then a veterinarian would be involved with the diagnosing and prescribing the shoe to the farrier.

Equine dentistry was discussed. The floating of teeth would be considered veterinary medicine and would not be something that could be done by lay individuals. The question was asked if there are any veterinary students that are graduating that their focus is on equine? It appears that less and less veterinary students graduating are not focusing on large animal veterinary medicine. The availability to be able to have the service is

decreasing especially in the Amish community. There are approximately 350 Amish families in the community with two to three horses per household, and the veterinary care is becoming less. Is equine dentistry a required course in veterinary colleges? Dr. Sato stated it is not a required course and the interested student would have to spend time with field services or a specialty clinic to learn how to do equine dentistry.

The question was asked of Dr. Wheeler if he has specific examples of practices in the field especially in the rural areas differently? Dr. Burkgren asked if technicians doing follow-up treatments in cattle practices? Will this make it different for the rural practice? How will this alleviate the shortage of veterinarians? Mrs. Gruenhagen asked if the veterinarian would be able to train the technician to do certain tasks that was not taught in the school's program? Ms. Dorman stated Iowa Farm Bureau would like to see indirect supervision from-a-far that could alleviate the shortage. Dr. Shuey stated that trying to hire a veterinary technician for rural practices is very difficult. The veterinary practices will have to start relying on charging for the veterinary services and not relying on the sale of prescription drugs to the clients.

Dr. Wheeler stated the Iowa Veterinary Medical Association is waiting to hear from the Legislative Service Agency and there are several legislators that are interested as well. The questions were asked how will Executive Order Number Ten affect this with rule making? Mr. Larson stated one of the categories under Number Ten allows you to do rule making and there is an argument to make rule making if this code change is adopted. If this is done before Iowa Board of Veterinary Medicine is in the queue for the review a cost analysis would still have to be performed.

Dr. Burkgren asked if there would be another face-to-face meeting of the Iowa Veterinary Medical Association Task Force and asked that the Iowa Board of Veterinary Medicine be informed and to notify the Iowa Board of Veterinary Medicine so one or two Board Members may attend the meeting. Ms. Dorman stated Senator Sexton, Chair of the Ag Committee wants to have a meeting with Iowa Veterinary Medical Association, Iowa Farm Bureau, Iowa Department of Agriculture Liaison, and the Iowa Board of Veterinary Medicine.

Dr. Burkgren asked if an individual Board Member could become a lobbyist? Mr. Larson stated that a Board Member could become the official lobbyist and declared as such under the rules and would have to register as such if they are representing the Board. He also reminded the Board Members that they can lobby as an individual but cannot represent the Board as the lobbyist unless they are the registered lobbyist for the Board.

The Veterinary Technician National Examination December Score report was reviewed by the Board Members and no action taken.

The NAVLE Score Report for the November/December 2022 testing window reported 27 individuals failing the examination. No action was taken by the Board. The College of Veterinary Medicine does receive a report from NAVLE.

Patient records were discussed by the Board Members regarding when a veterinary clinic closes or when the licensee retires and the retaining of the medical records. The rules state the records need to be maintained for five (5) years. Some Board's focus on actions before retirement or having a plan in place for estates. The Board could recommend a policy guidance for the medical records and evaluate the rules to develop a policy recommendation. The Board could try rule making but would need clarity on the rule making process because of Executive Order Number Ten. The Board can work with the Iowa Veterinary Medical Association on developing a policy or helping to identify other veterinarians and clinics to assist in providing the medical records to clients in case of retirement or death of the licensee.

Dr. Kaisand forwarded a query to the Board Members received from the American Association of Veterinary State Boards on the time stamped record for the medical records. The Board Members asked Dr. Kaisand to contact the American Association of Veterinary State Boards to query for patient records and how long other jurisdiction's rules maintain the medical records.

Miscellaneous

None

Mrs. Werner moved to go into the Closed Meeting Session (closed session pursuant to Iowa Code section 21.5(1)(a) to review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that governmental body's possession and 21.5(1)(d) to discuss the contents of a licensing examination or whether to initiate licensee disciplinary investigations or proceedings if the governmental body is a licensing or examining board). Motion seconded by Dr. Sato.

Roll call vote by Board Members: Dr. Burkgren, aye; Dr. Sato, aye; Dr. Shuey, aye; Mrs. Werner, aye; Mr. Yoder, aye nay – 0. Motion passed at 11:12 a.m.

Open Meeting Session

The Board reconvened into the Open Meeting Session at 12:47 p.m.

Action on Closed Meeting Session Sanctions

Dr. Sato moved to close cases 22-029; 22-031; 22-034; 22-035; 22-033; 22-041; 22-042; 22-044, and 22-045. Motion was seconded by Mrs. Werner. Motion approved unanimously.

Continuing Education

The continuing education applications were reviewed by the Board Members for approval.

Requester	Meeting	Scientific	Mgmt.	Total Hrs.
Amelia Dohlman	CPR Refresher Course for Veterinary Technicians (12.19.2022 Ames, IA)	1		1
Molly Lee, DVM – pending additional information before approval	ICS 300: Intermediate Incident Command System for Expanding Incidents (4.12-14.2021 virtual)		21	21

Next Board Meeting

The next Board Meeting is Thursday, February 23, 2023, at 10:00 a.m. in the Second Floor Conference Room, Wallace State Office Building.

Adjournment

Dr. Burkgren adjourned the Board Meeting at 12:55 p.m.

Respectfully submitted,

Jeffrey J. Kaisand, DVM, Executive Secretary
Iowa Board of Veterinary Medicine