

**MINUTES**

**UTAH  
Veterinarian Physician Licensing Board  
MEETING**

**February 5, 2009**

**Room 475 – 4<sup>th</sup> Floor - 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED:** 9:07 a.m.

**ADJOURNED:** 11:06 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Jacky Adams

**Board Members Present:**

Terry Shields, DVM  
Vaughan Park, DVM  
Bonnie East

**Board Members Absent:**

Joe Roundy, DVM  
Gary Peterson, DVM

**Guests:**

F David Stanley – Division Director  
Wayne Holman – Chief Licensing & Investigation  
Manager  
Eugene Clothier  
Katherine Borrett

**DOPL Staff Present:**

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Approve Minutes from the September 18, 2008 meeting

Dr. Park second Ms. East made a motion to approve the September 18, 2009 board meeting minutes, the motion carried unanimously.

Update of Emergency Contact Information

Completed, with no further action taken.

**APPOINTMENTS:**

9:15 a.m. Clothier, Eugene

Dr. Clothier appeared for his scheduled appointment to review his application for licensure as a Veterinarian,

as it relates to disciplinary actions taken by Colorado, and Kansas.

Dr. Clothier explained that in June of 2002 he was accused of leaving gauze in an animal, which later passed away. The State of Colorado placed him on a two year probation, and required that he pay a five-hundred dollar fine, the probationary status was later lifted.

A second incident occurred in June of 2005. Dr. Clothier explained that he had failed to perform pre-operative blood work, and had not obtained owner consent prior to extracting teeth from two older animals. He further explained that the States of Colorado and Kansas placed him on two year probations; the probationary statuses were later lifted in March of 2008.

The Board questioned Dr. Clothier regarding what actions he has taken to insure that the incidents do not reoccur. Dr. Clothier explained that he is more cautious during surgery, and is improving his patient relations.

Dr. Park seconded by Ms. East made a motion to issue Dr. Clothier an unrestricted license, based on the length of time since the incidents occurred, and his testimony that he will be working with another Veterinarian, the motion carried unanimously.

9:30 a.m. Christensen, Paul

Mr. Christensen was unable to attend his scheduled appointment with this Board. Mr. Ormond explained that Mr. Christensen had requested a conditional license while he was obtaining the continuing education hours required by R156-28-304 (1). Mr. Christensen had retired from this profession, and then due to economic issues would like to continue practicing.

After a detailed discussion Ms. East seconded by Dr. Park made a motion to deny Dr. Christensen's request, based on his failure to attend this meeting.

9:45 a.m. Borrett, Katherine , DVM

Dr. Borrett appeared for her scheduled appointment with the Board to review her Continuing Education Audit form. Dr. Borrett had failed to retain all

certificates related to her Continuing Education courses taken between October 2006 and September 2008.

Dr. Borrett explained that a staff member had cleaned her office and thrown away most her certificates. She further explained that she will be attending the Western States Conference, and also attends most of the local association meetings.

Dr. Park reviewed Dr. Borrett's continuing education audit form and stated that the courses listed meet the requirement for renewal of licensure. Mr. Ormond reminded Dr. Borrett that she is required to retain all certificates for a period of four years, Dr. Borrett understood.

Dr. Park seconded by Ms. East made a motion to accept Dr. Borrett's continuing education hours, and recommended renewing Dr. Borrett's license, the motion carried unanimously.

#### **DISCUSSION ITEMS:**

##### Records Retention Period

Mr. Ormond explained that there is currently no required "record retention period" for patient files. He further explained that other States require files to be retained between three and seven years. Mr. Ormond then reviewed a proposed Rules change which, requires that records be retained for five years.

After a detailed discussion it was determined that Mr. Ormond's proposed Rules change is in the best interest of the public and the profession. Ms. East seconded by Dr. Park made a motion to approve the proposed rules change, the motion carried unanimously.

Dr. Park then questioned if SB (Senate Bill) 137 passes, would it violate Title 58 Chapter 28. SB137 was reviewed to determine if the proposed wording would meet the current requirements of 58-28-307 (12) (b).

During the review the Board became concerned, due to the proposed wording does not require that a Physical Therapist be referred by a licensed Veterinarian prior to working on animals.

It was then determined that Mr. Ormond would thoroughly review SB137 to determine any conflicts which may occur, upon the passing of this bill, he will then email his findings to the Board Members for review.

Advertising requirements for “Specialists”

It was questioned if there were any restrictions regarding a Veterinarian advertising that they are a “Specialist”. The Board explained that the AVMA (American Veterinary Medical Association) Code of Ethics requires that a licensee may not represent them self as a “Specialist” unless they are Board Certified in the specialty.

Does the AVMA require English Proficiency prior to accrediting Foreign Institutions & what languages is the PAVE exam given in?

Mr. Ormond questioned the Board regarding if the AVMA requires English proficiency prior to accrediting Foreign Institutions. The Board explained that the AVMA does not require English proficiency prior to accreditation; however the NAVLE (North American Veterinarian Licensing Examination) and PAVE (Program for Assessment of Veterinary Education Equivalence) exams are only given in English.

It was then determined that if either of the exams begin to be given in a Foreign Language, this issue should be readdressed, to protect the public.

NAVLE examination requirements prior to Internship licensure.

Mr. Ormond questioned the Board regarding if an individual could receive a Veterinary Internship license, prior to passing the NAVLE.

After a brief discussion it was determined that a Veterinary Internship license could not be issued until after the individual has passed the NAVLE.

Wyman, Gwen – Stipulation and Order Review

Mr. Ormond explained that Ms. Wyman was found to be administering rabies shots, while not appropriately licensed. Ms. Wyman signed a “Cease and Desist Stipulation and Order” on January 29, 2009. It was further explained that if Ms. Wyman continues to administer rabies shots, while not licensed she would be fined up to \$2000.00 for each day that she continues to violate Title 58 Chapter 28.

**CORRESPONDENCE:**

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| Executive Order “Ethics”                               | Reviewed, with no further action taken. |
| AAVSB – Veterinary Regulation News                     | Reviewed, with no further action taken. |
| NBVME – September 2008 meeting notes                   | Reviewed, with no further action taken. |
| CVTEA – Semi-Annual Report                             | Reviewed, with no further action taken. |
| AVMA – Committee Nominations                           | Reviewed, with no further action taken. |
| AVMA – Aquatic Animal Medicine<br>Continuing Education | Reviewed, with no further action taken. |

**NEXT BOARD MEETING:** June 4, 2009

**ADJOURN:** 11:06 a.m.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

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| April 27, 2009 | (ss) Terry Shields, DVM                 |
| Date Approved  | Chairperson, Veterinary Physician Board |

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| April 27, 2009 | (ss) Clyde Ormond  |
| Date Approved  | Bureau Manager, Division of Occupational &<br>Professional Licensing |