

Annual Report

Fiscal Year 2021

Board of Veterinary Examiners



**Department of Commerce, Community
and Economic Development**

**Division of Corporations, Business
and Professional Licensing**

This annual performance report is presented in accordance with
Alaska statute AS 08.01.070(10).

Its purpose is to report the accomplishments, activities, and the
past and present needs of the licensing program.

**Board of Veterinary Examiners
FY 2021 Annual Report**

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**Board of Veterinary Examiners
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Identification of the Board

Board Member	Duty Station	Date Appointed	Term Expires
Rachel Bergartt Veterinarian, Chair	Juneau	Mar 01, 2016	Mar 01, 2024
Hal Geiger Public Member	Juneau	Mar 01, 2016	Mar 01, 2024
Chris Michetti Veterinarian	Anchorage	Mar 01, 2018	Mar 01, 2022
Scott Flamme Veterinarian	Fairbanks	Mar 01, 2019	Mar 01, 2023 Resigned June 03, 2021
Denise Albert Veterinarian	Denali Park	Mar 01, 2020	Mar 01, 2024

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Identification of Staff

Ilsa Lund – Licensing Examiner

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Joe Bonnell – Records and Licensing Supervisor (7/1/2020- 5/14/2021)

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
(907) 465-2550

Terry Ryals – Records and Licensing Supervisor (5/14/2021- Current)

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
Juneau, Alaska 99811-0806
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Sher Zinn – Regulations Specialist

Department of Commerce, Community & Economic Development
Division of Corporations, Business and Professional Licensing
Post Office Box 110806
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(907) 465-2550

Dawn Bundick – Investigator

Department of Commerce, Community & Economic Development
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Board of Veterinary Examiners FY 2021 Annual Report

Narrative Statement

The Board of Veterinary Examiners met Six (6) times during FY20:

- July 7, 2020
- October 27, 2020
- November 16, 2020
- January 12, 2021
- March 9, 2021
- June 2, 2021

Current board members are: Dr. Bergartt, Dr. Geiger, Dr. Michetti, and Dr. Albert. Our licensing examiner is Ilsa Lund. The board works with the Division of Corporations, Business and Professional Licensing.

During FY 21:

- 26 new veterinarian licenses were issued - 44 veterinarian licenses lapsed after the renewal period.
- 53 courtesy licenses were issued.
- 1 student permit was issued.
- 9 temporary permits were issued.
- 14 veterinary technician licenses were issued - 45 vet tech licenses lapsed after the renewal period.

The board had a bit of a tumultuous time of uncertainty due to the lawsuit brought against Governor Dunleavy relating to the legitimacy of his board appointees and their ability to take action after December 2020. However, the decision of the Superior Court was overturned, and Governor Dunleavy's appointees were deemed to be valid board members, so no additional action was needed by board members regarding invalidity of appointees.

Four board members (Dr. Rachel Bergartt, Dr. Hal Geiger, Dr. Denise Albert, and Dr. Scott Flamme) went through the board confirmation process in Spring 2021 and were successfully re-confirmed to the board.

The board continued to advise licensees of best practices and guidelines relating to COVID-19 with updates to our website. Dr. Rachel Bergartt continues to attend and participate in bi-weekly COVID-19 Health Professions Board Chairs meetings, which have now morphed into Board Chairs meetings, not exclusive to the health professions. She brings back relevant information to the board as well as represents the board's interests at the bi-weekly meeting.

The board continued to monitor and comment on legislation relevant to the practice of veterinary medicine, mindful of our duty to protect the public. This legislative session was particularly busy as our board was involved in testifying in support of and educating legislators regarding proposed veterinary exemption from the Prescription Drug Monitoring Program (PDMP). Representative Holland introduced House Bill 91 (a bill to exempt veterinarians from the PDMP) and the House Labor and Commerce Committee held a hearing on the bill on May 14, 2021, at which Dr. Rachel Bergartt testified on behalf of the board in support of HB 91. A companion bill (SB 132) was also introduced, but time ran short for a hearing on that bill; however, both bills remain alive for next session. The board plans to continue outreach to legislators and staff on these important bills during the session break.

FY 2021 Narrative Statement (continued)

The broad points of board support for the bills center around ineffectiveness of protection of the public in any meaningful way through veterinary participation in the PDMP, human privacy concerns, and fiscal concerns. Additionally, the burden daily reporting places on veterinarians, particularly those in small or rural practices, has a direct negative consequence on veterinarians' ability to serve the public. Notably, due to all of the problems in administration of the PDMP, the Board of Pharmacy again did not oppose HB 91 making veterinarians exempt from the PDMP.

The board continued to spend a considerable amount of time focusing on the legal and practical aspects of the PDMP, with fiscal concerns as one of the major issues of concern, now that PDMP investigations of veterinarians are occurring and the board is expending real dollars to investigate licensees. Total investigative expenditures by the BOVE were over \$40,000 in the first half of FY21, which put the board on track to more than double investigative expenditures in FY21 from FY20. However, after this was brought to the division's attention, fees for FY21 3rd quarter drastically slowed, and by the close of the 3rd quarter, the board had spent a total of \$49,000 on investigative expenses. The board does not have an understanding of why investigative expenses slowed for the 3rd quarter. Investigations reported at our January meeting that there were 56 open veterinary cases related to using the PDMP, none of which appeared to have any relation to illicitly prescribing, rather an inability to use a non-useable system. The board usually has open investigations totaling in the single digits; however, now with the advent of the PDMP, we have seen an exponential rise in open cases against licensees.

Dr. Bergartt also participated in bi-weekly PDMP meetings with other such regulated boards, representing the board's concerns as well as bringing back information to share with the board as to how the PDMP was affecting other health care professions and the public.

Dr. Bergartt also spoke at the Alaska Veterinary Medical Association's annual meeting in Oct 2020 to provide a board update to the group and answer board-related questions.

The board provided timely feedback to licensee and non-licensee questions, creating position statements on topics such as animal massage and non-licensed activity involving agricultural animals.

No board members physically attended the American Association of State Veterinary Boards meetings this past year due to COVID; however, Dr. Denise Albert and Ilsa Lund participated in the Board Basics and Beyond online meeting this past March 2021.

The board completed a multitude of regulations updates (such as updating regulations to reflect current PDMP rules, describing electronic disposal of records and extending the window for applicants to apply to sit for the licensing exam) and we have a number of regulations projects in progress.

One of our biggest accomplishments, which drew much public participation and commentary, was the adoption of 12 AAC 68.215, which puts into regulation the parameters of establishing the legal Veterinarian Client Patient Relationship (VCPR).

The board is currently updating their Jurisprudence Examination to accurately reflect the statutes, regulations, and the Veterinary Handbook.

Dr. Flamme announced his resignation from the board at the June 2, 2021 meeting. He will be moving out of state for a new work opportunity where he will be able to expand his surgical skills. He will be greatly missed.

**Board of Veterinary Examiners
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Budget Recommendations for FY 2022

The Budget Recommendations section anticipates the board’s fiscal priorities for the upcoming year. Please complete all parts of this section with details about anticipated meetings, conferences, memberships, supplies, equipment, to other board requests. Meeting expenses that are being funded through third-party reimbursement or direct booking must be identified separately from expenses paid through license fees (receipt-supported services or RSS). Be sure to explain any items listed as “other” so they may be tracked appropriately.

Board Meeting Date	Location	# Board	# Staff
October 8, 2021	Anchorage, AK	4	1
<input checked="" type="checkbox"/> Airfare:			\$900.00
<input checked="" type="checkbox"/> Hotel:			\$700.00
<input checked="" type="checkbox"/> Ground:			\$150.00
<input checked="" type="checkbox"/> Other: Per diem			\$300.00
Total Estimated Cost:			\$2,050.00

Board Meeting Date	Location	# Board	# Staff
January TBD, 2022	Teleconference	4	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$1,000.00
Total Estimated Cost:			\$1,000.00

Board Meeting Date	Location	# Board	# Staff
April TDB, 2022	Teleconference	5	1
<input type="checkbox"/> Airfare:			\$0.00
<input type="checkbox"/> Hotel:			\$0.00
<input type="checkbox"/> Ground:			\$0.00
<input checked="" type="checkbox"/> Other:			\$1,000.00
Total Estimated Cost:			\$1,000.00

**Board of Veterinary Examiners
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Budget Recommendations for FY 2022 (continued)

Travel Required to Perform Examinations

Not applicable

Date	Location	# Board	# Staff
Description of meeting and its role in supporting the mission of the Board:			
<input type="checkbox"/> Airfare: \$0.00 <input type="checkbox"/> Hotel: \$0.00 <input type="checkbox"/> Ground: \$0.00 <input type="checkbox"/> Conference: \$0.00 <input type="checkbox"/> Other: \$0.00 Describe "Other" (break out all sections):			
Total Estimated Cost:			\$0.00

Out-of-State Meetings and Additional In-State Travel (Rank in order of importance)

#1 Rank in Importance or Not Applicable

Date	Location	# Board	# Staff	
9/30-10/2/2021	Denver, CO	2	0	
Description of meeting and its role in supporting the mission of the Board:				
American Association of Veterinary State Boards Annual Conference provides an opportunity for representatives of member boards to come together to discuss emerging and emergent topics regarding the profession.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$0.00	\$0.00	\$1,000.00	\$1,000.00
<input checked="" type="checkbox"/> Hotel:	\$0.00	\$0.00	\$600.00	\$600.00
<input checked="" type="checkbox"/> Ground:	\$0.00	\$100.00	\$0.00	\$100.00
<input checked="" type="checkbox"/> Conference:	\$920.00	\$0.00	\$0.00	\$920.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$920.00	\$100.00	\$1,600.00	\$2,620.00

Out-of-State Meetings and Additional In-State Travel

#2 Rank in Importance

Date	Location	# Board	# Staff	
April TBD, 2022	Kansas City, MO	1	1	
Description of meeting and its role in supporting the mission of the Board:				
AAVSB Board Basics & Beyond training is geared towards helping new board members and staff learn what their role as a regulator means.				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input checked="" type="checkbox"/> Airfare:	\$0.00	\$0.00	\$1,000.00	\$1,000.00
<input checked="" type="checkbox"/> Hotel:	\$0.00	\$0.00	\$600.00	\$600.00
<input checked="" type="checkbox"/> Ground:	\$0.00	\$100.00	\$0.00	\$100.00
<input checked="" type="checkbox"/> Conference:	\$920.00	\$0.00	\$0.00	\$920.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$920.00	\$100.00	\$1,600.00	\$2,620.00

Out-of-State Meetings and Additional In-State Travel

#3 Rank in Importance

Date	Location	# Board	# Staff	
Description of meeting and its role in supporting the mission of the Board:				
Expenditure	License Fees (RSS)	Third-Party Reimbursement	Third-Party Direct Booked	Total
<input type="checkbox"/> Airfare:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Hotel:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Ground:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Conference:	\$0.00	\$0.00	\$0.00	\$0.00
<input type="checkbox"/> Other	\$0.00	\$0.00	\$0.00	\$0.00
Describe "Other" (break out all sections):				
Net Total:	\$0.00	\$0.00	\$0.00	\$0.00

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Budget Recommendations for FY 2022 (continued)

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
American Association of Veterinary State Boards	AAVSB	\$500.00

Description of item and its role in supporting the mission of the Board:

The AAVSB performs daily crucial functions in the process of licensure for all veterinarians. Documents directly from the AAVSB are required as part of the licensing process.

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

Non-Travel Budget Requests

- Not Applicable Resources Examinations
 Membership Training Other

Product or Service	Provider	Cost Per Event
		\$0.00

Description of item and its role in supporting the mission of the Board:

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Budget Recommendations for FY 2022 (continued)

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input checked="" type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Other Items with a Fiscal Impact		Cost Per Event:	\$0.00
<input type="checkbox"/> Not Applicable		Number of Events:	0
Product or Service	Provider	Total Cost	
		\$0.00	
Description of item and its role in supporting the mission of the Board:			

Summary of FY 2022 Fiscal Requests	
Board Meetings and Teleconferences:	\$4,050.00
Travel for Exams:	\$0.00
Out-of-State and Additional In-State Travel:	\$5,240.00
Dues, Memberships, Resources, Training:	\$500.00
Total Potential Third-Party Offsets:	-\$3,400.00
Other:	\$0.00
Total Requested:	\$6,390.00

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Legislation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed legislation at this time.

Recommendations

The Board has the following recommendations for proposed legislation:

- Veterinary Exemption from the PDMP.
- Change the title of Temporary License to Supervised License so as to avoid confusion on the part of applicants and additional work for board staff, particularly with a new type of temporary permit for military spouses coming down the pipeline within the next year.
- Allow the board to name an acceptable program to determine educational standards for foreign veterinary graduates.

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Regulation Recommendations Proposed Legislation for FY 2022

No Recommendations

The Board has no recommendations for proposed regulations at this time.

Recommendations

The Board has the following recommendations for proposed regulations:

- Put an application deadline on temporary permit applications.

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Goals and Objectives

Part I

FY 2021's goals and objectives, and how they were met:

- 1. Continue membership in the American Association of Veterinary State Boards and send two members (one voting member and one alternate) to the National Regulatory Board Meeting if the meeting is scheduled in the western states.**

Membership was maintained throughout FY2021.

- 2. Continue to implement, monitor, develop and review as necessary the jurisprudence state examination.**

The board has discussed the jurisprudence exam, particularly considering the current COVID-19 pandemic. The method of administering the exam was deemed satisfactory regarding ease of access and timeliness.

- 3. Continue licensing veterinarians and veterinary technicians and continue monitoring continuing education hours.**

The board currently licenses veterinarians and technicians and has monitored CE hours.

- 4. Continue to review and evaluate current statutes and legislative proposals and develop new proposals as needed.**

The board has been very active in reviewing, evaluating, and commenting on proposals.

- 5. Resolve ongoing investigations/litigation in a timely fashion through direct involvement of the board in the early review process.**

The board promptly responds to investigation requests. We have no current litigation issues.

- 6. Continue to update as necessary the Veterinary Handbook. A mailing of the handbook will occur following a major revision.**

The board continues to evaluate the Veterinary Handbook. No revisions occurred in FY2021.

- 7. Continue to pursue the mission and vision statements of the board.**

The mission statement is now read at the beginning of each meeting to set the tone for every meeting.

- 8. Continue to monitor continuing education programs and requirements.**

The board actively monitors (and has posted) guidelines for licensees seeking CE approval of non-RACE approved programs.

- 9. Continue to monitor budget as it pertains to the self-supporting fees.**

Fiscal responsibility is of paramount importance to the board. The board will need to address issues relating to a significant increase in investigatory fees resulting from PDMP alleged violations, despite the well-known problems with the PDMP. The board will develop a resolution to convey continued investment in and ownership of our budget. Current challenges also include a suspension of scheduled fee increase due to COVID-19 financial impact.

**Board of Veterinary Examiners
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Goals and Objectives

Part II

FY 2022's goals and objectives, and proposed methods to achieve them.

Describe any strengths, weaknesses, opportunities, threats and required resources:

1. Continue membership in the American Association of Veterinary State Boards and send two members (one voting member and one alternate) to the National Regulatory Board Meeting if the meeting is scheduled in the western states.
2. Continue to implement, monitor, develop and review as necessary the jurisprudence state examination.
3. Continue licensing veterinarians and veterinary technicians and continue monitoring continuing education hours.

Currently, the board has enacted an emergency regulation regarding waiver of CE requirements for the 2020 renewal period. This will be reevaluated for 2021. Furthermore, CE requirements specific to include opiate education will be a focus for FY2021.

4. Continue to review and evaluate current statutes and legislative proposals and develop new proposals as needed.
5. Resolve ongoing investigations/litigation in a timely fashion through direct involvement of the board in the early review process. Continue to update as necessary the Veterinary Handbook. A mailing of the handbook will occur following a major revision.
6. Continue to review and evaluate current regulations for veterinarians and veterinary technicians and regulatory fees and develop new regulations as needed.
7. The board has struggled with crafting regulations related to the PDMP due to a lack of educational resources. Recently (June 10, 2020), Dr. Berngartt met with PDMP staff, regulations staff, Department of Law staff and OLE Ilsa Lund to work on access to resources. The meeting was fruitful and resulted in DOL compiling applicable statutes and opinions and PDMP staff contacting Appriss to create a training video specific to veterinarians. The PDMP has also now invested money in the AWARe interface to add an animal icon next to where animal prescription information needs to be input. These recent steps will hopefully improve the regulations process.
8. Continue to monitor continuing education programs and requirements.
9. Continue to monitor budget as it pertains to the self-supporting fees.

Fiscal responsibility is of paramount importance to the board. The board will need to address issues relating to a significant increase in investigatory fees resulting from PDMP alleged violations, despite the well-known problems with the PDMP. The board will develop a resolution to convey continued investment in and ownership of our budget. Current challenges also include a suspension of scheduled fee increase due to COVID-19 financial impact.

10. Continue to pursue the mission and vision statements of the board.

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Sunset Audit Recommendations

Date of Last Legislative Audit: 3/18/2016
Board Sunset Date: 6/30/2025

Audit Recommendation: Board chair writes the annual report and staff assists to ensure the information is correct and complete before submitting the final version to the division.

Action Taken: Board chair, Dr. Bergartt, authored the narrative sections of this report and reviewed with OLE Ilsa Lund.

Next Steps: N/A

Date Completed: