

Minutes of the Meeting of the
New York State Board for Veterinary Medicine
Friday, December 15, 2023
1411 Broadway NY, NY

Dr. Doug Aspros called the meeting to order at 10:03 AM.

Introductions and Review of Roster.

Board Members Present: Dr. Doug Aspros, Dr. David Chico, Dr. Mark Chmielewicz, Dr. Howard Gittelman, Dr. Alexandra Van der Woerd, Dr. Paul Zoyhofski, Erica McKee LVT and public member Samantha Segal.

Board Member Absent: Dr. Margret Thompson

NYSED Staff Present: Stephen Boese, Executive Secretary to the Board; Carla Wells, Education Program Assistant 2; Lee Fitzgerald, Education Program Assistant.

Guests Present: Dr. Beth Venit, Chief Veterinary Officer at the American Association of Veterinary State Boards, and Dennis Spillane, Director of the Office of Professional Discipline.

Motion to approve minutes of the September 15, 2023 meeting passed.

Review Public Record of Board of Regents Enforcement Action in Veterinary Medicine:

There are no comments on these recent Actions.

Review of AAVSB Annual Meeting:

Dr. Mark Chmielewicz and Stephen Boese both attended the recent American Association of Veterinary State Boards (AAVSB) Annual Meeting. This was Mr. Boese's first time attending. There was a presentation at the conference on the North American Veterinary Licensing Examination (NAVLE)—there is concern in the industry over the downward trend of passing NAVLE scores. While COVID-19 is a factor that has contributed to this issue, it is noted that scores have been declining steadily since 2018. There was also a discussion of a separate way to measure competency for Veterinarians after they have taken the NAVLE.

There was a presentation on the use of Artificial Intelligence in Veterinary practice. The AAVSB is looking to draft model regulations to protect patients. A study of the use of this technology revealed that AI will "hallucinate" research papers and medical conditions that do not exist in Veterinary Medicine. Veterinarians should use their professional judgment in combination with AI to catch these kinds of technical errors. One of the main goals is to write these regulations in a way where they will keep up with the rapidly evolving technology.

Update from NYSED and the Office of Professions:

Mr. Boese reports that the proposed revision to the education requirements for a Veterinary license is now posted in the register for public comment. If the feedback does not lead to any changes, this will likely advance to the March 2024 Regents meeting.

It is the longstanding policy of the Department that if a Veterinary practice has a specialty title in their business name, all owners must be board-certified in that specialty. The use of “Surgery” has been more vague with implementation of this policy—all Veterinarians in New York are licensed to practice “Veterinary Medicine and Surgery” and surgery falls under the definition of the practice of Veterinary Medicine in §6701 of the Education Law. Proceeding forward, the Department will require veterinary corporate names indicating or implying surgical expertise to be appropriately board certified, such as by the American College of Veterinary Surgeons.

The Commissioner’s Regulations § 29.6 a. 5. defines professional misconduct as “claiming professional superiority or special professional abilities, attainments, methods or resources” ... “except that a specialist may indicate a specialty that has been recognized as such by the Board of Regents.” The Board of Regents would recognize a specialty certification.

Presentation from the AAVSB:

Dr. Beth Venit, Chief Veterinary Officer at the AAVSB, gave a presentation on current projects of the organization. This is a new position created by the AAVSB to establish a liaison for regulation and policy. Dr. Venit provides direct outreach to state boards and legislators through visits and speaking roles.

The AAVSB recently conducted a survey of roughly ~19,000 Veterinarians and Veterinary Technicians in the United States and Canada to gauge the need for a new mid-level role in Veterinary Medicine. The idea is that this mid-level professional should come from an LVT background with additional credentials. When asked “Is there room for changing the delegation of tasks with additional training and certification” 66% of responders were either positive or neutral.

The AAVSB is aware of NY’s issue of access to care. The Veterinary Care Accessibility Project, [acesstovetcare.org](https://www.accesstovetcare.org) has an interactive map at the county level rating access on a score from 1-100. Bronx county, NY rated the lowest in the state with a score of 3.

When discussing telehealth as a solution to access, the AAVSB recommends that telemedicine be subject to the same quality as in-person care. Telehealth providers are obligated to recommend an in-person referral if adequate treatment via telehealth is not possible. Timely, in-person visits are also required as part of the AAVSB’s Tele-VCPR policy. The client needs to be made aware of the Veterinarian’s practice location, and credentials. Tele-triage under AAVSB policy does not require a VCPR (veterinarian-client-patient relationship). Tele-triage is defined as “sorting” patients through a timely, and virtual assessment to determine if an animal needs a referral to a veterinarian.

Proposed VCPR Guidance-next steps:

Dr. Margret Thompson who leads NY’s VCPR workgroup, was unable to attend today’s meeting. Without Dr. Thompson present, the Board chooses not to act at this time on the issue of a virtual VCPR and will discuss this issue again at the April 2024 meeting.

“Ask Dennis”:

Dennis Spillane, Director of the Office of Professional Discipline (OPD) visits the Board to answer questions pertaining to professional misconduct, and disciplinary proceedings. A main concern of the Veterinary Board members is that the official public enforcement actions are sometimes too vague for the public to understand the incident that took place. Panel members in disciplinary hearings can also sometimes struggle to understand the details of specific charges, and the application of sentencing. Legally, these disciplinary records are confidential from the public. To address the concern for panel members, the department will implement a new procedure allowing details to be discussed in a disciplinary hearing during an executive session.

Other Issues:

The Board has decided to postpone the leadership elections for 2024 as several board members are ending their terms later in the fall.

Next Meeting Dates:

The next meeting is set for April 12, 2024 at 10:00 am at 1411 Broadway.

Meeting adjourned at 12:55 pm

Draft respectfully submitted,

Lee Fitzgerald

Education Program Assistant 1