

Minutes of the Meeting of the  
New York State Board for Veterinary Medicine  
Friday, April 12, 2024  
1411 Broadway NY, NY

Dr. Doug Aspros called the meeting to order at 10:00 a.m.

Introductions and Review of Roster.

Board Members Present: Dr. Doug Aspros, Dr. David Chico, Dr. Mark Chmielewicz, Dr. Howard Gittelman, Dr. Ashley Harris, Dr. Margret Thompson, Dr. Paul Zoyhofski, and Alexandria Kanis LVT.

Board Members Absent: Dr. Alexandra Van der Woerd, Erica McKee LVT and public member Samantha Segal.

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

Guests Present: Dr. Lauren Kleine, Emily Whalen, and Tim Atkinson of NYSVMS; Dennis Spillane, Director of the Office of Professional Discipline; Extended Board member Dr. Helen Tuzio; and Dr. Beth Ann Shane-Holser.

Motion to approve minutes of December 15, 2023 meeting, seconded, and passed.

There is a new member, Dr. Ashley Harris, DVM. Dr. Harris has previously worked with Banfield, Destination Pet, and has also worked in private practice.

Several board members will be ending their terms this year—the Veterinary Board is currently accepting applications to fill vacancies for 3 veterinarians and 1 veterinary technician member.

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

There are no comments on the current actions.

Update from NYSED and the Office of Professions:

Mr. Boese reports that the proposed amendment to the education requirements for the veterinarian license is now law. The updated regulation removes any language pertaining to the pre-professional education requirement. Applicants who previously did not meet the requirements may request a re-evaluation of their application.

Amendments to “Buoy’s Law” have passed and go into effect on 6/15. The NYSVMS helped improve the language of the law. The Department believes that the statute is specific enough to not require clarifying regulations. The veterinary practice guidelines will be updated to reflect Buoy’s Law under the section on prescribing.

The AAVSB is proposing that they will acknowledge graduates of AVMA or CVTEA accredited programs

as automatically eligible to sit for the Veterinary Technician Licensing Examination (VTNE). Currently, the Veterinary licensure unit at the Office of the Professions determines whether applicants wishing to be licensed in NYS are eligible to sit for the examination. There were no objections from the Board members regarding the AAVSB taking over this responsibility. The Division of Professional Licensing Services and Veterinary Board staff will meet to discuss logistics and address concerns.

The commissioner's regulations allow various activities to be accepted in lieu of continuing education credit hours. The veterinary board staff consulted with the board members for their feedback on a new chart for op.nysed.gov which will make these regulations accessible for licensees. There was no objection by the board members over a proposal to award 10 credit hours for a specialty certification and 5 credit hours for each re-certification.

#### Proposed VCPR Guidance Next Steps:

Professional guidelines do not have the force of law, but they are used as a roadmap to establish a standard of care. The veterinary board considered amending the current guidelines on the Veterinary Client Patient Relationship (VCPR) but has determined that this will require further review. The board is proposing a new VCPR workgroup that will collaborate directly with the NYSVMS to re-evaluate the proposed changes.

#### Review of NYSED Guidance Document (Section 5.12):

The board will add a new section to 5.12 of the current practice guidelines to include information on Buoy's Law. Dr. Aspros proposes that §6715 (1, 2) be inserted into 5.12 as-is.

#### "Ask Dennis":

Dennis Spillane, Director of the Office of Professional Discipline answered questions from the board members pertaining to professional discipline. When asked about the potential enforcement of Buoy's Law, Mr. Spillane explained that OPD would base enforcement off § 29.1 (b, 1), which stipulates "willful or grossly negligent failure to comply with substantial provisions of Federal, State or local laws, rules or regulations governing the practice of the profession" as professional misconduct. They would be looking at what a veterinarian would reasonably do in a certain situation, compared to what had happened.

#### Next Meeting Dates:

The next two meetings will be on August 16, and November 1, both at 10:00 am at 1411 Broadway.

#### Executive Session: Confidential Review of Buoy's Law Update FAQ for NYSVMS:

Executive session called to order at 12:25 PM.

The NYSVMS has created an FAQ on the recent Buoy's Law for its constituents. They are requesting clarification and feedback from the veterinary board. This will be considered an informal review and the board will not officially endorse the final published FAQ.

Meeting adjourned at 1:00 pm

Draft respectfully submitted,

Lee Fitzgerald

Education Program Assistant 2

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