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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF VETERINARY MEDICINE**

TIME: 10:30 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

January 27, 2023

State Board of Veterinary Medicine  
January 27, 2023

BOARD MEMBERS:

Thomas Garg, V.M.D., Chair  
Arion R. Claggett, Acting Commissioner, Bureau of  
Professional and Occupational Affairs  
Joseph S. Bender D.V.M.  
Anjilla Cooley, D.V.M.  
Apryle Horbal, V.M.D.  
Valerie Kehoe, C.V.T.  
Andrew Nebzydoski, V.M.D., Secretary - Absent  
Hilary Vesell, Esquire, Public Member - Absent

BUREAU PERSONNEL:

Thomas M. Davis, Esquire, Board Counsel  
Dean F. Picarella, Esquire, Senior Board Counsel  
Carolyn A. DeLaurentis, Esquire, Executive Deputy  
Chief Counsel, Department of State  
Paul J. Jarabeck, Esquire, Senior Board Prosecutor  
Julia A. Feld-Caralle, Esquire, Board Prosecution  
Liaison  
Jason T. Anderson, Esquire, Board Prosecutor  
Kayla R. Bolan, Esquire, Board Prosecutor  
Timothy J. Henderson, Esquire, Board Prosecutor  
Amber Lee Czerniakowski, Esquire, Board Prosecutor  
Michelle Roberts, Board Administrator  
Andrew LaFratte, MPA, Executive Policy Specialist,  
Department of State  
Deena Parmelee, Legal Office Administrator 1,  
Department of State  
Amanda Richards, Fiscal Chief, Bureau of Finance and  
Operations, Department of State  
Jennifer Gage, Fiscal Management Specialist, Bureau  
of  
Finance and Operations, Department of State  
Tamie Laudenslager, Fiscal Management Specialist,  
Bureau of Finance and Operations, Department of  
State  
Michelle Witmer, Fiscal Management Specialist,  
Bureau of Finance and Operations, Department of  
State

State Board of Veterinary Medicine  
January 27, 2023

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ALSO PRESENT:

Wesley J. Rish, Esquire, Rish Law Office, LLC  
Jennifer Smeltz, Republican Executive Director,  
Senate  
Consumer Protection & Professional Licensure  
Committee  
Nana Y. Osei, Esquire, Lento Law Group

1 \*\*\*

2 State Board of Veterinary Medicine

3 January 27, 2023

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 9:00 a.m. the Board entered into Executive Session  
7 with Thomas M. Davis, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations  
9 and to receive advice of counsel on the matters upon  
10 which the Board will later vote. The Board returned  
11 to open session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Veterinary Medicine was held on Friday,  
15 January 27, 2023. Thomas Garg, V.M.D., Chair, called  
16 the meeting to order at 10:30 a.m.

17 \*\*\*

18 [Thomas M. Davis, Esquire, Board Counsel, informed  
19 everyone that the meeting was being recorded, and  
20 those who continued to participate were giving their  
21 consent to be recorded.

22 Mr. Davis also noted the Board entered into  
23 Executive Session prior to today's meeting for the  
24 purpose of conducting quasi-judicial deliberations  
25 and to receive advice of counsel on the matters upon

1 which the Board would later vote.]

2 \*\*\*

3 Roll Call

4 [A roll call of Board members was taken by Chair  
5 Garg.]

6 \*\*\*

7 Introduction of Attendees

8 [Michelle Roberts, Board Administrator, noted Acting  
9 Commissioner Claggett is the only Board member  
10 present in the room.

11 Ms. Roberts also provided an introduction of  
12 attendees.]

13 \*\*\*

14 Approval of minutes of the November 4, 2022 meeting

15 CHAIR GARG:

16 The first item on the agenda is  
17 actually just the approval of the  
18 minutes from the previous meeting.

19 With regard to that, did anybody  
20 have any concerns or questions about  
21 the minutes?

22 Would somebody like to make a  
23 motion?

24 DR. BENDER:

25 Motion to accept the minutes.

1 DR. COOLEY:

2 Second.

3 CHAIR GARG:

4 Any further discussion? I'll call  
5 roll.

6

7 Mr. Claggett, abstain; Dr. Bender, aye;  
8 Dr. Cooley, abstain; Dr. Horbal, aye;  
9 Ms. Kehoe, aye; Tom Garg, aye.

10 [The motion carried. Arion Claggett and Anjilla  
11 Cooley abstained from voting on the motion.]

12 \*\*\*

13 Report of Board Prosecution

14 [Kayla R. Bolan, Esquire, Board Prosecution Liaison,  
15 presented the Consent Agreement for Case No. 20-57-  
16 004345.

17 Wesley J. Rish, Esquire, Rish Law Office, LLC,  
18 counsel for the respondent, was present and  
19 participated in the discussion.]

20 \*\*\*

21 [Timothy J. Henderson, Esquire, Board Prosecutor,  
22 presented the Consent Agreement for Case No. 21-57-  
23 015521.

24 Nana Y. Osei, Esquire, Lento Law Group, counsel  
25 for respondent, was present and participated in the

1 discussion.]

2 MR. DAVIS:

3 With regard to number 2 on the agenda,  
4 I have a prepared motion.

5 Based on the Board's discussions in  
6 Executive Session, I believe the Chair  
7 would accept a motion to approve the  
8 Consent Agreement in the following  
9 matter: Case No. 20-57-004345.

10 DR. BENDER:

11 I'll make the motion.

12 DR. COOLEY:

13 Second.

14 CHAIR GARG:

15 Any further discussion? I'll call  
16 roll.

17

18 Mr. Claggett, aye; Dr. Bender, aye; Dr.

19 Cooley, aye; Dr. Horbal, aye; Ms.

20 Kehoe, aye; Tom Garg, no.

21 [The motion carried. Thomas Garg opposed the motion.

22 That is Commonwealth BPOA v. Lynne Dee Cosner,

23 D.V.M.]

24

\*\*\*

25 MR. DAVIS:

1                   Based on the Board's discussions in  
2                   Executive Session, I believe the Chair  
3                   would accept a motion to approve the  
4                   Consent Agreement in the following  
5                   matter: Case No. 21-57-015521.

6 DR. BENDER:

7                   I'll make the motion.

8 DR. COOLEY:

9                   Second.

10 CHAIR GARG:

11                   Any further discussion? I'll call  
12                   roll.

13

14                   Mr. Claggett, aye; Dr. Bender, aye; Dr.  
15                   Cooley, aye; Dr. Horbal, aye; Ms.  
16                   Kehoe, aye; Tom Garg, aye.

17 [The motion carried unanimously. That is  
18 Commonwealth BPOA v. Erin Lisa Monaco, V.M.D.]

19

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20 Report of Board Counsel - Adjudication and Order

21 MR. DAVIS:

22                   Moving to number 9 on the agenda.  
23                   Again, these matters were discussed in  
24                   Executive Session.

25

                  Based on the Board's discussions in

1 Executive Session, I believe the Chair  
2 would entertain a motion to approve as  
3 final the Draft Adjudication and Order  
4 in the following matter: Commonwealth  
5 BPOA v. Kristian Sean Rhein, D.V.M.,  
6 Case Nos. 20-57-003697 & 22-57-006934.

7 DR. BENDER:

8 I'll make the motion.

9 DR. COOLEY:

10 Second.

11 CHAIR GARG:

12 Any further discussion? I'll call  
13 roll.

14

15 Mr. Claggett, aye; Dr. Bender, aye; Dr.  
16 Cooley, aye; Dr. Horbal, aye; Ms.  
17 Kehoe, aye; Tom Garg, recuse.

18 [The motion carried. Thomas Garg recused himself  
19 from deliberations and voting on the motion.]

20

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21 Report of Board Counsel - Motions to Deem Facts

22 Admitted

23 MR. DAVIS:

24 Moving to number 10 on the Board's  
25 agenda.

1           Based on the Board's discussions in  
2           Executive Session, I believe the Chair  
3           would entertain a motion to grant the  
4           Motion to Deem Facts Admitted and Enter  
5           Default and direct counsel to prepare  
6           an Adjudication and Order in accordance  
7           with the discussion in Executive  
8           Session in the matter of Commonwealth  
9           BPOA v. Seth Ian Fishman, D.V.M., Case  
10          Nos. 20-57-003696 & 22-57-013036.

11 DR. BENDER:

12           I'll make the motion.

13 DR. COOLEY:

14           Second.

15 CHAIR GARG:

16           Any further discussion? I'll call  
17           roll.

18  
19           Mr. Claggett, aye; Dr. Bender, aye; Dr.  
20           Cooley, aye; Dr. Horbal, aye; Ms.  
21           Kehoe, aye; Tom Garg, recuse.

22 [The motion carried. Thomas Garg recused himself  
23 from deliberations and voting on the motion.]

24   \*\*\*

25 MR. DAVIS:

1 Moving on to number 11 on the Board's  
2 agenda.

3 Based on the Board's discussions in  
4 Executive Session, I believe the Chair  
5 would entertain a motion to grant the  
6 Motion to Deem Facts Admitted and Enter  
7 Default and direct Board Counsel to  
8 prepare an Adjudication and Order in  
9 accordance with the discussion in  
10 Executive Session in the matter of  
11 Commonwealth BPOA v. Corin Louise Reed,  
12 Case No. 20-57-003191.

13 DR. BENDER:

14 I'll make the motion.

15 DR. COOLEY:

16 Second.

17 CHAIR GARG:

18 Any further discussion? I'll call  
19 roll.

20  
21 Mr. Claggett, aye; Dr. Bender, aye; Dr.  
22 Cooley, aye; Dr. Horbal, aye; Ms.  
23 Kehoe, aye; Tom Garg, aye.

24 [The motion carried unanimously.]

25 \*\*\*

1 Appointment - Bureau of Finance and Operations

2 Annual Budget Presentation

3 [Amanda Richards, Chief of Fiscal Management, Bureau  
4 of Finance and Operations, Department of State,  
5 referred to licensee population over the past seven  
6 years, noting the Board had 8,750 licensees in FY21-  
7 22 and 8,638 licensees at the time of the report in  
8 January, showing a decrease of 112 licensees. She  
9 reported an increase this morning of 29 licensees to  
10 8,667.

11 Ms. Richards addressed license class, including  
12 veterinarian and veterinary technician. She noted  
13 the Board renewed in November of 2023 and had an  
14 increase in licensees from the previous renewal in  
15 FY20-21.

16 Ms. Richards addressed revenue, noting it is  
17 reviewed on a biennial basis. She reported on the  
18 Board's revenue in FY20-21 and FY21-22, noting the  
19 Board's biennial total. She noted 90 percent of  
20 revenue was from renewals and applications. She  
21 stated that revenue is received from other categories  
22 but is not a consistent source of revenue.]

23

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24 [Arion R. Claggett, Acting Commissioner, Bureau of  
25 Professional and Occupational Affairs, exited the

1 meeting at 10:54 a.m.]

2

\*\*\*

3 [Ms. Richards stated that the Board approved a fee  
4 increase in January 2022 and provided a breakdown of  
5 increases for FY24, FY26, and FY28.

6 Ms. Richards noted the two main categories when  
7 reviewing expenses are administrative and legal  
8 costs. She stated that expenses are brought in  
9 through direct charges, timesheet-based charges, and  
10 licensee population. She reported on the Board's  
11 expenses in FY20-21, FY21-22, and as of January 18,  
12 2023. She noted the budgeted amount of \$1,211,000 is  
13 adequate for FY22-23.

14 Ms. Richards addressed revenue and expenses,  
15 noting the projected balance for FY22-23 and  
16 projecting the Board's balance by FY25-26, which  
17 should be a healthy balance. She noted the fee  
18 increase package was included in the budget and  
19 projecting revenue for the next few years.]

20

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21 [Arion R. Claggett, Acting Commissioner, Bureau of  
22 Professional and Occupational Affairs, reentered the  
23 meeting at 10:58 a.m.]

24

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25 Appointment - Prosecution Division Annual Report

1 Presentation

2 [Carolyn A. DeLaurentis, Esquire, Executive Deputy  
3 Chief Counsel, Department of State, informed Board  
4 members that she is now the executive deputy chief  
5 counsel for the Department of State but is presenting  
6 to the Board on behalf of the prosecution division in  
7 her former role to provide the presentation.

8 Ms. DeLaurentis presented to the Board to provide  
9 a summary of the prosecution division's role and  
10 present annual numbers for 2022. She informed Board  
11 members that the Bureau of Professional and  
12 Occupational Affairs provides administrative and  
13 legal support to all 29 licensing boards and  
14 commissions under the legal support of the  
15 prosecution division, counsel division, and hearing  
16 examiners. She noted the mission is to protect the  
17 health and safety of the public and the integrity of  
18 the profession.

19 \*\*\*

20 [Anjilla Colley, D.V.M., exited the meeting at  
21 11:03 a.m.]

22 \*\*\*

23 Ms. DeLaurentis explained that the Office of  
24 Chief Counsel is under the Governor's Office of  
25 General Counsel and assigned to the Department of

1 State, noting the prosecution division is one  
2 division under the Office of Chief Counsel. She  
3 noted the prosecution division works with the Bureau  
4 of Enforcement and Investigation (BEI), along with  
5 the Professional Compliance Office (PCO).

6 Ms. DeLaurentis stated BEI, PCO, and prosecution  
7 are all tasked with receiving complaints,  
8 investigating allegations, ensuring public safety,  
9 and enforcing compliance with the acts and  
10 regulations of the 29 licensing boards and  
11 commissions.

12 Ms. DeLaurentis stated the prosecution division  
13 is the largest division under the Office of Chief  
14 Counsel for the Department of State. She explained  
15 that there are five senior prosecuting attorneys  
16 assigned to teams, including Paul Jarabeck, Karl  
17 Geschwindt as an acting senior prosecutor, Heather  
18 McCarthy, Ray Michalowski, and William Newport. She  
19 mentioned there are currently 32 prosecuting  
20 attorneys serving under the senior attorneys,  
21 including Board liaisons.

22 Ms. DeLaurentis addressed the complaint process,  
23 noting that complaints may be received in any manner  
24 the aggrieved party sees fit, but the preferred  
25 method of submission is through the Pennsylvania

1 Licensing System (PALS) at pals.pa.gov because it is  
2 the most efficient. She noted prosecution also  
3 accepts complaints from sister agencies, federal  
4 agencies, law enforcement, and through media reports.

5 Ms. DeLaurentis discussed levels of review,  
6 including jurisdiction checks, noting administrative  
7 assistants review every complaint to see if it falls  
8 under one of the 29 boards and commissions. She  
9 mentioned complaints are referred to the appropriate  
10 agency if prosecution does not have jurisdiction.

11 Ms. DeLaurentis stated that prosecution works  
12 with BEI inspectors and investigators to determine  
13 the most efficient use of resources. She noted  
14 investigations may include interviewing witnesses and  
15 gathering documents, along with paralegals and legal  
16 analysts.

17 Ms. DeLaurentis addressed the various levels of  
18 review and how prosecution division determines  
19 whether there was a violation. She explained that  
20 matters could be closed if there is not a violation  
21 of the act or regulation which allows prosecution to  
22 devote resources to other cases, where there is a  
23 violation.

24 Ms. DeLaurentis discussed the post-investigation  
25 process, where attorneys may need to make charging

1 decisions based on evidence by filing an "order to  
2 show cause" or a citation. She noted there is a  
3 hearing process, which is like a regular trial but  
4 slightly less formal, where both sides are able to  
5 present evidence and arguments. Ms. DeLaurentis  
6 noted that if it goes to a hearing examiner, the  
7 hearing examiner usually issues a proposed  
8 adjudication and then it goes to the boards and  
9 commissions for their final decision because they  
10 have the ultimate authority for discipline. She  
11 addressed consent agreements, where the parties  
12 negotiate a resolution which is then presented to the  
13 Board, allowing the Board to accept or reject the  
14 agreement.

15 Ms. DeLaurentis addressed the prosecution  
16 division's role at Board meetings, including  
17 presenting consent agreements and listening to  
18 concerns of the Board. She pointed out that  
19 prosecution has a confidentiality statute that  
20 applies to their files, where all the contents within  
21 their files is confidential under the law unless  
22 presented publicly as part of a proposed consent  
23 agreement and is why prosecution's files are kept  
24 confidential except for the final disciplinary  
25 action.

1 Ms. DeLaurentis stated BEI conducts  
2 investigations and interviews, gathers evidence, and  
3 conducts inspections for certain boards. She noted  
4 the role of the investigators is fact gathering and  
5 serving subpoenas, orders, and letters. She  
6 mentioned that prosecution has subpoena authority,  
7 but BEI does not have search warrant authority and is  
8 limited. She noted BEI also testifies to the results  
9 of their investigations and inspections. She also  
10 noted they have inspection authority for six boards  
11 but do not have statutory authority and cannot remain  
12 at that location if asked to leave.

13 Ms. DeLaurentis addressed documents upon request,  
14 where some boards and commissions have regulations  
15 that require cooperation but not everyone complies  
16 and charges may be filed for failure to comply. She  
17 stated all of the evidence gathered is presented to  
18 the teams and reviewed by prosecuting attorneys and  
19 legal analysts to determine whether there was a  
20 violation of the act or regulation to decide whether  
21 to close the case or charge.

22 Ms. DeLaurentis addressed "immediate temporary  
23 suspensions," where someone is an immediate danger to  
24 the health and safety of the public, but the licensee  
25 may request a hearing within 30 days and explained

1 that immediate temporary suspensions are different  
2 than the typical disciplinary process in which  
3 prosecution files an order to show cause, and the  
4 license remains active until the case is resolved.  
5 She noted automatic suspensions include involuntary  
6 mental health commitments, orders for examination,  
7 and drug act violations. She also noted "petitions  
8 for appropriate relief" are filed when someone has  
9 violated a board order.

10 Ms. DeLaurentis stated that levels of discipline  
11 include revocations, suspensions, probations,  
12 reprimands, fines, remedial education, and cost of  
13 the investigation. She mentioned that some cases  
14 could have more than one type of discipline and can  
15 be found in more than one category in the report.

16 Ms. DeLaurentis referred to the confidentiality  
17 statute under 63 Pa.C.S. § 3109, where prosecution and  
18 investigative files are deemed privileged and  
19 confidential under the law. She explained that  
20 Department of State investigative files are deemed  
21 noncriminal investigative records under the Right-to-  
22 Know Law.]

23 \*\*\*

24 [Anjilla Cooley, D.V.M., reentered the meeting at  
25 11:07 a.m.]

1 \*\*\*

2 [Ms. DeLaurentis stated the information could be  
3 shared with other licensing boards, law enforcement,  
4 and other agencies in furtherance of investigative  
5 efforts, but only their final action could be shared  
6 publicly, including final adjudications and orders,  
7 final consent agreements, and final letters.

8 Ms. DeLaurentis provided data as of January 3,  
9 2023, where the number of open cases for the  
10 prosecution division was 13,154, which is down from  
11 2021 at 15,141. She stated that 16,084 cases were  
12 opened in 2022 and is down from 2021 at 18,363 cases.  
13 She reported closing 17,826 files in 2022 and is up  
14 from 2021, where 15,994 cases were closed. She  
15 thanked the prosecution division, counsel division,  
16 and Board for their group effort.

17 Chair Garg requested information regarding the  
18 increase in the number of files closed and asked  
19 whether it was due to more staff.

20 Ms. DeLaurentis explained that prosecution does  
21 not have more staff but believed their staff is  
22 working as efficiently as possible.

23 Paul J. Jarabeck, Esquire, Senior Board  
24 Prosecutor, explained that things can change from  
25 board to board, where large licensing populations may

1 be renewing in a particular year and have an increase  
2 in technical violations regarding renewal with  
3 continuing education and lapsed license. He stated  
4 those violations can result in a greater number of  
5 opened files but may just be simple matters and cause  
6 the increase shown in prosecution numbers.

7 Ms. DeLaurentis informed Board members that an  
8 annual report is issued to the General Assembly,  
9 which includes a breakdown of case categories, and  
10 would notify Board Counsel when available for review.

11 Ms. DeLaurentis addressed specific information  
12 for the State Board of Veterinary Medicine, noting  
13 236 cases were opened in 2022, which was down from  
14 2021 at 299. She reported 289 cases were closed in  
15 2022 and is an increase from 2021 at 267. She noted  
16 243 cases were open as of January 3, 2023, which is  
17 fewer than were opened in 2022, which was 290.

18 Ms. DeLaurentis referred to disposition of closed  
19 cases, including discipline and non-discipline. She  
20 reported 22 cases resulted in fines in 2022 and 13 in  
21 2021, along with 12 reprimands in 2022 and 4 in 2021.  
22 She mentioned that non-disciplinary actions are  
23 called Z codes in their system, where prosecution was  
24 not warranted.

25 Ms. DeLaurentis addressed warning letters, noting

1 warning letters are not discipline but help maintain  
2 the integrity of the profession by attempting to  
3 correct any behavior that may become an issue and are  
4 given for de minimis (minor) violations.

5 Chair Garg commented that he was having a hard  
6 time believing there were only 10 consent agreements  
7 for continuing education in 2022.

8 Mr. Jarabeck stated the Board would be in the  
9 neighborhood of 15 to 18 consent agreements for 2022  
10 but something may have been missed in terms of  
11 continuing education that may be part of a consent  
12 agreement and order.

13 Mr. Jarabeck mentioned that consent agreements  
14 presented on a frontline level where there is not a  
15 prior history may request continuing education and  
16 give or take a reprimand and that initial discipline  
17 to give somebody education to put them on the right  
18 path but at the same time not be too harsh.

19 Chair Garg thanked Ms. DeLaurentis for the  
20 presentation and wished her good luck in her new  
21 role.]

22 \*\*\*

23 Pennsylvania Department of Agriculture - High

24 Consequence Disease Response Statement

25 [Michelle Roberts, Board Administrator, informed

1 Board members that Dr. Wolfgang, on behalf of the  
2 Pennsylvania Department of Agriculture, wanted to  
3 thank the Board for their cooperation, and for  
4 providing the Department of Agriculture with a list  
5 of veterinary technicians. She stated PVMA is  
6 cooperating with a consortium of states to advance  
7 readiness in the case of animal or poultry disease  
8 and emergencies, where resources are greatly stressed  
9 by a highly pathogenic avian influenza or other  
10 invasive pathogens.

11 Ms. Roberts noted that the Bureau of Animal  
12 Health and Diagnostic Services is cooperating with  
13 the United States Department of Agriculture (USDA)  
14 and Animal and Plant Health Inspection Service  
15 (APHIS) to develop a more robust list of veterinary  
16 personnel who may be able to assist in the future  
17 with animals that need response or remediation.

18 Ms. Roberts stated a survey would be mailed  
19 electronically to certified veterinary technicians in  
20 Pennsylvania to gather a list of individuals with  
21 interest and would include type I or II accredited  
22 veterinarians and veterinary personnel who may have  
23 valuable skills and knowledge but are not  
24 accredited.]

25

\*\*\*

1 Report of Board Counsel - Regulations

2 [Thomas M. Davis, Esquire, Board Counsel, informed  
3 Board members that he is working on the Act 41  
4 regulation, continuing education (CE) regulation, fee  
5 regulation, and euthanasia regulation. He noted Act  
6 41 regarding licensure by endorsement is still before  
7 senior regulatory counsel and the other two are being  
8 actively drafted as well as the Regulatory Analysis  
9 Form on the continuing education and fees. He noted  
10 the Board previously voted to increase fees in the  
11 next couple years and is actively working on that.  
12 He mentioned the CE regulation is just to make sure  
13 the Board would be allowing 100 percent of CE online  
14 from here on out for vets and certified veterinary  
15 technicians (CVTs) but only after the regulation is  
16 in place.

17 Mr. Davis informed Board members that he is still  
18 amending the annex for the euthanasia regulation  
19 based on the discussion at the last meeting. He  
20 referred to § 31.108 under duties of certificate  
21 holders, noting the animal protection organizations  
22 are going to be applying for a certificate to allow  
23 them to purchase and store drugs for euthanasia.

24 Mr. Davis noted the new language to read, "a  
25 certificate holder shall maintain a controlled

1 substance log in the manner and format required by  
2 the DEA and shall immediately make the controlled  
3 substance log available for inspection by agents of  
4 the Board, the Pennsylvania Department of Agriculture  
5 (PDA), and Drug Enforcement Administration (DEA) upon  
6 request."

7         Mr. Davis also noted other amendments since the  
8 last meeting, including renewal of certificate of  
9 registration at § 31.113 and renewal of license in  
10 active status and reactivation of license at § 31.126.  
11 He mentioned being incorrect at the last meeting and  
12 amending the annex for the euthanasia regulation to  
13 read, "initial certificate of registration or license  
14 issued any time after September 1 of an even-numbered  
15 year," which is the 90-day period prior to the  
16 renewal cycle. He noted the update is to reflect  
17 what the Pennsylvania Licensing System (PALS) can do  
18 and is doing.

19         Mr. Davis referred to § 31.122(a)(5) regarding  
20 euthanasia technicians. He noted the Board suggested  
21 it read, "has adequate knowledge of the Commonwealth  
22 statutes and regulations relating to euthanasia and  
23 demonstrates knowledge in a manner and format  
24 approved by the Board."

25         Mr. Davis noted the Animal Destruction Method

1 Authorization Law (ADMAL) had a requirement, where  
2 euthanasia technicians must have adequate knowledge  
3 of the Commonwealth statutes and regulations, and the  
4 Board came up with a worksheet that talks about  
5 different sections and what is required under  
6 different sections of the Vet Act, ADMAL, and vet  
7 regulations.

8 Mr. Davis mentioned the worksheet will still have  
9 to undergo internal review, to see if it complies  
10 with the requirements of the statute.

11 Mr. Davis mentioned that he is still in direct  
12 contact with someone at the DEA concerning  
13 categories. He commented that prescribers of  
14 controlled medications need a DEA certificate of  
15 registration and said he is working to make sure the  
16 Board is doing everything it needs to do when it  
17 comes to DEA certificate categories.

18 Mr. Davis addressed correspondence with the  
19 Department of Agriculture discussing the possibility  
20 of entering into a memorandum of understanding in  
21 which Department of Agriculture agents would inspect  
22 the animal protection organizations. He provided a  
23 response from the Department of Agriculture  
24 explaining why they must decline the Board's offer.

25 Chair Garg commented that the Department of

1 Agriculture explained they are experiencing staffing  
2 limitations and asked how the Board would know  
3 whether it could be done through BEI, saying he was  
4 concerned the Bureau may also have staffing  
5 limitations.

6 Mr. Davis explained that the Board would have to  
7 find a way even if it ultimately means hiring new  
8 people.

9 Paul J. Jarabeck, Esquire, Senior Board  
10 Prosecutor, applauded the Board with their effort in  
11 trying to work with other agencies like the  
12 Department of Agriculture. He explained that BEI  
13 would be able to do inspections that do not require a  
14 great amount of expertise or knowledge and may come  
15 from a checklist or review document, but some  
16 inspections require someone who has a greater amount  
17 of knowledge and training.

18 Mr. Jarabeck further explained that BEI would be  
19 able to do inspections when it comes to initial  
20 registration of the organizations that could probably  
21 be done with a checklist based on the Board's  
22 regulations, but the tie-in now with the drug log is  
23 making it more complex and requires more review.]

24 \*\*\*

25 Report of Board Chairperson

1 [Thomas Garg, V.M.D., Chair, addressed recent  
2 communication with the Pennsylvania Veterinary  
3 Medical Association regarding uncertainty as to  
4 which, if any, organizations are official constituent  
5 organizations of the PVMA. He stated this is a  
6 concern because constituent organizations of PVMA can  
7 provide approved CE without submitting an application  
8 to the Board, noting it is important for the Board to  
9 know which organizations are official PVMA  
10 constituent organizations.

11 Chair Garg requested Mr. Davis and Ms. Roberts  
12 look into this and asked Ms. Roberts to contact PVMA  
13 to obtain the current list of official constituent  
14 organizations and report back to the Board at the  
15 next meeting.]

16 \*\*\*

17 Report of Acting Commissioner

18 [Arion R. Claggett, Acting Commissioner, Bureau of  
19 Professional and Occupational Affairs, addressed Act  
20 35, which provides expedited application review for  
21 service members, veterans, and military spouses. He  
22 stated that application types included in the  
23 expedited review are initial applications, renewal  
24 applications, and reactivation applications.

25 Acting Commissioner Claggett noted Act 35 gives

1 them the ability to waive the initial application fee  
2 for spouses when they are required to move due to  
3 military orders. He mentioned that the fee waiving  
4 functionality in PALS does not currently work but the  
5 Bureau would be able to provide refunds where  
6 appropriate.

7 Acting Commissioner Claggett noted Act 35 also  
8 has directs the Bureau to create a military crosswalk  
9 explaining how military experience transfers over to  
10 licensure and could be found on the Board web page.

11 Acting Commissioner Claggett stated Act 35 also  
12 gives them the ability to provide temporary permits  
13 for applicants whose military experience may be  
14 lacking certain requirements.]

15 \*\*\*

16 Upcoming Meeting Dates

17 [Thomas Garg, V.M.D., Chair, noted the upcoming  
18 meeting dates published in the agenda for the Board's  
19 review.]

20 \*\*\*

21 Adjournment

22 CHAIR GARG:

23 Would anybody like to make a motion to  
24 adjourn?

25 DR. BENDER:

1 I'll make a motion to adjourn.

2 DR. COOLEY:

3 Second.

4 CHAIR GARG:

5 Thank you everybody. Everybody remain  
6 safe. I look forward to seeing all of  
7 you again in a couple of months.

8 \*\*\*

9 [There being no further business, the State Board of  
10 Veterinary Medicine Meeting adjourned at 11:49 a.m.]

11 \*\*\*

12 CERTIFICATE

13  
14 I hereby certify that the foregoing summary  
15 minutes of the State Board of Veterinary Medicine  
16 meeting, was reduced to writing by me or under my  
17 supervision, and that the minutes accurately  
18 summarize the substance of the State Board of  
19 Veterinary Medicine Meeting.

20  
21 

22 Lori A. Behe,

23 Minute Clerk

24 Sargent's Court Reporting

25 Service, Inc.

26

STATE BOARD OF VETERINARY MEDICINE  
REFERENCE INDEX

January 27, 2023

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:30	Official Call to Order
13		
14	10:30	Roll Call
15		
16	10:31	Introduction of Attendees
17		
18	10:34	Approval of Minutes
19		
20	10:36	Report of Board Prosecution
21		
22	10:48	Report of Board Counsel
23		
24	10:51	Appointment - Bureau of Finance and Operations Annual Budget Presentation
25		
26		
27	10:58	Appointment - Carolyn A. DeLaurentis, Esquire, Executive Deputy Chief Counsel, Department of State, Annual Prosecutorial Division Presentation
28		
29		
30		
31		
32	11:31	Department of Agriculture - High Consequence Disease Response
33		
34		
35	11:32	Report of Board Counsel (cont.)
36		
37	11:47	Report of Board Chairperson
38		
39	11:48	Report of Acting Commissioner
40		
41	11:49	Upcoming Meeting Dates
42		
43	11:49	Adjournment
44		
45		
46		
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