

**NEVADA
STATE BOARD
OF
VETERINARY
MEDICAL EXAMINERS**

Nevada Revised Statutes 638.020

**March 27, 2012
Sunset Subcommittee of the Legislative Commission**

Meeting Packet

March 13, 2012

Debbie Machen, Executive Director
Nevada State Board of Veterinary Medical Examiners
4600 Kietzke Lane, Building O, Suite 265
Reno, NV 89502-5046

Dear Ms. Machen:

I am writing to inform you that your board has been scheduled for a public hearing concerning its termination, modification, consolidation or continued operation pursuant to *Nevada Revised Statutes* (NRS) 232B.240. The Sunset Subcommittee of the Legislative Commission will meet on Tuesday, March 27, 2012, at 9:30 a.m. to conduct the public hearing. The meeting is in Room 4412 of the Grant Sawyer State Office Building at 555 East Washington Avenue in Las Vegas with a simultaneous videoconference to Room 3138 of the Legislative Building in Carson City.

We have received the materials that you sent concerning your board. In addition, the Sunset Subcommittee will be provided with any other materials submitted by members of the public, as well as copies of applicable laws and regulations. Please present any other materials to the Sunset Subcommittee that you feel would be helpful to this review. Keep in mind that pursuant to NRS 232B.240, “[a] board or commission has the burden of proving that there is a public need for its continued existence.” However, the purpose of the Sunset Subcommittee is not solely to determine whether to “sunset” an entity. The reviews conducted by the Subcommittee must also include:

(a) An evaluation of the major policies and programs of the board or commission, including, without limitation, an examination of other programs or services offered in this State to determine if any other provided programs or services duplicate those offered by the board or commission;

(b) Any recommendations for improvements in the policies and programs offered by the board or commission; and

(c) A determination of whether any statutory tax exemptions, abatements or money set aside to be provided to the board or commission should be terminated, modified or continued.

(subsection 1 of NRS 232B.220)

Debbie Machen, Executive Director
Nevada State Board of Veterinary Medical Examiners
March 5, 2012
Page 2

Please feel free to contact me if you have any questions concerning the review of your board.

Sincerely,

Lorne J. Malkiewich, Director
Legislative Counsel Bureau

LJM:jp
L06-Nevada State Board of Veterinary Medical Examiners

Sunset Subcommittee Review Form

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS
Nevada Revised Statutes 638.020



**Information concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission**

as required by section 10 of S.B. 251 of the 2011 Legislative Session



Board or Commission Name:	The Nevada State Board of Veterinary Medical Examiners
Members' Names:	See II, page 5
Web site Address (if any):	See III, page 5
Web site Developer (if not DoIT, please indicate if DoIT approved the web site):	See III, page 5
Executive Director's Name and Contact Information:	See IV, page 6
Staff Members' Names:	See V, page 6
Created by what Authority:	See VI, page 6
Authority to adopt regulations (NRS) and citation to regulations (NAC):	See VII, page 7
Any required regulations that have not been adopted:	See VIII, page 7
Governing structure of the Board or Commission:	See IX, page 7

**Information concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission (Continued)**

**Duties of the Board or
Commission:**

See X, page 7

**Dates of the Immediately
Preceding Six Meetings:**

See XI, page 7

**Statement of the objectives
and programs of the Board
or Commission:**

See XII, page 8-13

**Statutory tax exemptions,
abatements, or money set
aside for the Board or
Commission:**

See XIII, page 13-14

**Conclusion concerning the
effectiveness of the
objectives and programs of
the Board or Commission:**

See XIV, page 14

**Information concerning Board or Commission
Subject to Review by the
Sunset Subcommittee of the Legislative Commission (Continued)**

Any duplication of services with those offered by another Board or Commission or recommendation for consolidation with another Board or Commission:

See XV, page 14

Any recommendations for statutory changes which are necessary for the Board or Commission to carry out its objectives and programs:

See XVI, page 15

If additional space is necessary, please attach additional pages and refer to the attachments on the form. Please include with this form:

1. The operating budget of the Board or Commission.
2. A statement setting forth the income and expenses of the Board or Commission for at least 3 years immediately preceding the date on which the Board or Commission submits this form, including the balances of any fund or account maintained by or on behalf of the Board or Commission.
3. The most recent legislative audit or other audit of the Board or Commission, and any efficiency studies or constituent or staff surveys conducted in the past 3 years.
4. Any reports required to be filed with the Legislative or Executive Branch over the past 3 years. Please indicate if any reports were filed late or have not been filed.
5. The minutes of any meetings of the Board or Commission in the past year, if any.

Please forward all documents to: jeanne.peyton@lcb.state.nv.us

General Information

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS
Nevada Revised Statutes 638.020

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

SUNSET REVIEW 2012

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS
4600 KIETZKE LANE, BUILDING O-265
RENO, NEVADA 89502
PHONE 775 688-1788/FAX 775 688-1808
VETBDINFO@VETBOARD.NV.GOV
WWW.NVVETBOARD.US

January 2012

Dear Members of the Sunset Subcommittee of the Legislative Commission:

The Nevada State Board of Veterinary Medical Examiners is pleased to submit this written report, which will be the basis for determining if the Board should be modified, consolidated, terminated, or continued (as you will note, we suggest "continued" existence of this board). The report is submitted pursuant to NRS 232B.010-232B.100.

The report discusses the effectiveness of the Board and its staff in satisfactorily carrying out its responsibilities in a manner consistent with statutes, regulations, good administrative practice, and the public's interest.

Our Board members and I look forward to working closely with the committee and your staff during the review process.

Respectfully submitted,

Debbie Machen
Executive Director

TABLE OF CONTENTS

I.	The Nevada State of Board of Veterinary Medical Examiners Introduction.....	4
II.	Present Board Members.....	5
III.	The Board's Website.....	5
IV.	The Board's Executive Director.....	6
V.	The Board's Staff.....	6
VI.	Created by What Authority.....	6
VII.	Authority to Adopt Regulations and Citation to Regulations.....	7
VIII.	Any Required Regulations that have not been Adopted.....	7
IX.	Governing Structure of the Board.....	7
X.	Duties of the Board.....	7
XI.	Dates of the immediately preceding six meetings.....	7
XII.	Statement of the Objectives of the Board.....	8-13
XIII.	Statutory Tax Exemptions, Abatements, or Money Set Aside.....	13-14
XIV.	Conclusion Concerning Effectiveness of Objectives and Programs.....	14
XV.	Duplication of Services/Recommendation of Consolidation.....	14
XVI.	Recommendations for Statutory Changes.....	15

SUPPLEMENTAL DOCUMENTATION

- Tab 1. The Operating Budget of the Board for 2011-2012 and 2012-2013
- Tab 2. Income and Expenses for fiscal year-end 2009, 2010, and 2011, including balances of all accounts
- Tab 3. Audit 2011
- Tab 4. Efficiency Study 2009-2010
- Tab 5. Legislative or Executive Branch Reports
- Tab 6. Minutes, October 2010-January 2011
- Tab 7. Application Process
-

Introduction

Veterinary medicine is increasingly important in the lives of Nevadans as pet ownership, in particular, has steadily increased over the last several decades. According to the American Veterinary Medical Association (AVMA), nationally there are approximately 172,321,000 pets in the United States, averaging over one pet for every two Americans (it is estimated that there are at least nearly two million pets in Nevada). Nationally, 57% of households have at least one pet. Nevada exceeds the national average because over 63% of Nevada households have pets (mostly dogs and cats but also including birds, reptiles, ferrets, and “pocket pets” such as rats, mice, hamsters, and gerbils). In addition to pet animals, domestic livestock (cattle, sheep, goats, llamas, horses, and pigs) are an important part of Nevada’s agricultural industry, accounting for a significant financial impact on the state’s economy (it is estimated that there are in excess of 700,000 livestock animals in Nevada).

Additionally, in today’s world, veterinarians are considered to be key individuals in our nation’s preparations for detecting a bioterrorism attack because many of the biological agents are zoonotic infectious organisms (capable of infecting animals and people) and veterinarians may be the first persons to recognize that an attack has occurred by their recognition of an unexpected disease outbreak in local populations of animals. In the September 15, 2002 issue of the Journal of the AVMA, in a news article titled, “Veterinarians key to bioterrorism preparedness initiatives,” Dr. David A. Ashford, an epidemiologist at the National Centers for Disease Control and Prevention (CDC) who investigated the 2001 anthrax attacks was quoted as saying, “As first responders and animal disease experts, veterinarians are essential to the [CDC’s] bioterrorism preparedness initiatives.”

According to the AVMA, the national ratio for veterinarians to citizens is one veterinarian for every 3,430 citizens. Based upon 2011 census and Board statistics, Nevada’s ratio is significantly lower than the national average at one veterinarian for every 3,147 citizens.

I. The Nevada State Board of Veterinary Medical Examiners

The Nevada State Board of Veterinary Medical Examiners was created in 1919. The Board enforces NRS and NAC chapters 638 which taken together authorize the Board to reasonably ensure that the citizens of Nevada and their animals receive care from properly educated and licensed veterinarians and veterinary para-professionals such as veterinary technicians and euthanasia technicians. Without examination of basic knowledge and required continuing education throughout the careers of Nevada’s veterinarians and para-professionals, the consumer is at risk of receiving substandard services.

Renewal of a license with a continuing education requirement provides for a basic, realistic monitoring of the profession. This is complimented by regular compliance inspections of the veterinary facilities in the State of Nevada. These compliance visits are conducted to ensure compliance with the Act and State Pharmacy Board controlled substances laws. They also are conducted for educational purposes and provide an important link from this agency to the profession.

II. Present Board Members

The present members of the Board are listed in the following table:

Member Name	Term: Governor	Status:	Address:
Richard Simmonds, DVM	1-20-2001/10-30-2013 Governor Kenny Guinn	Veterinarian President	P.O. Box 9059 Reno, Nevada 89507
William Taylor, DVM	10-01-02/10-31-2014 Governor Kenny Guinn	Veterinarian Vice-President	Mtn. Vista Animal Hospital 4675 Flamingo Road Las Vegas, Nevada 89121
Beverly Willard	1-30-1999/10-31-2011 Governor Kenny Guinn	Public Member	Jacks Valley, Nevada 89705
Mark Iodence, DVM	11-1-2008/10-30-2014 Governor Jim Gibbons	Veterinarian	Hualapai Animal Hospital 1165 South Hualapai Way Las Vegas, NV 89117
Scott Bradley, DVM	10-30-2006/10-31-2012 Governor Jim Gibbons	Veterinarian	Ark Animal Clinic 1651 North Rancho Drive Las Vegas, NV 89106
Ron Sandoval, DVM	11-1-2009/10-30-2012 Governor Jim Gibbons	Veterinarian	Baring Blvd. Vet. Hospital 700 Baring Blvd. Reno, Nevada 89436
Vacant position		Veterinarian	

III. The Board's Website

The Board's website is: www.nvvetboard.us. The website first became available to licensees and the public in 2001. It was originally constructed and maintained by the Department of Informational Technology (DOIT). In 2003, the Board improved the functionality of the website to include on-line renewals and license verification that was connected to our licensing database. DOIT did not have the personnel to develop, maintain, or host the website, so DOIT provided direction and assistance in moving to a new host site. The following upgrades were made to the website to provide more on-line services and public information:

- ✦ **November 2003** - On-line renewals and on-line verification of licensees became available to licensees and the public.
- ✦ **February 2009** - All disciplinary actions (Board Orders) against licensees were scanned and attached to the on-line licensee verification data. This function provides the public and other state veterinary boards the ability to download a copy of the discipline.
- ✦ **February 2010** - The website was upgraded in offering the following improved on-line services:
 - ✦ Change of address
 - ✦ Requests for letters of Good Standing
 - ✦ Obtaining a list of licensees with public information
 - ✦ Verification of a license
 - ✦ Disciplinary action
 - ✦ Detailed complaint procedures for the public
 - ✦ Writable PDFs for all forms, including applications and complaints

IV. The Board's Executive Director

The Board employs a full-time Executive Director. Presently the Executive Director is Debbie Machen. She has served the Board as its Executive Director for 16 years. Her contact information is:

Debbie Machen, Executive Director
4600 Kietzke Lane, O-265
Reno, Nevada 89502
Telephone: (775) 688-1788
Fax: (775) 588-1808
E-mail: vetbdinfo@vetboard.nv.gov
Website: www.nvvetboard.us

V. The Board's Staff

Position	Name	Address	Telephone Fax	E-Mail address web-site:
Licensing Specialist Full-time	Tracie Estep	4600 Kietzke Lane, O-265, Reno, NV	775 688-1788 775 688-1808	nvvetbd@vetboard.nv.gov www.nvvetboard.us
Investigator Part-time	Mike Chumrau, DVM	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov www.nvvetboard.us
Hospital Inspector Part-time	Christina Johnson, LVT	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov www.nvvetboard.us
Legal Counsel Part-time	Louis Ling, Esq.	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov www.nvvetboard.us
Seasonal Part-time	Various	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov www.nvvetboard.us

The Board has employed two full-time office staff since 1994, and at that time the Board licensed approximately 750 individuals. Today, the Board licenses over 2,000 individuals and facilities, a 62% increase in the licensee base. With this increase the Board has been able to maintain a two-person office staff, seasonally augmented with a temporary hourly aide (primarily used for scanning documents during high volume periods such as annual license renewals), while maintaining efficiency and manageability with the aid of effective licensing software, on-line functions, and quality control.

VI. Created by What Authority

The Board was created in 1919 by the Nevada State Legislature for the protection of the public and their animals in an effective, fair, and accountable manner. The Board presently enforces NRS and NAC chapters 638. The Board regulates the standards of conduct for the profession, reviews complaints, and takes disciplinary action against licensees and veterinary facilities that have violated the statutes or regulations. The Board develops and designs jurisprudence examinations for the licensing of veterinarians, veterinary technicians and euthanasia technicians, and renews their licenses on an annual basis. The Board also licenses and inspects veterinary hospitals in the State of Nevada.

VII. Authority to Adopt Regulations and Citation to Regulations

NRS 638.070(1) and (2), 638.119, and 638.132 provide the authority for the Board to adopt regulations. Pursuant to this authority, the Board has created a set of regulations presently codified as NAC chapter 638.

VIII. Any Required Regulations That Have Not Been Adopted

NONE.

IX. Governing Structure of the Board

Pursuant to NRS 638.020, the Board is composed of seven members appointed by the Governor. Board membership is comprised of six residents of the State of Nevada who have graduated from a veterinary college accredited by the American Veterinary Medical Association and who have been lawfully engaged in the practice of veterinary medicine for at least five years. One additional member must be a member of the general public. This member must not be a veterinarian, a veterinary technician, a euthanasia technician, or related by blood, marriage or adoption to a veterinarian, a veterinary technician or a euthanasia technician. Any member may be removed from the Board by the Governor for good cause.

X. Duties of the Board

NRS chapter 638 provides various duties for the Board to perform, which include:

- ✦ Licensing of veterinarians, veterinary technicians, euthanasia technicians, veterinary facilities, animal physical therapists, and animal chiropractors (NRS 638.090 – 638.134 & NAC 638.041 – 638.0447, NAC 638.0525 – NAC 638.06025, NAC 638.450 – 638.565, NAC 638.750 – 638.840)
- ✦ Investigating consumer complaints (NRS 638.1413 – 638.1445)
- ✦ Conducting disciplinary proceedings (NRS 638.145 – 638.1527 and NAC 638.070 – 638.400)
- ✦ Inspecting veterinary facilities (NRS 638.132 & NRS 638.077 & NAC 638.0603 – 638.069 and NAC 638.850)
- ✦ Investigating and prosecuting unlicensed activity (NRS 638.153 - 638.170)
- ✦ Setting practice standards and expectations (NRS 638.070 & NAC 638.0475-638.052 & NAC 638.600-638.725)
- ✦ Administration and public information (NRS 638.020 – 638.089 and NRS 638.131 & NAC 638.0405 and NAC 638.410 – 638.420)

XI. Dates of the Immediately Preceding Six Meetings

The Board meets quarterly, unless emergency meetings are necessary to facilitate disciplinary hearings. The dates of the last six meetings are January 19, 2012, October 19, 2011, July 14, 2011, May 4, 2011, January 27, 2011, and October 21, 2010. (Tab '6'-minutes)

XII. Statement of the Objectives and Programs of the Board

The Board's objectives are to fulfill its various duties for the protection of the health, safety, and welfare of Nevada's animals and the people who own, manage, and treat them. Following is a discussion of the Board's five objectives and a demonstration of how the Board has been, presently is, and intends to meet each objective.

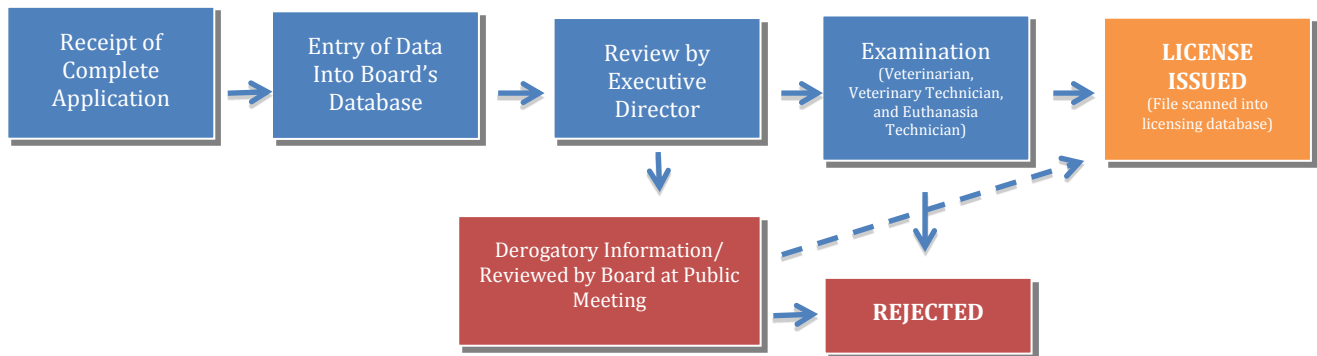
LICENSING

STATEMENT OF OBJECTIVE: The Board's objective regarding licensure is to license all qualified applicants promptly and courteously.

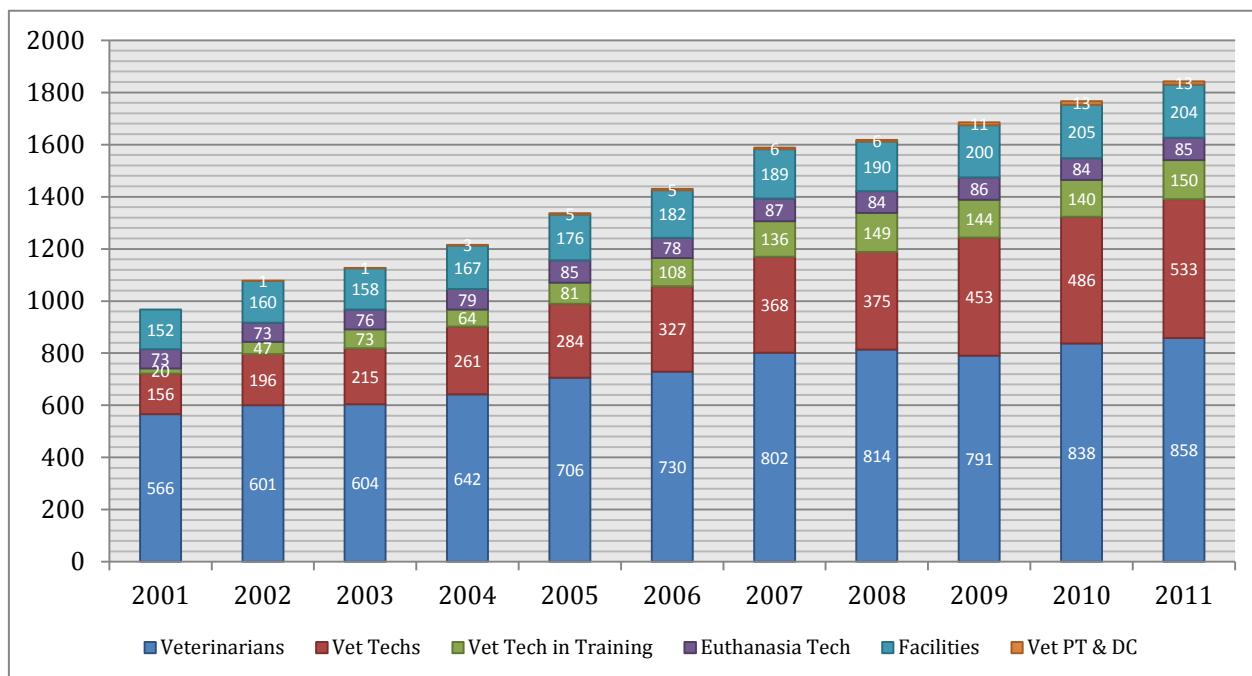
The Board oversees the issuance of seven types of licenses:

- ✦ Veterinarians/Diplomates (specialists)
- ✦ Veterinary Technicians
- ✦ Veterinary Technicians-in-Training
- ✦ Euthanasia Technicians
- ✦ Animal Chiropractors
- ✦ Animal Physical Therapists
- ✦ Facilities

For Veterinarian applicants who provide a complete application, required supporting documentation, and who have no derogatory information in their backgrounds can be licensed normally in 15 days or less. For all other applicants who provide a complete application, supporting documentation, and who have no derogatory information in their backgrounds can be licensed normally in 7 days or less. (Detailed application process Tab '7') All license applications follow the same critical procedures path approved by the Board and illustrated in the following diagram:



The Board's licensee counts continue to show steady growth. The number of veterinarians has grown from 986 in 2009, of which 51 were diplomates (specialists) to 1,147 in 2011, of which 60 were diplomates (specialists). The Board's growth of total active licensees went from 967 total licensees in 2001 to 1,843 total licensees in 2011, for an annualized overall growth rate of 6.4%. The following chart demonstrates the steady growth of the Board's licensee base:



Pursuant to NAC 638.0425, in March of each year, the Board performs random audits of licensees to ensure compliance with the requirements for continuing education. All veterinarians and diplomates are required to complete 20 hours of approved continuing education and veterinary technicians are required to complete 10 hours each calendar year. In 2009, the Board audited 115 veterinarians and diplomates and disciplined three who had not complied with the continuing education requirement. In 2010, the Board audited 127 veterinarians and diplomates and disciplined four who had not complied with the continuing education requirement.

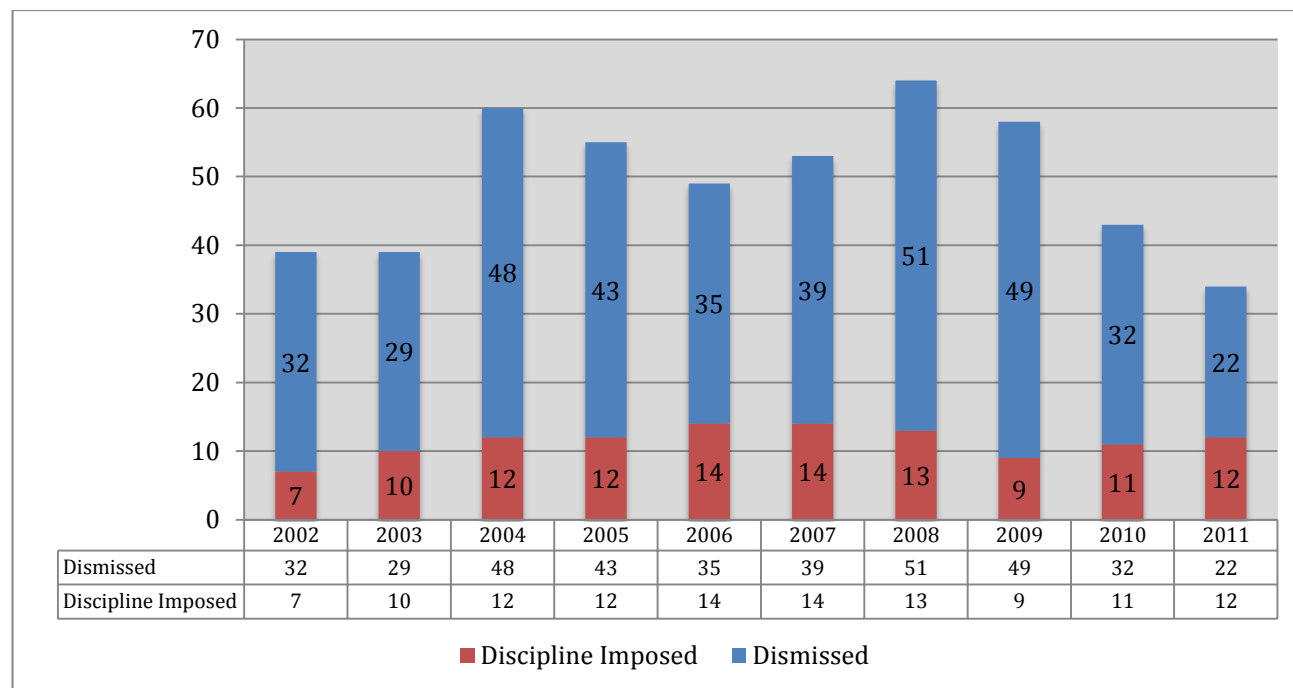
DISCIPLINARY PROCESS

STATEMENT OF OBJECTIVE: The Board’s objective regarding its disciplinary process is to make the filing of a complaint by the public as simple as possible, to investigate every case thoroughly and in a timely manner, and to address all meritorious complaints openly and publicly.

A complaint against one of the Board’s licensees is initiated through the receipt of a complaint – usually written and usually through the Board’s active-PDF file on its website. The Board investigates every complaint. Every complaint is overseen by an investigating Board member and is investigated by a veterinarian on staff. When necessary to assess the veterinary medicine at issue, the Board retains veterinary specialists to assist in the investigation. Therefore, where a complaint involves medical issues, it may be reviewed by as many as three different veterinarians. When an investigation is completed, the Board – not Board staff – determines at a public meeting the outcome of each complaint based on a detailed summary report prepared by the investigating Board member and investigator. The summary report includes the complainant’s concerns and a summary of the facts as determined by the investigation with all identifying information regarding the complainant and the licensees at issue removed to assure the fairest unbiased review of the information by the members of the Board (the investigating Board member abstains from the vote on whether or not to discipline the licensee).

If the Board determines that a case should proceed to a formal disciplinary action, the Board determines whether the case is appropriate for an attempted resolution or whether the case will require a full hearing on the merits. Many of the Board's cases are resolved through negotiations between the licensee and the investigating Board member. Some cases are so serious, present novel issues, or cannot be resolved through negotiations, and those cases are heard at a formal disciplinary hearing presented to the full Board at a public meeting.

The following chart details the Board's complaints and disciplinary activities for the ten most recent years¹:



The Board also participates in the Professionals Reaching Nevada (PRN) program in which several other occupational licensing boards also participate. PRN provides substance abuse treatment for licensed professionals. A licensee can voluntarily admit himself or herself into the program, or the Board can order through disciplinary action that a licensee participate in the program. In most years, the Board has two or three licensees participating in the PRN program.

ROUTINE AND “FOR CAUSE” FACILITY INSPECTION PROCESS

STATEMENT OF OBJECTIVE: The Board's objective regarding facility inspections is to conduct routine inspections of every veterinary facility in Nevada at least once every two years and, as often as necessary “for cause,” when required as part of a complaint investigation or follow-up monitoring as specified in disciplinary orders and agreements.

The Board's authority to inspect veterinary facilities was established in 1985 (NRS 638.132) and to license veterinary facilities was established in 1995 (largely in response to the increasing prevalence of corporately

¹ The total number of complaints filed for all years except 2010 and 2011 can be ascertained by adding the two numbers in a particular bar. In 2010, the total number of complaints received was 46, and in 2011, the total number of complaints received was 36. The numbers in these two bars do not add up because three cases received in December of 2010 and two cases received in January of 2011 are still under investigation.

owned veterinary practices). Beginning in June of 2009, the Board proactively initiated a program to conduct routine inspections of licensed veterinary facilities in Nevada. In 2009, the Board performed 63 inspections, and in 2010 the Board performed 78 inspections. Beginning in 2011, the Board began its second round of facility inspections and is on track to meet its objective of inspecting every licensed facility in Nevada a minimum of every two years.

The regular inspections are unannounced and thorough. The inspection seeks to determine if recordkeeping, sanitation and sterilization, and other functions required of veterinary facilities are in compliance with NRS and NAC 638. At the completion of the inspection, if there are issues noted by the inspector she provides the veterinarian with a notice of non-compliance and recommendations. The inspector discusses her concerns with the veterinarian, and her inspection report with its notice of non-compliance and recommendations is reviewed and signed off by a veterinarian at the facility. The veterinarian-in-charge of the facility is to provide the Board with proof of compliance within a specified time frame. When appropriate, the inspector revisits the facility to assure compliance with her recommendations.

“For cause” facility inspections may be conducted whenever it is determined to be necessary as part of a complaint investigation or as required by Board disciplinary orders or agreements.

UNLICENSED ACTIVITY

STATEMENT OF OBJECTIVE: The Board’s objective regarding unlicensed activity is to create a network of contacts from which to learn about unlicensed activity, and then to investigate and take appropriate action regarding the unlicensed activity.

NRS 638.1471 and NAC 638.0433 provide the Board’s legal authority by which it may investigate, cite, and fine a person who practices veterinary medicine without a license. Unlicensed activity is most commonly found in the large animal field. The Board has taken a strong stance in controlling unlicensed activity by investigating these cases and turning them over to the Attorney General’s Office for prosecution.

The illegal practice of veterinary medicine is harmful to the unsuspecting consumer and harmful to animals. Some areas of this unlicensed activity are veterinary dentistry, chiropractic, and physical therapy.

ADMINISTRATIVE OBJECTIVES

STATEMENT OF OBJECTIVE: The Board’s objectives regarding its administration are: (1) to assure that all of the Board’s funds are wisely and effectively collected and spent to keep the costs to the Board’s licensees to a minimum; (2) to assure that the public has useful and simple access to the Board’s resources and processes; and (3) to continually improve the Board’s operations and functions.

BOARD FUNDING - The Board receives no general fund money. Instead, the Board operates solely upon licensing fees. No fee charged by the Board is at or near the caps set by the Legislature, and as the following table shows, the most recent adjustments to the Board’s fees were mostly lowering of the fees:

Licensee Type of Fee	Current Fee	NRS Maximum	Amount of most recent change	Effective Dates
Veterinarian Application/exam or reinstatement	\$200.00	\$500.00 NRS 638.100(4)		Effective since 1995
Veterinary Technician Application/exam or reinstatement	\$100.00	\$500.00 NRS 638.122(3)(a)		Effective since 1995
Euthanasia Technician Application/class/exam	\$200.00	\$500.00 NRS 638.116 (3)(a)		Effective since 1990
Veterinary-Technician-in-Training Registration 2 yr.	\$50.00	\$500.00 NRS 638.122		Effective since 1997
Veterinary facility application Veterinarian owned	\$50.00	NRS 638.132 NAC 638.035		Effective since 1997
Veterinary facility application Non-veterinarian owned	\$300.00	NRS 638.132 NAC 638.035		Effective since 1997
Veterinary facility application Non-profit	\$100.00	NRS 638.132 NAC 638.035	-\$200.00	Reduced April 2010
Animal Chiropractic application	\$50.00	NRS 638.070(2)(h) NAC 638.035		Established in 1999
Animal Physical Therapy Application	\$50.00	NRS 638.070(2)(h) NAC 638.035		Established in 2004
Veterinarian Active annual renewal	\$250.00	NRS 638.127(5)(a) NAC 638.035	-\$25.00	Reduced in 1997
Veterinarian Inactive annual renewal	\$130.00	NRS 638.127(5)(a) NAC 638.035		Effective since 1994
Veterinary technician Annual renewal	\$75.00	NRS 638.127(5)(a) NAC 638.035	+\$25.00	Increased in 2002
Euthanasia technician Annual renewal	100.00	NRS 638.127(5)(a) NAC 638.035		Effective since 1997
Facility veterinarian owned Annual renewal	\$25.00	NRS 638.127(5)(a) NAC 638.035		Effective since 1997
Facility non-veterinarian owned Annual renewal	\$300.00	NRS 638.127(5)(a) NAC 638.035		Effective since 1997
Facility non-profit Annual renewal	\$100.00	NRS 638.127(5)(a) NAC 638.035	-\$200.00	Reduced in 2010
Physical Therapy & Animal Chiropractic annual renewal	\$25.00	NRS 638.127(5)(a) NAC 638.035		Effective since 1999

The Board has its books independently audited annually. None of the Board's independent audits have ever noted irregularities or problems with the Board's financial management practices. The Board provides copies of these audits to the Department of Administration and to the Legislative Counsel Bureau. Pursuant to the request of the Committee, attached is the 2010-2011 audits and the most recent budgeting and accounting for the Board. (Tab '1'-Operating Budget 2011-2013); (Tab '2'-Income/Expense Report); (Tab '3'-FY 2011 Audit)

PUBLIC ACCESSIBILITY – The Board attempts to make its processes and resources available to the public it serves. Recent initiatives to increase or assure public access include:

- ◆ Continual Website Improvement – The Board knows that the public accesses its website regularly for information and assistance. The Board has developed an active-PDF form to receive its consumer complaints to make the complaint-filing process as simple and user friendly as possible. Most of the Board’s consumer complaints now come through the use of the Board’s website form.
- ◆ Open Regulatory Process – Though the Board does not promulgate many regulations, it has always made its regulatory process transparent and open to the public. For example, in 2009 the Board heard testimony from a consumer who requested that the Board adopt law that would provide protection to animals that were hospitalized in veterinary facilities during the hours that the veterinary facility was not open to the public and during which hours the facility maintained no staffing. The Board held a workshop and a hearing and the new regulations were adopted on April 20, 2010 that require that an owner must be notified by a veterinary hospital if an animal will be left unattended after hours.

ADMINISTRATIVE IMPROVEMENTS – The Board remains open to opportunities to improve its administration and service to the public. Several of its recent initiatives will be discussed.

- ◆ In 2009, the Board began a process of self-evaluation of the operations of the Board to better assess and evaluate achievements, measure quality, and determine if the Board is fulfilling its mission and legislative mandates. A copy of the Board’s self-evaluation report is attached as Tab ‘4’.
- ◆ The Board has long had a goal of operating paperlessly and efficiently. The Board has allowed on-line renewal for its licensees since 2003 and presently 63% of its licensees renew on-line. The Board has allowed on-line access to scanned images of its disciplinary orders since 2009. The Board plans to launch a new service in 2012 by which licensee applicants can monitor the progress of their applications through a secure on-line account, and when they have completed all of the requisites, the on-line system will then allow the applicant to take his or her jurisprudence examination on-line. This new on-line licensing process should further expedite the Board’s already prompt licensing procedure.
- ◆ The Board has developed and maintains excellent working relationships with other Nevada occupational licensing boards, such as the Board of Pharmacy, Chiropractic Physician Board of Nevada, State Board of Physical Therapy Examiners and animal-related governmental agencies such as the Department of Agriculture; city, state, and county animal control agencies; the Nevada Veterinary Medical Association; the Cattleman’s Association; and may others in establishing a cohesive relationship in order to protect public and animal interests.

XIII. Statutory Tax Exemptions, Abatements, or Money Set Aside

STATUTORY TAX EXEMPTIONS -

- ◆ Pursuant to NRS 372.325, the Board is exempt from paying Nevada sales/use tax.
- ◆ Pursuant to §115 of the Internal Revenue Code, income of states and municipalities is not subject to federal income tax.
- ◆ According to the Internal Revenue Codes, gross income does not include: (1) income derived from any public utility or the exercise of any governmental function and accruing to a state or any political subdivision thereof, or the District of Columbia, or (2) income accruing to the government of any possession of the United States, or any political subdivision thereof.

- ◆ Pursuant to §1001 of the Internal Revenue Code, state and local governments are exempt from Social Security, except that beginning July 2, 1991, Social Security and Medicare HI coverage is mandatory for State and local government employees who meet the following conditions:
 - ✦ They are not members of a public retirement system; and
 - ✦ They are not covered under a Section 218 agreement, unless excluded by law.

MONEY SET ASIDE FOR THE BOARD - The Nevada State Board of Veterinary Medical Examiners is funded from fees collected from licensed veterinarians, veterinary technicians, euthanasia technicians, animal chiropractors, animal physical therapists and veterinary facilities. The Nevada State Board of Veterinary Medicine does not receive funds from the State General Fund.

XIV. Conclusion Concerning Effectiveness of Objectives and Programs

It is clear from the above noted objectives that the Board's purpose and mission is even more important than it was even ten years ago with animals recently having gained "family member" status. With over 63% of Nevada households having pets and in excess of 700,000 livestock animals in Nevada and the importance of qualified veterinarians participating in our state's and nation's bioterrorism preparedness activities, it is imperative that Nevada maintains quality veterinary care by ensuring that all licensees demonstrate and maintain their abilities through defined education and testing methods.

Routine compliance inspections of veterinary facilities allow the Board to identify and explain deficiencies. This is one of the Board's best means of educating licensees on the requirements of the Veterinary Practice Act and reducing violations and subsequent complaints.

Through the receipt and investigation of complaints the public has an avenue to voice concerns against a licensee or a veterinary facility.

Through Board-sponsored continuing education classes with the licensees and their staff, the Board educates the profession with regard to new laws, effective communication with clients, and standard of practice issues.

Through the Board's support and encouragement, the first formal veterinary technology training program was established (at the College of Southern Nevada) which was followed by the establishment of three associate degree programs in Nevada for aspiring Licensed Veterinary Technicians.

Through the promulgation of regulations, the Board keeps the standards of practice in Nevada at or exceeding the prevailing national standards.

In conclusion, with a profession with a constant growth rate, the ever growing pet population, the large population of livestock in Nevada, and the emerging importance of veterinary medicine in our nation's bioterrorism preparedness it is necessary for the State of Nevada to maintain the current status of the Board.

XV. Duplication of Services/Recommendation for Consolidation

This Board is unique in that it is the only Board or Commission in Nevada that regulates veterinary care of domestic animals and livestock and protects the interest of the public and their animals. The Board finds that there is no other Board or Commission that could be consolidated with the Nevada State Board of Veterinary Medical Examiners. Any elimination or consolidation of services by this Board would cause the

standard of practice of veterinary care to diminish significantly and public protection and confidence in the veterinary profession would be substantially reduced.

XVI. Recommendations for Statutory Changes

The Board has identified two suggested statutory changes:

- ✦ The addition of a licensed veterinary technician to the Board. With over 500 veterinary technicians and three accredited veterinary technicians' schools in the State, it is important that veterinary technicians have a collective voice through a Board Member.
- ✦ Currently the Board renews all of its licensees on a yearly basis. A change to two-year renewals (similar to many other occupations) would be a cost saving measure.

TAB 1

The Operating Budget of the Board 2011-2012 and 2012-2013

***NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS
Nevada Revised Statutes 638.020***

STATE BOARD OF VETERINARY MEDICAL EXAMINERS**2011-2013**

	AUDITED 2010-2011	BUDGET APPROVAL 2011-2012	BUDGET APPROVAL 2012-2013
Revenues			
License Fees	\$ 285,990	\$ 300,000	\$ 315,000
Examination Fees	\$ 26,657	\$ 28,000	\$ 29,000
Interest income	\$ 1,036	\$ 1,100	\$ 1,200
Disciplinary reimbursements	\$ 3,499	\$ 3,000	\$ 3,000
Total Revenue	\$ 317,182	\$ 332,100	\$ 348,200

Expenditures

Operations			
Audit	\$ 4,000	\$ 5,500	\$ 6,000
Board expense	\$ 5,314	\$ 5,400	\$ 5,600
Dues and subscriptions	\$ 692	\$ 700	\$ 700
Insurance	\$ 1,948	\$ 1,200	\$ 1,400
Legislative expense	\$ 8,100	\$ 8,100	\$ 8,100
Miscellaneous expense	\$ (21)	\$ 800	\$ 800
Rent	\$ 20,234	\$ 21,000	\$ 22,000
Professionals reaching Nevada	\$ 1,200	\$ 1,200	\$ 1,500
Telephone	\$ 3,442	\$ 3,500	\$ 3,800
Conference expense	\$ 1,144	\$ 1,200	\$ 1,800
Salaries-staff	\$ 155,724	\$ 160,000	\$ 168,000
Hearing expense	\$ -	\$ 3,000	\$ 3,000
Examination expenses	\$ 3,286	\$ 3,500	\$ 3,500
Employee benefits	\$ 49,565	\$ 54,000	\$ 57,000
Special projects	\$ -	\$ -	\$ -
Office expense	\$ 23,368	\$ 25,000	\$ 25,000
Travel expense	\$ 9,276	\$ 9,500	\$ 9,800
Professional services	\$ 12,006	\$ 15,000	\$ 16,000
Total Current Expenditures	\$ 299,278	\$ 318,600	\$ 334,000

Capital purchases

Equipment/Software	\$ 10,939	\$ 12,000	\$ 13,000
Special project	\$ -	\$ -	\$ -
Total Expenditures	\$ 310,217	\$ 330,600	\$ 347,000
Favorable/(Unfavorable)	\$ 6,965	\$ 1,500	\$ 1,200

TAB 2

Income and Expenses for Fiscal-Year End 2009, 2010, and 2011, Including Balances on All Accounts

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Statement of Revenue and Expenditures - Budget and Actual

For the Year Ended June 30, 2011

(With comparative amounts for the year ended June 30, 2010)

	2011 Original & Final Budget (unaudited)	2011 Actual	Variance Favorable (Unfavorable)	2010
REVENUES				
License fees	\$ 306,564	\$ 285,990	\$ (20,574)	\$ 283,547
Examination fees	28,575	26,657	(1,918)	45,770
Interest income	1,110	1,036	(74)	3,831
Disciplinary reimbursements	3,751	3,499	(252)	5,367
Total Revenues	<u>340,000</u>	<u>317,182</u>	<u>(22,818)</u>	<u>338,515</u>
EXPENDITURES				
Current				
Operations				
Accounting - audit services	4,500	4,000	500	4,230
Board meetings	4,800	5,314	(514)	4,895
Dues and subscriptions	1,100	692	408	692
General Fund Payment	-	-	-	(1,500)
Insurance	1,000	1,948	(948)	-
Legislative expense	8,100	8,100	-	8,110
Miscellaneous expense	1,000	(21)	1,021	510
Rent	20,400	20,234	166	22,000
Professionals reaching Nevada	1,600	1,200	400	1,850
Telephone	3,100	3,442	(342)	3,067
Conference expense	3,000	1,144	1,856	2,254
Salaries - staff	167,000	155,724	11,276	144,519
Hearing expense	5,000	-	5,000	-
Examination expenses	1,500	3,286	(1,786)	16,410
Employee benefits	50,400	49,565	835	46,652
Special projects	1,000	-	1,000	793
Office expense	24,000	23,368	632	22,416
Travel expense	10,800	9,276	1,524	10,682
Professional services	10,700	12,006	(1,306)	18,921
Total Current Expenditures	<u>319,000</u>	<u>299,278</u>	<u>19,722</u>	<u>306,501</u>
Capital outlay				
Equipment purchases	16,000	10,939	5,061	20,042
Special project	11,000	-	11,000	7,284
Total Expenditures	<u>346,000</u>	<u>310,217</u>	<u>35,783</u>	<u>333,827</u>
Favorable / (Unfavorable)	<u>\$ (6,000)</u>	<u>\$ 6,965</u>	<u>\$ 12,965</u>	<u>\$ 4,688</u>

See Accompanying Accountant's Audit Report and Notes to Financial Statements

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Statement of Revenue and Expenditures - Budget and Actual

For the Year Ended June 30, 2010

(With comparative amounts for the year ended June 30, 2009)

	2010 Original & Final Budget (unaudited)	2010 Actual	Variance Favorable (Unfavorable)	2009
REVENUES				
License fees	\$ 291,346	\$ 283,547	\$ (7,799)	\$ 270,354
Examination fees	47,328	45,770	(1,558)	42,785
Interest income	3,793	3,831	38	7,436
Disciplinary reimbursements	5,533	5,367	(166)	5,900
Total Revenues	<u>348,000</u>	<u>338,515</u>	<u>(9,485)</u>	<u>326,475</u>
EXPENDITURES				
Current				
Operations				
Accounting - audit services	4,500	4,230	270	3,500
Board meetings	5,000	4,895	105	5,811
Dues and subscriptions	1,100	692	408	780
General Fund Payment	-	(1,500)	1,500	1,500
Insurance	-	-	-	2,488
Legislative expense	8,000	8,110	(110)	7,425
Miscellaneous expense	1,500	510	990	860
Rent	20,500	22,000	(1,500)	20,239
Repairs and maintenance expense	-	-	-	1,021
Professionals reaching Nevada	1,000	1,850	(850)	900
Telephone	3,800	3,067	733	4,165
Conference expense	6,000	2,254	3,746	1,498
Salaries - staff	147,750	144,519	3,231	140,687
Hearing expense	5,000	-	5,000	-
Examination expenses	13,000	16,410	(3,410)	20,009
Employee benefits	50,100	46,652	3,448	46,538
Special projects	1,000	793	207	-
Office expense	25,300	22,416	2,884	18,467
Travel expense	10,500	10,682	(182)	8,856
Professional services	24,500	18,921	5,579	21,003
Total Current Expenditures	<u>328,550</u>	<u>306,501</u>	<u>22,049</u>	<u>305,747</u>
Capital outlay				
Equipment purchases	20,000	20,042	(42)	18,260
Special project	11,000	7,284	3,716	3,778
Total Expenditures	<u>359,550</u>	<u>333,827</u>	<u>25,723</u>	<u>327,785</u>
Favorable / (Unfavorable)	<u>\$ (11,550)</u>	<u>\$ 4,688</u>	<u>\$ 16,238</u>	<u>\$ (1,310)</u>

See Accompanying Accountant's Audit Report and Notes to Financial Statements

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Statement of Activities

For the Year Ended June 30, 2009

(With comparative amounts for the year ended June 30, 2008)

	2009 Budget (unaudited)	2009 Actual	Variance Favorable (Unfavorable)	2008
REVENUES				
License fees	\$ 264,992	\$ 270,354	\$ 5,362	255,944
Examination fees	41,952	42,785	833	48,350
Interest income	7,296	7,436	140	9,019
Disciplinary reimbursements	5,760	5,900	140	7,800
Total Revenues	<u>320,000</u>	<u>326,475</u>	<u>6,475</u>	<u>321,113</u>
EXPENSES				
Accounting - audit services	2,700	3,500	(800)	1,995
Board meetings	5,000	5,811	(811)	5,620
Depreciation expense	-	1,214	(1,214)	409
Dues and subscriptions	1,100	780	320	1,045
General Fund Payment	-	1,500	(1,500)	-
Insurance	1,700	2,488	(788)	-
Legislative expense	8,200	7,425	775	8,100
Miscellaneous expense	1,500	860	640	1,505
Rent	18,000	20,239	(2,239)	12,050
Repairs and maintenance expense	-	1,021	(1,021)	690
Professionals reaching Nevada	600	900	(300)	1,200
Special project - scanning	5,000	3,778	1,222	18,857
Salaries - staff	145,000	140,687	4,313	129,420
Telephone	3,200	4,165	(965)	2,966
Administrative expense	-	-	-	354
Conference expense	7,000	1,498	5,502	4,633
Hearing expense	3,000	-	3,000	10,598
Examination expenses	13,000	20,009	(7,009)	18,248
Employee benefits	42,600	46,538	(3,938)	41,475
Equipment purchases	15,700	15,634	66	13,655
Office expense	22,200	18,467	3,733	19,493
Travel expense	10,000	8,856	1,144	8,941
Professional services	15,500	21,003	(5,503)	13,328
Total Expenses	<u>321,000</u>	<u>326,373</u>	<u>(5,373)</u>	<u>314,582</u>
Change in unrestricted net assets	\$ (1,000)	102	\$ 1,102	6,531
Unrestricted net assets at June 30, 2008 and 2007		<u>513,297</u>		506,766
Unrestricted net assets at June 30, 2009 and 2008		<u>\$ 513,399</u>		<u>\$ 513,297</u>

See Accompanying Accountant's Audit Report and Notes to Financial Statements

VET. BOARD
Balance Sheet
December 31, 2011

ASSETS

Current Assets		
Mutual of Omaha-Checking	\$	51,694.10
Mutual of Omaha Money Market		160,264.18
Mutual of Omaha-CD's		50,194.23
Bank of America-Money Market		91,120.27
U.S. Bank-Money Market		59,389.49
Wells Fargo-Money Market		96,199.82
Mutual of Omaha-Investment Acc		45,859.35
UBS Investment Account		63,328.81
Nevada State Bank-Money Market		94,741.84
		<hr/>
Total Current Assets		712,792.09
Property and Equipment		
		<hr/>
Total Property and Equipment		0.00
Other Assets		
Furniture/Software		24,130.30
Accumulated Depreciation		(8,462.02)
		<hr/>
Total Other Assets		15,668.28
		<hr/>
Total Assets	\$	<u>728,460.37</u>

LIABILITIES AND CAPITAL

Current Liabilities		
Current Accrued Comp. Absence	\$	5,355.70
Deferred Revenue		194,794.94
Long term Accrued Comp. Absenc		4,000.00
		<hr/>
Total Current Liabilities		204,150.64
Long-Term Liabilities		
		<hr/>
Total Long-Term Liabilities		0.00
		<hr/>
Total Liabilities		204,150.64
Capital		
Retained earnings		(246.19)
Non Spendable Fund Balance		19,480.27
Spendable Assigned Fund Balanc		507,570.58
Net Income		(2,494.93)
		<hr/>
Total Capital		524,309.73
		<hr/>
Total Liabilities & Capital	\$	<u>728,460.37</u>

TAB 3

Audit 2011

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS
FINANCIAL STATEMENTS
JUNE 30, 2011

RECEIVED

OCT - 1 2011

SCOTT L. AGA
BOARD OF VETERINARY MEDICAL EXAMINERS

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS

FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2011

TABLE OF CONTENTS

	Page No.
INDEPENDENT AUDITOR'S REPORT	1 - 2
MANAGEMENT DISCUSSION AND ANALYSIS	3 - 6
BASIC FINANCIAL STATEMENTS	
Statement of Net Assets and Governmental Fund Balance Sheet	8
Statement of Activities and Governmental Fund Revenue, Expenditures, and Changes in Fund Balance	9
Notes to Financial Statements	10 - 16
REQUIRED SUPPLEMENTARY INFORMATION	
Statement of Revenue and Expenditures - Budget and Actual	18
REPORT ON INTERNAL CONTROL AND COMPLIANCE	
Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	19 - 20

Benjamin C. Steele, CPA

Jonathan S. Steele, CPA



Jonathan S. Steele, CPA
Vanessa L. Davis, CPA

INDEPENDENT AUDITOR'S REPORT

To the Board of Directors of
Nevada State Board of Veterinary Medical Examiners
Reno, Nevada

We have audited the accompanying financial statements of the Nevada State Board of Veterinary Medical Examiners as of and for the year ended June 30, 2011, as listed in the table of contents. These financial statements are the responsibility of the Nevada State Board of Veterinary Medical Examiners' management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Nevada State Board of Veterinary Medical Examiners as of June 30, 2011, and the respective changes in financial position, and cash flows, where applicable, thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated August 30, 2011, on our consideration of the Nevada State Board of Veterinary Medical Examiners' internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

680 West Nye Lane, #202
Carson City, Nevada 89703
Phone: (775) 882-7198
Fax: (775) 883-4346

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information on pages 3 through 6 and 18 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Steele & Associates, LLC

Carson City, Nevada
August 30, 2011

Management Discussion and Analysis

This section of the Nevada State Board of Veterinary Medical Examiners annual financial report presents our discussion and analysis of the Board's financial performance during the fiscal year that ended June 30, 2011. Please read it in conjunction with the Board's financial statements, which immediately follow this section.

Financial Highlights

- The Board's financial status improved. Total assets increased \$5,989 in fiscal year 2011. Revenues for the fiscal year exceeded expenditures by \$6,965.
- Examination revenue decreased \$17,195 due to the Board no longer administering the Veterinary Technician National Examination.
- Professional services, which includes attorney fees decreased by \$6,915 due to the Board employing an in-house attorney.
- There was a decrease of over \$1,800 in interest income due to the lowering of interest and CD rates.

Overview of Financial Statements

This discussion and analysis are intended to serve as an introduction to the Board's basic financial statements. The Board's basic financial statements comprise three components: 1) government-wide financial statements; 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide Financial Statements. The government-wide financial statements are designed to provide readers with a broad overview of the Board's finances, in a manner similar to a private-sector business.

The statement of net assets presents information on all of the Board's assets and liabilities, with the difference between the two reported as net assets. Over time, increases or decreases in net assets may serve as a useful indicator of whether the financial position of the Board is improving or deteriorating.

The statement of activities presents information showing how the Board's net assets changed during the most recent fiscal year. All changes in net assets are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing

of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., earned but unused compensated absences).

The government-wide financial statements outline functions of the Board that are principally supported by license fees. The governmental activities of the Board include licensing and regulation of Veterinarians, Veterinary Technicians, Euthanasia Technicians and Veterinary Facilities in the State of Nevada. The government-wide financial statements can be found on pages 8 and 9 of this report.

Fund Financial Statements. A fund is a group of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The Board uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The Board uses only one governmental fund.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as government activities in the governmental-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating the Board's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the governmental-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for government activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the Board's near-term financing decisions. Both the governmental fund balance sheet and the governmental fund statement of revenue, expenditures and changes in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities. These reconciliations are on pages 8 and 9, respectively.

In accordance with Nevada Revised Statutes, the Board maintains its financial information in a special revenue fund. The basic governmental fund financial statements can be found on pages 8 and 9 of this report.

Notes to the Financial Statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 10 through 16 of this report.

Other Information. In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning the Board's budget process. The Board adopts an annual budget and a budgetary comparison has been provided in the governmental fund statement of revenue, expenditures and change in fund balance on page 18 of this report.

Condensed Financial Statements

The Condensed Statement of Net Assets is as follows:

ASSETS

Current & other assets	\$ 660,572
Capital assets	<u>15,078</u>
Total Assets	<u>675,650</u>

LIABILITIES

Current liabilities	144,845
Long-term liabilities	<u>4,000</u>
Total Liabilities	<u>148,845</u>

Net Assets

Non-spendable: Capital assets	15,078
Assigned for: Board activities	<u>511,727</u>
Total Net Assets	<u>\$ 526,805</u>

The Condensed Statement of Activities is as follows:

Revenue

Program revenue - services	\$ 316,146
General revenue - investments	<u>1,036</u>
Total Revenue	<u>317,182</u>

Expenses

Veterinary board operations	<u>317,428</u>
-----------------------------	----------------

Excess of Revenue over Expenditures	<u>(246)</u>
-------------------------------------	--------------

Change in Net Assets	<u>\$ (246)</u>
----------------------	-----------------

Government-wide Financial Analysis. Net assets may serve over time as a useful indicator of a government's financial position. In the case of the Board, assets exceeded liabilities by \$526,805 as of June 30, 2011.

Changes in Net Assets. The Board's total revenues for the fiscal year ended June 30, 2011 were \$317,182. The total costs of all programs and services were \$310,217.

The following are significant current transactions that have had an impact on the Statement of Net Assets.

- The decrease examination in fees and the decrease in examination costs are due to the Board no longer administering the Veterinary Technician National Examination.
- The decrease in interest income is due to the extreme economic situation and lowering of interest rates.

- The decrease in conference expense is attributed to the cutting back on out of state travel.

Financial Analysis of the Board's Funds

As noted earlier, the Board uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. The focus of the Board's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the Board's financing requirements. In particular, unreserved fund balance may serve as a useful measure of the Board's net resources available for spending at the end of the fiscal year.

The financial performance of the Board as a whole is reflected in its governmental funds. As the Board completed the year, its governmental funds reported a balance of \$521,082, an increase of \$6,965 caused primarily by various decreases in expenses which included equipment purchases, professional services, examination and conference expense. The Board's policy is to maintain a reserve of 1 ½ to 2 times their annual budget for the purpose of unexpected decreases in licensees or unanticipated litigation costs for disciplinary proceedings and appeals.

Budgetary Highlights. The budget variance of \$22,818 in total revenues resulted from a loss of revenue of approximately \$22,000 in that the veterinary technician national examination is no longer administered by state boards. The Board also realized a significant decrease in investment income.

The Board prepares its budget prior to the start of each year. A comparison of this budget with actual results is provided in the Statement of Revenue and Expenditures - Budget and Actual.

Capital Assets and Debt Administration. Fixed assets decreased by \$4,402 during the year primarily due to accumulated depreciation. In government-wide financial statements, these assets are reflected at their historical costs less accumulated depreciation. Additional information can be found in the footnotes to these financial statements.

Economic Factors and Next Years' Budget and Rates. The Board used no specific economic factors in preparing its budget for fiscal year 2011. The Board's revenue is limited by maximum license fees specified in the Nevada Revised Statutes and the Nevada Administrative Code. For expenses, the Board typically assumes an increase of 5% to 7% over the prior year.

BASIC FINANCIAL STATEMENTS

Nevada State Board of Veterinary Medical Examiners
Statement of Net Assets and Governmental Fund Balance Sheet
June 30, 2011

	General Fund	Adjustments (Note 10)	Statement of Net Assets
ASSETS			
Cash and cash equivalents	\$ 565,452	\$ -	\$ 565,452
Investments	95,120	-	95,120
Capital assets, net of accumulated depreciation	<u>-</u>	<u>15,078</u>	<u>15,078</u>
TOTAL ASSETS	<u><u>\$ 660,572</u></u>	15,078	675,650
LIABILITIES			
Accounts payable	\$ 3,963	-	3,963
Deferred revenue	135,527	-	135,527
Accrued compensated absences			
Current	-	5,355	5,355
Long-term	<u>-</u>	<u>4,000</u>	<u>4,000</u>
Total Liabilities	139,490	9,355	148,845
FUND BALANCE/NET ASSETS			
Fund Balance			
Assigned for:			
Board activities	<u>521,082</u>	<u>(521,082)</u>	<u>-</u>
TOTAL LIABILITIES AND FUND BALANCE	<u><u>\$ 660,572</u></u>		
Net Assets			
Invested in capital assets, net of related debt		15,078	15,078
Unrestricted		<u>511,727</u>	<u>511,727</u>
TOTAL NET ASSETS		<u><u>\$ 526,805</u></u>	<u><u>\$ 526,805</u></u>

See Accompanying Accountant's Audit Report & Notes to Financial Statements

Nevada State Board of Veterinary Medical Examiners
Statement of Activities and Governmental Fund Revenue, Expenditures,
and Changes in Fund Balance
For the Year Ended June 30, 2011

	General Fund	Adjustments (Note 10)	Statement of Net Assets
EXPENDITURES/EXPENSES			
Veterinary board operations	\$ 299,278	\$ 7,211	\$ 306,489
Capital outlay	<u>10,939</u>	<u>-</u>	<u>10,939</u>
Total Expenditures/Expenses	310,217	7,211	317,428
PROGRAM REVENUE			
Charges for services	<u>316,146</u>	<u>-</u>	<u>316,146</u>
Net Program Revenue	5,929	(7,211)	(1,282)
GENERAL REVENUE			
Investment income	<u>1,036</u>	<u>-</u>	<u>1,036</u>
Excess of Revenue over Expenditures	6,965	(6,965)	
Change in net assets		(246)	(246)
FUND BALANCE/NET ASSETS			
Fund Balance/Net Assets, June 30, 2010	<u>514,117</u>	<u>12,934</u>	<u>527,051</u>
Fund Balance/Net Assets, June 30, 2011	<u>\$ 521,082</u>	<u>\$ 5,723</u>	<u>\$ 526,805</u>

See Accompanying Accountant's Audit Report & Notes to Financial Statements

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 1 - NATURE OF OPERATIONS

The Nevada State Board of Veterinary Medical Examiners was created in 1919 by the Nevada State Legislature. The Board is regulated by the Nevada Revised Statutes, which also specify the authorized activities of the Board. The Board is the licensing and regulatory agency for veterinarians, veterinary technicians, euthanasia technicians, and veterinary facilities in the State of Nevada.

The financial statements of the Board have been prepared in accordance with generally accepted accounting principles as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles.

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Reporting Entity

Effective July 1, 2001, Chapter 353 of the Nevada Revised Statutes (NRS) was amended to exempt certain professional and occupational boards from the state budget act and the provisions governing the administration of state funding. The provisions of Chapter 353 do not apply to boards created pursuant to chapters 623 to 625A, inclusive, 628, 639 to 640A, inclusive, 641 to 644, inclusive, 654 and 656 of the NRS and the officers and employees thereof. Accordingly, the Board's budgeting and accounting practices and procedures have been removed from the oversight of the Department of Administration.

The Board's financial statements are not included in the financial statements of the State of Nevada since the State does not exercise financial or administrative control over the Board. This conforms with GASB codification Section 2100, *Defining the Government Reporting Entity*.

Basis of Presentation

The Board is defined as a single-program special-purpose entity under GASB Statement No. 14, paragraph 131 as amended by GASB Statement No. 39. This classification allows for the preparation of GASB 34 financial statements under an optional reporting method which combines the fund and government-wide statements into a single presentation. Under standard GASB 34 methodology, the government-wide statement of net assets and statement of activities are presented independently from the respective fund balance sheet and statement of revenues, expenditures, and fund balance. A reconciliation of adjustments provided on the modified financial statements demonstrates the changes from fund financial statements to the government-wide financial statements in order to assist the reader in evaluating these statements. The Board has utilized this optional method of presentation.

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Accounting

The general fund of the Board is used to account for the proceeds specific to the revenue sources that are legally restricted to expenditures to be used solely for the Board's benefit. In the fund financial statements, fund balance for the governmental fund are reported in classifications that comprise a hierarchy based primarily on how amounts can be spent. These include "non-spendable" which are not expected to be converted to cash, such as inventory or prepaid items, "restricted" by conditions of law, regulation grants or contract with external parties, "committed" which arise from acts of the Board, "assigned" which reflect an intent by management of the Board or "unassigned" which is the residual amount.

The net assets of the general fund are restricted solely to be used by the Board to meet its obligation of licensing and regulating the practice of veterinary medicine in the state of Nevada. The Board's net assets are reported in three parts - invested in capital assets, net of related debt, restricted net assets, and unrestricted net assets. The Board first utilizes restricted resources to finance qualifying activities then unrestricted resources, as they are needed. In the governmental environment, resources are often assigned or committed to specific purposes, indicating that those amounts are not considered available for general operations. In contrast to restricted amounts, these types of constraints are internal and can be removed or modified. Therefore, assignments and commitments are not presented in the statements of net assets.

Basis of Accounting

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenue is recognized as soon as they are both measurable and available. "Measurable" means the amount of the transaction can be determined and "available" means collectable within the current period or soon enough thereafter to pay liabilities of the current period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. By provision of statute, the Board administers its licensing registration annually. Revenue derived from renewals is recognized ratably over the license term.

The Board has only governmental fund types.

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Budget Data

The Board prepares an annual budget. The budget is prepared on a basis similar to generally accepted accounting principles under the modified accrual basis of accounting. All annual appropriations lapse at fiscal year end.

Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash and Cash Equivalents

Cash is maintained in various commercial banks in Reno, Nevada. The Board participates in the State of Nevada collateralization program to assure that funds deposited are protected. By statutes, all cash must be deposited in entities that are located in the state of Nevada.

Risk Management

The Board collects licensing and examination fees in the State of Nevada. Financial instruments which potentially subject the Board to concentrations of credit risk consist primarily of cash equivalents and Certificates of Deposit. The Board has not experienced any significant losses in such accounts, nor does the Board believe it is exposed to any significant credit risk.

The Board has bank accounts, which are insured by the Federal Deposit Insurance Corporation up to \$250,000. On June 30, 2011, the bank balances were within federally insured limits.

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Capital Assets

Capital assets, which include furniture, fixtures and equipment are reported in the net asset column in the government-wide financial statements. Capital assets are defined by the Board as assets with an initial, individual cost of \$1,000 and an estimated useful life of at least one year. Such assets are recorded at historical cost. Donated assets are recorded at estimated fair market value at the date of donation. Expenditures for minor replacements, maintenance, and repairs are charged to expense as incurred. Depreciation is provided over the estimated useful lives of 5 - 7 years of the related capital assets using the straight-line method for financial statement purposes.

Under the modified accrual basis of accounting, acquisitions are considered expenditures in the year purchased.

Compensated Absences

The Board accrues a liability for compensated absences that meet all of the following criteria:

- A. The Board's obligations relating to employee's rights to receive compensation for future absences is attributable to services already rendered;
- B. The obligation relates to rights that vest or accumulate;
- C. Payment of compensation is probable; and
- D. The amount can be reasonably estimated.

Vacation and sick leave may be accumulated by employees up to certain maximums, and is payable upon retirement or termination.

NOTE 3 - COMPLIANCE WITH NEVADA STATUTES AND ADMINISTRATIVE CODES

During our audit of the fiscal year ended June 30, 2011, no apparent violation of statutory constraints on the Board's financial administration were noted.

NOTE 4 - INVESTMENTS

All Nevada State Board of Veterinary Medical Examiners' monies must be invested in accordance with State law (NRS 355.140). Investments consisting of certificates of deposit, are valued at their fair value, in the statement of financial position. Market values of the investments are determined from closing market quotes. Unrealized holding gains and losses on investments have been reported as investment income. It is management's intent to hold all investments to maturity.

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 4 - INVESTMENTS (CONTINUED)

The following summarized the investment information as of June 30, 2011:

Market Value	\$ 95,120
Cost	95,194
Unrealized holding gains (losses)	<u>\$ (74)</u>

NOTE 5 - CAPITAL ASSETS

The Board has custodial responsibility to the State of Nevada for furniture, fixtures and equipment acquired with resources of the Board. The capital asset activity during the year is as follows:

	<u>June 30, 2010</u>	<u>Increases</u>	<u>Decreases</u>	<u>June 30, 2011</u>
Capital assets, not being depreciated				
None				
Capital assets, being depreciated				
Office furniture and equipment	\$ 23,540	\$ -	\$ -	\$ 23,540
Less accumulated depreciation	<u>(4,060)</u>	<u>(4,402)</u>	<u>-</u>	<u>(8,462)</u>
Total capital assets, being depreciated net	19,480	(4,402)	-	15,078
Net capital assets	<u>\$ 19,480</u>	<u>\$ (4,402)</u>	<u>\$ -</u>	<u>\$ 15,078</u>

NOTE 6 - OPERATING LEASES

The Board leases office space in Reno, Nevada. The current lease expired June 30, 2010. A new lease was signed and is effective July 1, 2010 and expires June 30, 2015. The initial monthly rental payment was \$1,698, with escalation clauses as detailed in the lease. Total amount charged to expense for the fiscal year ended June 30, 2011, was \$20,234. The following is a schedule by years of future minimum rental payments:

<u>Year ending June 30</u>	
2012	\$ 20,777
2013	20,777
2014	21,185
2015	21,185
2016 and later	-
	<u>\$ 83,924</u>

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 7 - CHANGES IN LONG-TERM LIABILITIES

	<u>Balance</u> <u>June 30, 2010</u>	<u>Additions</u> <u>(Reductions)</u>	<u>Balance</u> <u>June 30, 2011</u>	<u>Due Within</u> <u>One Year</u>
Compensated absences	\$ 6,547	\$ 2,809	\$ 9,356	\$ 5,356

NOTE 8 - DEFINED BENEFIT PENSION PLAN

The Board contributes to the Public Employees Retirement System of the State of Nevada (PERS), a cost sharing, multiple employer, defined benefit plan administered by the Public Employees Retirement System of the State of Nevada. PERS provides retirement benefits, disability benefits, and death benefits, including annual cost of living adjustments, to plan members and their beneficiaries. Chapter 286 of the Nevada Revised Statutes establishes the benefit provisions provided to the participants of PERS. These benefit provisions may only be amended through legislation. The Public Employees Retirement System of the State of Nevada issues a publicly available financial report that includes financial statements and required supplementary information for PERS. That report may be obtained by writing to the Public Employees Retirement System of the State of Nevada, 693 West Nye Lane, Carson City, Nevada 89703-1599 or by calling (775) 687-4200.

Under the employer paid contribution plan, the Board is required to contribute all amounts due under the plan. The contribution requirements of plan members and the Board are established by Chapter 286 of Nevada Revised Statutes. Contributions totaled \$26,129, \$26,129 and \$24,020 for the years ended June 30, 2011, 2010 and 2009, respectively.

NOTE 9 - OTHER POST EMPLOYMENT BENEFITS

The employees of the Board are covered by the Public Employees Benefits Program of the State of Nevada (PEBP) a multiple employer, self insurance trust fund. PEBP provides health insurance benefits for current and retired employees of the State of Nevada and other public employers. Chapter 287 of the Nevada Revised Statutes established the benefit provisions provided to the participants of PEBP. These benefit provisions may only be amended through legislation. The Nevada Public Employees Benefits Program issues a publicly available financial report that includes financial statements and required supplementary information for PEBP. That report may be obtained by writing the the Nevada Public Employees Benefits Program, 901 South Stewart Street, Suite 1001, Carson City, Nevada 89701, or by calling (775) 684-7000.

Nevada State Board of Veterinary Medical Examiners
Notes to Financial Statements
June 30, 2011 and 2010

NOTE 9 - OTHER POST EMPLOYMENT BENEFITS (CONTINUED)

Under the plan, the employee pays a portion of the health insurance and the employer contributes the balance. Employer payments for health insurance totaled \$18,082, \$15,992, and \$18,838 for the years ended June 30, 2011, 2010 and 2009, respectively. Retirement benefit costs are billed to the employer as they occur. Currently, the Board has no employees that fall under the retirement benefit provisions, so no amounts relating to post employment benefits have been paid, nor are any due.

NOTE 10 - RELATED PARTY TRANSACTIONS

The Attorney General of the State of Nevada provides legal counsel, advice, representation and other services to the Nevada State Board of Veterinary Medical Examiners on an as needed basis at a rate of \$122 per hour. Total amounts paid under this agreement were \$2,263, for the year ended June 30, 2011.

NOTE 11 - CONVERSION TO GOVERNMENT-WIDE FINANCIAL STATEMENTS

Adjustments on the face of the financial statements were made to the fund balance sheet and statement of revenue, expenditures, and changes in fund balance in order to reconcile the fund financial statements to the government-wide statements of net assets and activities. These adjustments detail the effect of the capitalization of fixed assets of \$23,540, accumulated depreciation of \$8,462, depreciation expense of \$4,402, and the recognition of liabilities for unpaid compensated absences of \$9,356.

SUPPLEMENTARY INFORMATION

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Statement of Revenue and Expenditures - Budget and Actual

For the Year Ended June 30, 2011

(With comparative amounts for the year ended June 30, 2010)

	2011 Original & Final Budget (<i>unaudited</i>)	2011 Actual	Variance Favorable (Unfavorable)	2010
REVENUES				
License fees	\$ 306,564	\$ 285,990	\$ (20,574)	\$ 283,547
Examination fees	28,575	26,657	(1,918)	45,770
Interest income	1,110	1,036	(74)	3,831
Disciplinary reimbursements	3,751	3,499	(252)	5,367
Total Revenues	<u>340,000</u>	<u>317,182</u>	<u>(22,818)</u>	<u>338,515</u>
EXPENDITURES				
Current				
Operations				
Accounting - audit services	4,500	4,000	500	4,230
Board meetings	4,800	5,314	(514)	4,895
Dues and subscriptions	1,100	692	408	692
General Fund Payment	-	-	-	(1,500)
Insurance	1,000	1,948	(948)	-
Legislative expense	8,100	8,100	-	8,110
Miscellaneous expense	1,000	(21)	1,021	510
Rent	20,400	20,234	166	22,000
Professionals reaching Nevada	1,600	1,200	400	1,850
Telephone	3,100	3,442	(342)	3,067
Conference expense	3,000	1,144	1,856	2,254
Salaries - staff	167,000	155,724	11,276	144,519
Hearing expense	5,000	-	5,000	-
Examination expenses	1,500	3,286	(1,786)	16,410
Employee benefits	50,400	49,565	835	46,652
Special projects	1,000	-	1,000	793
Office expense	24,000	23,368	632	22,416
Travel expense	10,800	9,276	1,524	10,682
Professional services	10,700	12,006	(1,306)	18,921
Total Current Expenditures	<u>319,000</u>	<u>299,278</u>	<u>19,722</u>	<u>306,501</u>
Capital outlay				
Equipment purchases	16,000	10,939	5,061	20,042
Special project	11,000	-	11,000	7,284
Total Expenditures	<u>346,000</u>	<u>310,217</u>	<u>35,783</u>	<u>333,827</u>
Favorable / (Unfavorable)	<u>\$ (6,000)</u>	<u>\$ 6,965</u>	<u>\$ 12,965</u>	<u>\$ 4,688</u>

See Accompanying Accountant's Audit Report and Notes to Financial Statements



INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND
OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

To the Board of Directors of the
Nevada State Board of Veterinary Medical Examiners
Reno, Nevada

We have audited the financial statements of the Nevada State Board of Veterinary Medical Examiners as of and for the year ended June 30, 2011, and have issued our report thereon dated August 30, 2011. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control over Financial Reporting

In planning and performing our audit, we considered the Board's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Board's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Board's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies, or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

680 West Nye Lane, #202
Carson City, Nevada 89703
Phone: (775) 882-7198
Fax: (775) 883-4346

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Board's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Board members, management and the State of Nevada and is not intended to be and should not be used by anyone other than these specified parties.

Steele & Associates, LLC

Carson City, Nevada
August 30, 2011

TAB 4

Efficiency Study 2009-2010

State of Nevada



BOARD OF VETERINARY
MEDICAL EXAMINERS

PERFORMANCE INDICATORS
SELF-EVALUATION REPORT
2009-2010

I. Key Functions, Powers, and Duties

A. Provide an overview of the agencies mission, key functions, powers, and duties.

The Nevada State Board of Veterinary Medical Examiners (NSBVME) operates under the authority of Chapter 638 and was created in 1919 by the Nevada State Legislature for the protection of the public and their animals in an effective, fair, and accountable manner. It is composed of seven members appointed by the Governor. Board membership is comprised of six residents of the State of Nevada who have graduated from an approved veterinary college and who have been lawfully engaged in the practice of veterinary medicine for at least five years. One member must be a member of the general public. The board regulates the standards of conduct for the profession, reviews complaints and takes disciplinary action against licensees who have violated the statutes. The board develops and designs examinations and conducts them semi-annually for the licensure of veterinarians, veterinary technicians and euthanasia technicians, and renews their licenses on an annual basis. The Board also licenses veterinary hospitals in the state of Nevada.

The Board may adopt and amend rules of professional conduct as appropriate to establish and maintain a high standard of integrity, skills and practice in the profession of veterinary medicine.

B. Does the agencies law correctly reflect the agencies mission, key functions, powers, and duties?

Yes. The NSBVME Practice Act provides protection for the public by authorizing detailed licensing qualifications, providing a complaint process, specifying an enforcement process, defining parameters for inspection of a veterinary facility, creating administrative penalties, and providing rule-making (NAC) authority to the Board.

C. Please explain why these functions are needed. Are any of these functions required by federal law?

Federal law does not require these functions. The NSBVME Practice Act (NRS & NAC 638), the Provision governing Regulatory Bodies (NRS622 and 622A), and Nevada Administrative Procedure Act (NRS 233B), gives the Board the authority to reasonably ensure that the citizens of Nevada and their animals receive care from properly educated and licensed veterinarians. Without examination of basic knowledge and required continuing education throughout the veterinarian's career and licensure, the consumer is at risk of receiving substandard services.

Renewal of a license with a continuing education requirement provides for a basic, realistic monitoring of the profession. This is complimented by regular compliance inspections of the veterinary facilities in the State of Nevada. These compliance visits are conducted to ensure compliance with the Act and State Pharmacy Board controlled substances laws. They also are conducted for educational purposes and provide an important link from this agency to the profession.

D. In general, how do other states carry out similar functions?

States vary widely from independent self-funded agencies like this one to large umbrella agencies that are funded by the general fund.

E. Describe any major agency functions that are outsourced.

The Professional Reaching Nevada (PRN) program assists veterinarians and veterinary technicians who are impaired by chemical dependency. Participation may be voluntary or required by board order.

F. Discuss anticipated changes in federal law and outstanding court cases as they impact the agencies key functions.

To our knowledge there are no anticipated changes in federal law that would impact key functions. There are no outstanding court cases that may impact these functions.

G. List citations for all state and federal statutes that grant authority to or otherwise significantly impact the agency.

Title	Authority
NRS 638/NAC 638	Provides authority to license and regulate veterinarians, veterinary technicians, euthanasia technicians and veterinary facilities.
NRS 453/NAC453	Controlled Substances: control and dispensing of controlled substances and dangerous drugs.
21 CFR	Code of Federal Regulations for controlled substances
233B	Nevada Administrative Procedure Act
NRS 622 & NRS 622A	Provisions governing regulatory boards
NRS 414	Emergency Management
NRS 574	Animal Cruelty Laws/Boarding/Resale
NRS 441A	Communicable Disease/Rabies
NRS 241	Open Meeting Law

H. Support Staff-full-time: Job descriptions are attached.

Position	Name	Address	Telephone & Fax	E-Mail address web-site:
Executive Director	Debbie Machen	4600 Kietzke Lane, O-265, Reno, Nevada 89502	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov www.nvvetboard.us
Licensing Specialist	Tracie Estep	4600 Kietzke Lane, O-265, Reno, Nevada 89502	775 688-1788 775 688-1808	nvvetbd@vetboard.nv.gov www.nvvetboard.us

H. Support Staff-Part-time:

Position	Name	Address	Telephone & Fax	E-Mail address web-site:
Investigator	Mike Chumrau, DVM	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov www.nvvetboard.us
Hospital Inspector	Christina Johnson, LVT	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	nvvetbd@vetboard.nv.gov www.nvvetboard.us
Legal Counsel	Louis Ling	4600 Kietzke Lane, O-265, Reno, Nevada	775 688-1788 775 688-1808	nvvetbd@vetboard.nv.gov www.nvvetboard.us

II. History and Major Events

Provide a time line discussion of the agencies history, briefly describing the key events in the development of the agency, including:

1919 The Legislature created the NSBVME and the Board was charged with regulating the practice of veterinary medicine, surgery and dentistry according to the new Veterinary Practice Act.

III. Policymaking Structure

Member Name	Term: Governor	Status:	Address:	Telephone & Fax	E-Mail Address
Craig Schank, DVM	10-01-02 10-31/11 Gov. Kenny Guinn	Veterinarian Chairman	4600 Kietzke Ln, O-265 Reno, NV	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov
Richard Simmonds, DVM	1-20-2001 10-30-2013 Gov. Kenny Guinn	Veterinarian Vice-Chairman	4600 Kietzke Ln, O-265 Reno, NV	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov
Mark Iodence, DVM	11-1-2008 10-30-2011 Gov. Jim Gibbons	Veterinarian	4600 Kietzke Ln, O-265 Reno, NV	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov
William Taylor, DVM	10-01-02 10-31/11 Gov. Kenny Guinn	Veterinarian	4600 Kietzke Ln, O-265 Reno, NV	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov
Scott Bradley, DVM	10-30-2006 10-31-2012 Gov. Jim Gibbons	Veterinarian	4600 Kietzke Ln, O-265 Reno, NV 89502	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov
Ron Sandoval, DVM	11-1-2009 10-30-12 Gov. Jim Gibbons	Veterinarian	4600 Kietzke Ln, O-265 Reno, N 89502	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov
Beverly Willard	1-30-1999 10-31-2011 Gov. Kenny Guinn	Public Member	4600 Kietzke Ln, O-265 Reno, NV 89502	775 688-1788 775 688-1808	vetbdinfo@vetboard.nv.gov

B. How is the chair of the Board appointed?

Biannually the Board members vote to elect the President & Vice-President.

C. Describe the primary role and responsibilities of the Board.

The primary role and responsibilities of the Board is to set policy and regulations to ensure quality veterinary services for the people of Nevada. They also employ the Executive Director, who is responsible for implementing the rules and the enforcing the Practice Act. (Duties of the Executive Director (NAC 638.0405)

D. List any special circumstances or unique factors about the Board or its responsibilities.

Each Board member is assigned complaints, participates in the investigation and makes a recommendation to the Board regarding the status of the complaint.

E. How often does the Board meet?

The Board regularly meets four times a year.

F. What type of training do the agency's Board members receive?

- New Board members are provided a board member manual that includes:
 - NRS/NAC 638
 - Nevada Board and Commission Manual
 - Open meeting manual
 - Board member role and responsibility manual
 - Past board meeting minutes
 - Current budget
- New Board members are encouraged to attend the Attorney General's new Board Member orientation.

G. Does the agency have regulations that describe the roles of the Board and the agency staff?

NRS 638.070 describes the role of the Board in establishing regulations to establish and maintain a high standard of integrity, skills, and practice in the profession of veterinary medicine in accordance with the veterinary practice act.

NRS 638.070 Regulations; powers; employees; offices.

1. The Board shall adopt regulations providing an administrative fine in an amount not to exceed \$500 if an applicant for a license or the renewal of a license:

- (a) Intentionally or knowingly makes a false or misleading statement on an application;
- (b) Knowingly fails to submit a notarized application; or
- (c) Fails to inform the Board of any change of information which was contained in an application.

2. The Board may adopt regulations:

- (a) Necessary to carry out the provisions of this chapter;
- (b) Concerning the rights and responsibilities of veterinary interns and externs and graduates of schools of veterinary medicine located outside the United States or Canada;
- (c) Concerning the rights and responsibilities of a veterinarian's employees who are not licensed nor working towards obtaining a license pursuant to this chapter and whose duties require them to spend a substantial portion of their time in direct contact with animals;
- (d) Concerning requirements for continuing education;
- (e) Establishing procedures to approve schools which confer the degree of veterinary technician or its equivalent;

(f) Concerning the disposition of animals which are abandoned or left unclaimed at the office of a veterinarian;

(g) Establishing sanitary requirements for facilities in which veterinary medicine is practiced, including, but not limited to, precautions to be taken to prevent the creation or spread of any infectious or contagious disease; and

(h) Concerning alternative veterinary medicine, including, but not limited to, acupuncture, chiropractic procedures, dentistry, cosmetic surgery, holistic medicine, and the provision of such services by a licensed provider of health care under the direction of a licensed veterinarian.

3. The Board may:

(a) Employ attorneys, investigators, hearing officers for disciplinary hearings, and other professional consultants and clerical personnel necessary to the discharge of its duties;

(b) Conduct investigations and take and record evidence as to any matter cognizable by it;

(c) Maintain offices in as many localities in the State as it considers necessary to carry out the provisions of this chapter; and

(d) Purchase or rent any office space, equipment and supplies that it considers necessary to carry out the provisions of this chapter.

H. Does the Board use subcommittees/review panels/advisory panels to carry out its duties?

Name of Advisory Group	Size/Components	Purpose
Review Panel-complaints	1 board member, investigator, legal counsel and, executive director	To investigate, review, draft an informal report, and make a recommendation to the Board of their findings
Hospital inspection advisory panel	2 Board members, inspector and executive director	To act as a liaison between the licensees and the board regarding hospital inspections.
Legislative advisory panel	2 board members, legislative strategist, and executive director.	To testify at legislative hearings and advise staff during the legislative session.

I. How does the Board obtain input from the public regarding issues under the jurisdiction of this agency?

- During each of the Board meetings there is the opportunity for public comment
- At any time the public can ask for a specific item on an agenda for discussion
- Regulatory Workshops and Hearings are posted according to Open Meeting law that allows for public comment .

J. Describe the agency's process for determining budgetary needs and priorities.

Once a year the Executive Director prepares a budget based on the previous year finalized audit. The budget is presented to the board for discussion and approval.

IV Funding

1. How is the Board funded?

The Nevada State Board of Veterinary Medical Examiners is funded from fees collected from licensed veterinarians, veterinary technicians, euthanasia technicians, animal chiropractors, animal physical therapists and veterinary facilities. The Nevada State Board of Veterinary Medicine does not receive funds from the State General Fund.

V. Organization

A. Headquarters

The Board is located at 4600 Kietzke Ln. O-265. Reno, Nevada 89502

B. Employees

The Board has two full time administrative staff, 1 part time investigator, hospital inspector and legal counsel and 1 part time seasonal employee.

The Board has no consultants.

VI. Investigation/Complaint Disciplinary Action Process

1. A call is received at the Board office from a Consumer.
2. A complaint form is mailed to the consumer or they are directed to our Website where instructions and a complaint form can be obtained.
3. A consumer complaint is received back at the Board office.
4. The complaint is reviewed by the Executive Director.
5. The veterinarian(s) is notified (233B letter) of the complaint and original medical records are requested from each veterinarian involved in the case. (Secondary Veterinarians, Specialists, etc.)
6. A letter is sent to the complainant to verify the receipt of the complaint.
7. Once all the medical records are received at the Board office, the complaint is ready for investigation. The complaint is assigned to a board member and an investigator. The board member determines if he wants to investigate the complaint himself or have the investigator take over the primary investigation. The board member, after reviewing the supporting documentation may send questions or concerns to the investigator.
8. The investigator shall conduct a complete and objective investigation regarding the allegations in the complaint talking to all parties.
9. Upon completion of the investigation, the investigator shall prepare a confidential investigative assessment for submission to the Review Panel.
10. The "Review Panel" (RP) is an investigative review panel appointed by the Board President, in consultation with other members of the Board. The RP must be comprised of at least three members. The make-up of the members can be current or former Board Members, a Board investigator, the Executive Director, a Public Member, and Legal Counsel. Veterinarian members of the Review Panel must have a current license to be eligible.
11. The RP shall review the complaint and the investigative assessment against a licensee or facility prior to the board meeting. This assessment details the facts, possible violations, and recommendations that will be made to the Board Members at the next scheduled meeting. A representative from the RP will make a recommendation as to whether the complaint should be dismissed or if the Board should proceed with formal action. The Board Member (s) and the investigator from the RP shall not vote on the merits of the complaint.
12. If the Board desires to proceed further, they may direct staff to proceed with appropriate disciplinary action.
13. Any Licensee/Facility that the RP committee is recommending formal action against must be noticed properly for the Board Meeting in accordance with the Open Meeting Law (by certified mail at least 21 working days before the meeting or 5 days before the meeting if noticed in person). A certified letter is sent to the veterinarian notifying them of the meeting and a form is enclosed for their signature. A letter is also sent to the complainant notifying them that their complaint will be heard at the upcoming Board Meeting.
14. Once the Board has voted and made a determination regarding the complaint, both the veterinarian and the complainant are sent letters informing them of the outcome. The letter will state that the complaint has either been dismissed, discipline has been taken, or been tabled for further investigation. If discipline has been taken, a copy of that discipline is sent to the Complainant. All medical records are returned to the veterinarian.

15. If a complaint is dismissed all information is considered confidential. If any discipline is imposed the complaint and the Order (Letter of Reprimand or Consent Decree) is considered public and is reported to the National Veterinary Disciplinary Database. If the public would call the Board office or went to our web-site this information would be stated.

Further answers regarding the complaint and investigative process can be addressed in the practice act under; disciplinary action, NRS 638.1413-NRS 638.1445. (attachment A-Flowchart)

Enforcement/Inspections	FY2009	FY2010
Number of Complaints Received	43	62
Number of Complaints Dismissed	35	46
Number of Disciplinary Actions resulting from Complaints	8	16
Number of veterinary facilities inspected	63	78
Total number of individuals/facilities regulated that either are audited or inspected	1188	1233

VII. Veterinary Facility Inspections

Unannounced inspections are performed at licensed veterinary facilities in Nevada to determine if record keeping and other functions required of veterinarians are in compliance with NRS/NAC 638.. At the completion of the inspection a notice of non-compliance is given to the facility and is reviewed and signed off by an employee of the facility.

VIII. Licensing

The licensing division is charged with ensuring that only those persons who have demonstrated the ability to meet or exceed the minimum qualifications required in being a licensed individual in the state of Nevada. In order to obtain a license the person must meet the following:

Licensee	NRS	NAC
Veterinarian/Diplomate	638.100;638.103;638.105;638.110	638.0435
Veterinary Technicians	638.100;638.103;638.122;638.123	638.0527
Euthanasia Technicians	638.100;638.116;638.117	638.480;638.475
Vet. Technicians in Training		638.0525
Animal Chiropractors		638.810
Animal Physical Therapists		638.760
Facilities		638.0603

The licensing division is also responsible for the annual renewals of all licensees. Staff reviews each application for renewal or on-line renewal report to ensure that continued education requirements are met, licensees are in compliance with applicable law, and that fees are submitted prior to issuing a renewal certificate.

Licensees	2009	2010
Veterinarians active/inactive	935	977
Veterinarian-Diplomates (Specialists)	51	55
Veterinary Technicians	453	486
Veterinary Technician in Training	144	140
Euthanasia Technicians	86	84
Veterinary Facilities	200	205
Animal Physical Therapist	4	5
Animal Chiropractors	7	8
Total licensees	1890	1960

IX. Continuing Education

In March of each year an audit is performed on veterinarians, diplomates and veterinary technicians to ensure compliance with the requirements of continued education pursuant to NAC 638.0425.

Licensees Audited	2009	2010
Veterinarians;Diplomates;LVTS;ETS; Animal Physical Therapists; Animal Chiropractors	102	127
Number of licenses complied	99	123
Number of licensees disciplined for non-compliance	3	4

X. Other

1. *Is the specific activity/service necessary and/or effective?*

The NSBVME Practice Act (NRS & NAC 638), the Provision governing Regulatory Bodies (NRS622 and 622A), and Nevada Administrative Procedure Act (NRS233B), gives the Board the authority to reasonably ensure that the citizens of Nevada and their animals receive care from properly educated and licensed veterinarians. Without examination of basic knowledge and required continuing education throughout the veterinarian's career and licensure, the consumer is at risk of receiving substandard services.

Renewal of a license with a continuing education requirement provides for a basic, realistic monitoring of the profession. Proper protection of the public is dependent on veterinarians having a working knowledge of recent developments and techniques in veterinary medicine. Continuing education provides a means of ensuring continued competence. This is complimented by regular compliance inspections of the veterinary facilities in the State of Nevada. These compliance visits are conducted to ensure compliance with the Act and State Pharmacy Board controlled substances laws. They also are conducted for educational purposes and provide an important link from this agency to the profession.

The consumer complaint process is the most effective way for the public to voice their concerns regarding veterinary care and the facilities that provide that care.

a. *For what purpose and in what year was the activity/service established?*

The Board was created by the Nevada Legislature in 1919 to protect the public and their animals in an efficient, effective, fair and accountable manner.

b. *Is the purpose still valid today? Why?*

Yes, the purpose of the Board remains valid and necessary today to ensure the public and their animals receive quality veterinary care for the following reasons:

- 1) To ensure that all licensees demonstrate ability through defined education and testing methods demonstrating the ability to meet or exceed the minimum qualifications required licensing.
- 2) Through the investigation of complaints the public has an avenue of voicing their concerns against a licensee or a veterinary facility.
- 3) Compliance inspections of veterinary facilities allow the Board to identify and explain deficiencies. This is one the Board's best means of educating licensees on the requirements of the Veterinary Licensing Practice Act and reduces violations and subsequent complaints.
- 4) Through Board sponsored continuing education classes with the licensees and their staff the Board educates the profession with regard to new laws, effective communication and standard of practice issues.

The Board's purpose and mission is even more imperative than it was 10 years ago with animals having gained 'family member status',

c. *What is the specific population served?*

The Boards serves the following distinct populations:

1. The Public. The Board protects the public by ensuring that veterinarians and veterinary technicians practice quality veterinary care and that veterinary facilities are inspected and meet the standards as defined in NRS and NAC 638. With animals being an important part of the daily lives of Nevada residents, either as companions or as food animal products, it is imperative that those entrusted with their care be held to standards that protect the public in general, patients, and consumers of veterinary services.
2. The Licensees. The Board protects the licensees by setting high standards for veterinarians, veterinary technicians, euthanasia technicians, and veterinary facilities.
3. The Animals. The Board protects the public's animals by ensuring that the animals are being treated in a safe and sanitary environment.

d. *Does or could any other government (county, state, federal, tribal) or private/nonprofit entity effectively serve the same population/purpose? Why?*

No, authority should be vested in a state structure that can provide unbiased, fair, and uniform regulation to the benefit of the public. State structure also ensures that the standard of practice of veterinary medicine is consistent throughout the State and not compromised by any city or county ordinance.

e. *Based on objective measures, does the specific activity/service effectively serve its purpose? How is it quantified or measured? Provide quantified measures.*

Yes, since 1919 the Board has licensed or registered over 2000 veterinarians. 95 specialists, 675 veterinary technicians, 285 euthanasia technicians, 700 veterinary technicians in training, and 260 veterinary hospitals. The board has investigated over 900 complaints in the past 15 years and disciplined 167 licensees. The Board conducts approximately 60-80 compliance inspections yearly. The Board also provides bi-annual continuing education to all its licensees discussing new laws, complaint procedures, and the importance of communication and proper maintenance of medical records. These classes are attended by as many as 150 staff and licensees. In the last five years the licensee base has grown 5% per year without hiring any additional staff.

2. Are there unacceptable consequences of elimination of a specific activity/service?

a. Will there be a loss of essential ("core") services provided only by the state?

Yes, elimination of these services would cause the standard of practice in veterinary care to diminish significantly, public protection and confidence in the veterinary industry would be substantially reduced, and there would be an increased risk to animals.

b. Does the activity directly create jobs or economic activity in the state?

Yes, the 1950 licensees and over 200 veterinary facilities in the State employ thousands of employees and generate jobs and economic benefits to the State. These licensees also contribute many volunteer hours to animal shelters, humane societies, and wildlife sanctuaries. Additionally, they train and prepare for a natural disaster which may require the need to treat and house animals.

c. Will result in job loss within state service?

How many jobs?

The elimination of the Board would result in the loss of 2 full-time and 3 part-time positions, with over 60 years of experience in the duties of protecting the interest of the public relating to the practice of veterinary medicine.

d. Will there be loss in federal funding?

How much?

The Board does not receive any federal funding.

e. Does an elimination/closure create a liability for the state?

Describe?

Yes, the elimination or closure would create the following liabilities for the state:

1. Five year lease with Kietzke Plaza in Reno that would create a liability of \$103855.00.
2. Accrued sick and vacation pay totaling approximately \$11000.00.

f. Does an elimination place state assets at risk or loss?

Yes, potentially this elimination could imitate a civil liability if the licensees are removed or adversely affected without adequate constitutional protections.

g. Could federal sanctions or interventions occur?

Describe and quantify?

No federal sanction or interventions would occur.

h. Will it shift the cost of service to another state agency?

If so, provide other state agency(s)

Yes, it could possibly shift the cost of service to another public protection state agency if the public had no other avenue of filing their grievances.

i. Are there other unintended costs created by elimination?

If so, what are they?

Yes, if the State eliminated these services it would leave the burden of having to provide the necessary public protection to city and county government.

3. Does the Board or commission have a federal counterpart?

No, the Board does not have a federal counterpart.

Check list

Specific language	NRS/NAC	Board Compliance
Each appointed member who is a licensed veterinarian shall make an oath that he or she is a graduate in veterinary medicine and legally qualified under the provisions of this chapter to practice veterinary medicine, surgery, obstetrics and dentistry in the State of Nevada.	NRS 638.030	X
<p>Members of the Board are entitled to receive:</p> <p>(a) A salary of not more than \$150 per day, as fixed by the Board, while engaged in the business of the Board; and</p> <p>(b) A per diem allowance and travel expenses at a rate fixed by the Board, while engaged in the business of the Board. The rate must not exceed the rate provided for state officers and employees generally.</p> <p>2. While engaged in the business of the Board, each employee of the Board is entitled to receive a per diem allowance and travel expenses at a rate fixed by the Board. The rate must not exceed the rate provided for state officers and employees generally.</p> <p>3. Salaries and expenses may be paid only to the extent that sufficient money is received from licensees.</p>	NRS 638.040	X
<p>The Board shall elect from its appointed members a President and Vice President, who serve at the pleasure of the Board.</p> <p>2. The Board may elect from its appointed members at least one member to act as a representative of the Board at any meeting held within the State or outside the State when the Board considers such representation beneficial.</p> <p>3. The Board shall:</p> <p>(a) Employ an Executive Director, who shall maintain a copy of all correspondence;</p> <p>(b) Adopt regulations concerning the duties and qualifications of the Executive Director; and</p> <p>(c) At least annually, review the performance of the Executive Director.</p>	NRS638.050	X
<p>The Board shall meet at least annually and on the call of the President or any four of its members.</p> <p>2. Four members of the Board constitute a quorum, and a quorum is necessary to conduct the business of the Board. Any action taken by the Board must be approved by at least a majority of the members present at a hearing or meeting of the Board.</p>	NRS638.060	X
The Board, a member thereof or its authorized representative may inspect a facility in which veterinary medicine is practiced at any time during which the facility is open for business, to ensure compliance with the requirements of this chapter and the regulations of the Board.	NRS638.077	X
<p>The Executive Director is the custodian of all the records and money of the Board, and shall deposit all money received by the Board pursuant to the provisions of this chapter, except fines imposed by the Board, in banks or savings and loan associations in the State of Nevada. The money must be used to meet the expenses of the Board.</p> <p>2. Payment of money must be made upon the written order of the</p>	NRS638.080	X

President of the Board countersigned by the Executive Director.		
The Board shall operate on the basis of a fiscal year commencing on July 1 and terminating on June 30.	NRS 638.085	X
<p>1. The Board shall keep a record of:</p> <p>(a) All charges filed against a licensee;</p> <p>(b) The proceedings of any formal hearing conducted by the Board or a hearing officer;</p> <p>(c) Any order filed by the Board; and</p> <p>(d) All licenses issued by the Board including the name of the holder of the license, his or her business address, the date the license was issued and the number of the license.</p> <p>2. Except as otherwise provided in this section, the records of the Board listed in subsection 1 must be open to the public at reasonable times and places.</p> <p>3. Except as otherwise provided in this section and <u>NRS 239.0115</u>, a complaint filed with the Board, all documents and other information filed with the complaint and all documents and other information compiled as a result of an investigation conducted to determine whether to initiate disciplinary action against a person are confidential, unless the person submits a written statement to the Board requesting that such documents and information be made public records.</p> <p>4. The charging documents filed with the Board to initiate disciplinary action pursuant to <u>chapter 622A</u> of NRS and all other documents and information considered by the Board when determining whether to impose discipline are public records.</p>	NRS 638.087	X
<p>An applicant for the issuance of a license to practice as a veterinarian, euthanasia technician or veterinary technician shall include the social security number of the applicant in the application submitted to the Board.</p> <p>(b) An applicant for the issuance or renewal of a license to practice as a veterinarian, euthanasia technician or veterinary technician shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to <u>NRS 425.520</u>. The statement must be completed and signed by the applicant.</p>	NRS 638.103	X
The Board shall adopt regulations pertaining to and limiting the activities of veterinary technicians.	NRS 638.124	X
On or before November 15 of each year, the Executive Director shall mail to each person licensed under the provisions of this chapter an application form for renewal of the license.	NRS 638.127	X
A copy of the regulations of the Board governing the sanitary conditions of facilities in which veterinary medicine is practiced must be furnished to each person to whom a license is issued for the practice of veterinary medicine pursuant to this chapter.	NRS 638.131	X
The Board shall adopt regulations which prescribe the requirements for the licensure of a facility in which veterinary medicine is practiced, including, without limitation, the fee for the issuance and renewal of a license.	NRS 638.132	X
The Board or any of its members who becomes aware of any fact which	NRS 638.1413	X

<p>may be any one or a combination of the grounds for initiating disciplinary action shall, and any other person who is so aware may, file with the Board a written complaint specifying the relevant facts.</p> <p>2. The Board may, upon its own motion, and shall, upon receipt of such a complaint, investigate the actions of any applicant for a license or any holder of a license issued pursuant to the provisions of this chapter.</p> <p>3. The Executive Director shall send written notice by certified mail with return receipt requested to the person being investigated. The notice must contain the name of the person who filed the complaint against the licensee, the nature of the complaint and a request for any medical records the licensee may have relating to the complaint.</p>		
<p>The Board shall appoint one of its members to conduct the investigation of a complaint. The member conducting the investigation may request assistance from the Attorney General or the Executive Director of the Board, and may employ investigators, professional consultants and any other personnel necessary to conduct the investigation.</p>	NRS 638.1419	X
<p>After the investigation of the complaint is completed, the member of the Board who conducted the investigation shall submit to the Board a written report of his or her findings and recommendations concerning the disposition of the complaint.</p>	NRS 638-1429	X
<p>The Board shall not refuse to issue a license to an applicant or take any disciplinary action against a licensee unless the Board finds, by substantial evidence, that the applicant or licensee has engaged in one or more of the practices prohibited by the provisions of this chapter.</p>	NRS 638.145	X
<p>Except as otherwise provided in subsection 4, all reasonable expenses incurred by the Board in carrying out the provisions of this chapter must be paid from the money which it receives. No part of the salaries or expenses of the Board may be paid out of the State General Fund.</p> <p>2. Except as otherwise provided in this section, all money collected by the Board from the imposition of fines must be deposited with the State Treasurer for credit to the State General Fund. All other money received by the Board must be deposited in qualified banks, credit unions or savings and loan associations in this State and paid out on its order for its expenses.</p> <p>3. In a manner consistent with the provisions of <u>chapter 622A</u> of NRS, the Board may delegate to a hearing officer or panel its authority to take any disciplinary action pursuant to this chapter, impose and collect fines therefor and deposit the money therefrom in banks, credit unions or savings and loan associations in this State.</p> <p>4. If a hearing officer or panel is not authorized to take disciplinary action pursuant to subsection 3 and the Board deposits the money collected from the imposition of fines with the State Treasurer for credit to the State General Fund, it may present a claim to the State Board of Examiners for recommendation to the Interim Finance Committee if money is needed to pay attorney's fees or the costs of an investigation, or both.</p>	NRS 638.1473	X
<p>In a manner consistent with the provisions of <u>chapter 622A</u> of NRS, at all hearings the Attorney General, or an attorney employed by the</p>	NRS 638.151	X

Board, shall represent the Board.		
<p>If the Board receives a copy of a court order issued pursuant to <u>NRS 425.540</u> that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license to practice as a veterinarian, euthanasia technician or veterinary technician, the Board shall deem the license issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license by the district attorney or other public agency pursuant to <u>NRS 425.550</u> stating that the holder of the license has complied with the subpoena or warrant or has satisfied the arrearage pursuant to <u>NRS 425.560</u>.</p> <p>2. The Board shall reinstate a license to practice as a veterinarian, euthanasia technician or veterinary technician that has been suspended by a district court pursuant to <u>NRS 425.540</u> if the Board receives a letter issued by the district attorney or other public agency pursuant to <u>NRS 425.550</u> to the person whose license was suspended stating that the person whose license was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to <u>NRS 425.560</u>.</p>	NRS 638.1527	X
In addition to any other remedy provided by law, the Board, through its President or the Attorney General, may apply to a court to enjoin any unprofessional conduct of a veterinarian or veterinary technician, or to limit his or her practice or suspend his or her license.	NRS 638.1551	X
<p>The Executive Director of the Board shall:</p> <ol style="list-style-type: none"> 1. Write all correspondence on behalf of the Board, including the minutes of all proceedings of the Board. 2. Keep an account and record of all receipts and disbursements of the Board. 3. Keep a record of all persons currently licensed by the Board and all facilities which have been issued a permit to operate by the Board. 4. Employ, direct, evaluate and, if appropriate, discipline or terminate the employment of all personnel who perform clerical and administrative functions for the Board. 5. Approve contracts and expenditures that are for an amount less than \$1,000 and are within the amount budgeted by the Board for that year. 6. Administer, in accordance with applicable laws and regulations, the operations of the Board and the policies and procedures concerning its budget. 7. Review each complaint before it is investigated. 8. Report directly to the Board. 9. Perform such other duties that are directed by the Board or are otherwise necessary to protect and promote the interest of the public relating to the practice of veterinary medicine. 	NAC 638.0405	X
The Board may perform random audits of licensees to ensure compliance with the requirements for continuing education.	NAC638.0425	X
The Board may inspect any veterinary facility at any time during which the facility is open for business.	NAC 638.065	X
Upon its own initiative, or following receipt of a verified complaint, the Board may cause an accusation to be filed alleging one or more grounds	NAC 638.240	X

[illegible]

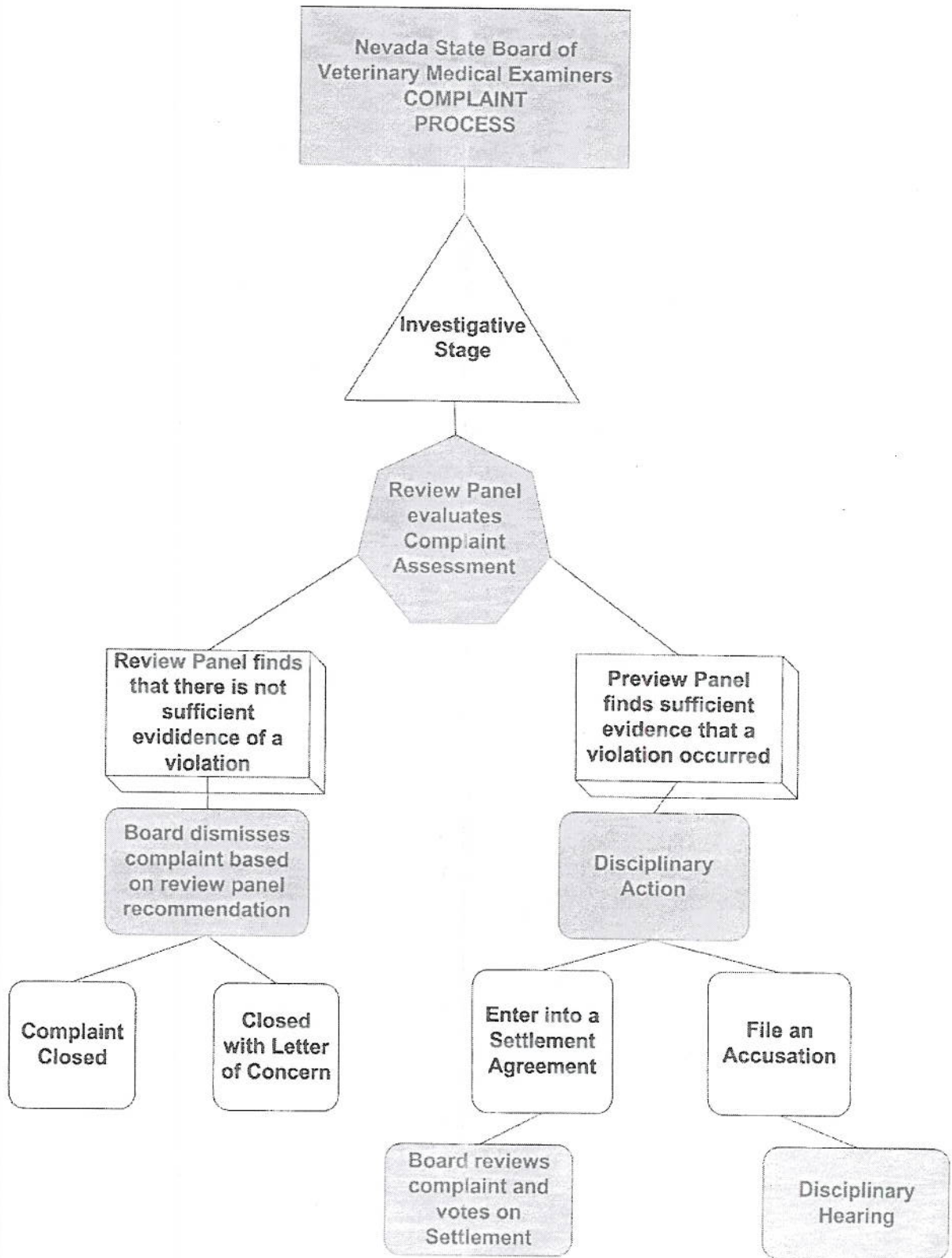
What is the agency's biggest opportunity for improvement?

- 1) Increase the number of compliance hospital inspections that are being done on a yearly basis and reduce the time spent on hospital inspection reports.

What are the agency's strengths and accomplishments?

- 1) The passing of new regulations (R072-09) which establishes new law regarding the following
 - a. Animals that are kept in a veterinary hospital after hours
 - b. A simplified fee schedule
 - c. Increased continuing education for veterinarians, diplomates, and veterinary technicians.
 - d. Adding new tasks that a veterinary technician can perform
- 2) The completion of scanning all licensee files in the effort to maintain all original documents electronically.
- 3) The scanning of 20 years of past discipline in order for the consumer to obtain a copy of a licensee's discipline on the Boards' web-site.
- 4) A redesign and upgrade to the web-site in order to provide more on-line services which ultimately provides more efficient and timely service to the consumer, drug companies, and the licensee.
- 5) Establishing procedures, hiring and training staff, and budgeting appropriately in order to inspect over 200 veterinary hospitals throughout the State to ensure compliance with NRS/NAC 638.

Attachment A Complaint Process flowchart



TAB 5

Legislative or Executive Branch Reports

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS
Nevada Revised Statutes 638.020

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 KIETZKE LANE, BUILDING O-265

RENO, NEVADA 89502

PHONE 775 688-1788/FAX 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NVVETBOARD.US

Legislative Required Reports:

All reports, including discipline and licensing, required by NRS 622.100 is available on the Legislative website at <http://leg.state.nv.us/App/OL/A/>. All quarterly reports have been updated by the required posting dates for the past three years.

TAB 6

Minutes, October 2010 – January 2011

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 Kietzke Lane, Building O-265

Reno, Nevada 89502

Phone 775 688-1788/fax 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NVVETBOARD.US

BOARD MEETING

at

**Airport Plaza
Hotel & Conference Center
1981 Terminal Way
Reno, Nevada**

January 19, 2012

MINUTES

BOARD MEMBERS PRESENT

Richard Simmonds, DVM - President
William Taylor, DVM - Vice-President
Ronald Sandoval, DVM
Scott Bradley, DVM
Mark Iodence, DVM
Beverly Willard

BOARD STAFF PRESENT

Debbie Machen - Executive Director
Tracie Estep - Licensing Specialist
Mike Chumrau, DVM - Investigator
Christina Johnson, LVT - Inspector
Louis Ling, Esq. - Board Counsel

Dr. Simmonds called the meeting to order at 9:15 a.m. and called roll.

1. Public Comment:

None

2. Approval of Board Minutes October 19, 2011

Motion: Beverly Willard moved to approve the minutes as amended.

Second: Dr. Bradley

Passed: Unanimous

3. Review & Determination of Complaints/Disciplinary Action:

A. WN01-090611 Jeannie Webb, DVM: Consent Decree

Motion: Dr. Taylor moved to accept the Consent Decree as presented.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Bradley abstained.

B. FN01-072811 Michael Ford, DVM: Consent Decree

Motion: Dr. Bradley moved to accept the Consent Decree as presented.

Second: Dr. Taylor

Passed: Unanimous. Dr. Sandoval/Dr. Iodence abstained.

C. FR01-071411 Robert Finley, DVM: Letter of Reprimand

Motion: Dr. Iodence moved to accept the Letter of Reprimand as presented.

Second: Dr. Bradley

Passed: Unanimous. Dr. Taylor abstained

D. FS01-092211

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

The Board did have concerns with a secondary veterinarian and directed staff to file a complaint and conduct an investigation.

Motion: Dr. Taylor moved to dismiss this complaint and file a complaint against the secondary veterinarian.

Second: Beverly Willard

Passed: Unanimous. Dr. Simmonds abstained.

E. AHS01-092311

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss

Second: Beverly Willard

Passed: Unanimous. Dr. Sandoval abstained

F. BS01-092711

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss

Second: Beverly Willard

Passed: Unanimous. Dr. Simmonds abstained.

G. RS01-092811

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Bradley moved to dismiss

Second: Dr. Taylor

Passed: Unanimous. Dr. Sandoval abstained.

H. FMS01-10111

Discussion: This complaint was tabled for further investigation.

I. SM01-102011

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss

Second: Dr. Bradley

Passed: Unanimous. Dr. Simmonds abstained.

J. BS01-102511

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a Letter of Caution to the Licensee regarding

(NRS 638.140 (11)), failure to comply with the Boards request for medical records within 14 days of the notice of the complaint.

Motion: Dr. Taylor moved to dismiss with a Letter of Caution.

Second: Dr. Iodence

Passed: Unanimous. Dr. Sandoval abstained.

K. FR01-110911

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Bradley moved to dismiss

Second: Dr. Sandoval

Passed: Unanimous. Dr. Taylor abstained.

L. KS01-111211

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Bradley

Passed: Unanimous. Dr. Simmonds abstained.

M. VR01-112311

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss

Second: Dr. Bradley

Passed: Unanimous. Dr. Iodence abstained.

N. HR01-113011

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Sandoval moved to dismiss

Second: Dr. Bradley

Passed: Unanimous. Dr. Taylor abstained.

O. CN01-120111

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Sandoval moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action

Second: Dr. Taylor

Passed: Unanimous. Dr. Bradley abstained.

P. VS01-120211

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss

Second: Dr. Iodence

Passed: Unanimous. Dr. Sandoval abstained.

Q. RN01-122111

Discussion: The Board voted to dismiss the complaint against the Veterinarian due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action, however, the Board determined that there was sufficient evidence to move forward with proposed disciplinary action against the facility.

Motion: Dr. Taylor moved to dismiss the complaint against the veterinarian and directed staff and Mr. Ling to initiate action against the facility due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Iodence

Passed: Unanimous. Dr. Sandoval abstained.

R. BN01-122011

Discussion: The Board voted to dismiss the complaint against the Veterinarian due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action, however, the Board determined that there was sufficient evidence to move forward with proposed disciplinary action against the facility.

Motion: Dr. Taylor moved to dismiss the complaint against the veterinarian and directed staff and Mr. Ling to initiate action against the facility due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Iodence

Passed: Unanimous. Dr. Sandoval abstained.

S. RN01-122211

Discussion: The Board voted to dismiss the complaint against the Veterinarian due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action, however, the Board determined that there was sufficient evidence to move forward with proposed disciplinary action against the facility.

Motion: Dr. Taylor moved to dismiss the complaint against the veterinarian and directed staff and Mr. Ling to initiate action against the facility due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Iodence

Passed: Unanimous. Dr. Sandoval abstained.

T. KN01-082911 Carl Kelly, DVM: Consent Decree

Discussion: Tabled

4. Continuing Education-Request for approval of CE's for:

A. "Prescription Drug Diversion and Fraud" for 1 hours for veterinarians or veterinary technicians.

Discussion: Dr. Simmonds provided the Board with a hand-out that summarized his research and evaluation of the courses that they are providing to veterinarians and technicians.

Motion: Dr. Taylor moved to approve the courses for the requested hours for veterinarians and technicians.

Second: Beverly Willard

Passed: Unanimous.

B. "Veterinary Leadership Experience" for a total of 6-8 hours for veterinarians or veterinary technicians.

Discussion: Dr. Simmonds provided the Board with a hand-out that summarized his research and evaluation of the courses that they are providing to veterinarians and technicians.

Motion: Dr. Taylor moved to approve the courses for the requested hours (maximum 8 hrs.) for veterinarians and technicians.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Bradley abstained.

C. Chi Institute lectures for veterinarians

Discussion: Dr. Taylor provided the Board with a hand-out that summarized his research and evaluation of the courses that they are providing to veterinarians.

Motion: Dr. Bradley moved to approve the courses for the requested hours for veterinarians and technicians.

Second: Dr. Sandoval

Passed: Unanimous.

5. Requests for Licensure/Reinstatement/Old Business

A. Judson Pierce, DVM: Quarterly Practice Monitor Report

Discussion: Dr. Schank and Christina Johnson, LVT presented the Board with a report regarding Dr. Pierce's progress during the second quarter of his Probation. A letter will be sent to Dr. Pierce regarding his progress and Board concerns.

6. Discussion of Regulations/New Policies

A. City of Elko Animal Shelter; Supervision of staff and Euthanasia Technicians - Jack Walther, DVM.

Discussion: Dr. Walther was present to discuss the City of Elko's Animal Shelter and the veterinary services that are being provided by the Shelter. Dr. Walther explained that currently the Shelter does not have any contracts with the veterinary hospitals in Elko for veterinary services so the shelter has to rely on contracted or volunteer veterinarians to provide treatment to injured animals. The shelter currently does not employ a license veterinary technician and there are times when the veterinarians rely on veterinary assistants to relay the condition of the animal to the veterinarian via phone and treatment is started without the veterinarian examining the animal. The Board cautioned Dr. Walther that a veterinarian can't treat an animal without a VCPR unless he is directing emergency treatment to an LVT. The Board recommended that the shelter draft protocol that will provide the animals with proper care and treatment. It was noted that veterinarian are required to follow NRS/NAC 638 even though the shelter they are providing services for is not under the jurisdiction of the Board.

B. Non-anesthesia cleanings in veterinary hospitals-recent solicitations.

Discussion: Ms. Machen discussed the recent solicitation being received by veterinary hospitals in Las Vegas from Animal Dental Care, a California based business that provides anesthesia-free teeth cleaning care to dogs and cats in conjunction with licensed veterinary facilities. There have been several calls to the Board office regarding the services they are proposing to provide to veterinary hospitals and concerns regarding the use of unlicensed personnel providing these services. The consensus of the Board is that anesthesia free cleanings are the practice of veterinary medicine and must be done by a licensed veterinary technician or a veterinary technician in training under supervision by a veterinarian.

C. Review Panel for continuing education.

Discussion: The consensus of the Board was that the review panel that is presently reviewing the continuing education and reporting back to the Board is doing a thorough job and there is no need to change any procedures.

7. Discussion and Determination

A. Sunset Review Draft.

Discussion: The Board discussed the draft of the Sunset Review Report and commended the review panel for their hard work. The report must be delivered to LCB before February 2, 2012.

B. Schedule Board meetings: Tentative dates: April 24-25 Las Vegas; May 22-23 Reno; July 18-19 Las Vegas; October, 10 Reno

8. Staff Reports

A. Financial Report -Debbie Machen

Discussion: Ms. Machen presented the first quarter financial report to the Board's satisfaction.

B. Administrative Report-Tracie Estep

Discussion: Ms. Estep presented the administrative report to the Board's satisfaction.

C. Hospital Inspection Report-Christina Johnson, LVT

Discussion: Ms. Johnson presented the hospital inspection report to the Board's satisfaction.

D. Legal Report – Hearing Procedures

Mr. Ling provided the Board with a handout and discussed the procedures for conducting a disciplinary hearing.

E. Budget approval for 2011-2013.

Motion: Dr. Iodence moved to approve the FY 2011-2013 budget.

Second: Dr. Bradley

Passed: unanimously

9. Public Comment

None

10. Agenda items for next meeting

- Articles for the annual newsletter
- Standard of Care for dentals

11. Adjournment

Adjournment at 3:45 p.m.

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 Kietzke Lane, Building O-265

Reno, Nevada 89502

Phone 775 688-1788/fax 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NVVETBOARD.US

BOARD MEETING

at

**Western Veterinary Conference
Oquendo Center for Clinical Education
2425 East Oquendo Road
Las Vegas, Nevada 89120**

October 19, 2011

MINUTES

BOARD MEMBERS PRESENT

Craig Schank, DVM - President
Richard Simmonds, DVM - Vice-President
Ronald Sandoval, DVM
William Taylor, DVM
Scott Bradley, DVM
Mark Iodence, DVM
Beverly Willard

BOARD STAFF PRESENT

Debbie Machen - Executive Director
Tracie Estep - Licensing Specialist
Mike Chumrau, DVM - Investigator
Christina Johnson, LVT - Inspector
Louis Ling, Esq. - Board Counsel

Dr. Schank called the meeting to order at 10:15am and called roll.

1. **Public Comment:**

None

2. **Approval of Board Minutes July 14, 2011**

Motion: Dr. Bradley moved to approve the minutes as presented.

Second: Beverly Willard.

Passed: Unanimous

3. **Review & Determination of Complaints/Disciplinary Action:**

A. **FR01-071411**

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Bradley moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Taylor abstained.

B. **FN01-072811**

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Bradley

Passed: Unanimous. Dr. Iodence and Dr. Sandoval abstained.

C. **RR01-080211**

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Bradley abstained

D. **KN01-082911**

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Bradley moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Ms. Willard

Passed: Unanimous. Dr. Sandoval and Dr. Taylor abstained.

E. WN01-090611

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Ms. Willard

Passed: Unanimous. Dr. Bradley abstained

F. ZR01-090811

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Simmonds abstained.

4. Continuing Education-Request for approval of CE's for:

A. "Pyoderma Etiology & Therapy" for 2 hours for veterinarians.

Discussion: Dr. Simmonds provided the Board with a hand-out that summarized his research and evaluation of the courses that they are providing to veterinarians.

Motion: Dr. Bradley moved to approve the course for the requested hours for veterinarians.

Second: Dr. Taylor

Passed: Unanimous.

B. "Animal Behavior" for a total of 20 hours for veterinarians or veterinary technicians.

Discussion: Dr. Simmonds provided the Board with a hand-out that summarized his research and evaluation of the courses that they are providing to veterinarians and technicians.

Motion: Dr. Taylor moved to approve the courses for the requested hours for veterinarians and technicians.

Second: Dr. Bradley

Passed: Unanimous.

C. "AVCA Annual Conference" for a total of 21 hours for veterinarians and animal chiropractors.

Discussion: Dr. Simmonds provided the Board with a hand-out that summarized his research and evaluation of the courses that they are providing to veterinarians.

Motion: Dr. Taylor moved to approve the course for a total of 21 hours for veterinarians and animal chiropractors.

Second: Dr. Bradley

Passed: Unanimous.

5. Requests for Licensure/Reinstatement/Old Business

A. Stephanie Raleigh, LVT Application

Discussion: Ms. Raleigh submitted an application for veterinary technician-in-training and licensed veterinary technician. She graduated from PIMA Medical Institute on 6-10-2011. Ms. Raleigh had two prior DUI's and a background check was completed and verified the information Ms. Raleigh provided. All court directed probationary terms had been completed. Ms. Raleigh was present to answer board questions and Dennis Lopez, LVT, Director of PIMA was present and recommended Ms. Raleigh be approved to take the VTNE. The Board reviewed her application and all supplemental documentation.

Motion: Dr. Sandoval moved to approve Ms. Raleigh's application.

Second: Dr. Bradley

Passed: Unanimous

B. Jessica Rodriguez-Oropeza, VTIT/LVT Application.

Discussion: Ms. Rodriguez-Oropeza submitted an application for veterinary technician-in-training/licensed veterinary technician based on her Bachelor of Science Degree in Wildlife Ecology and Conservation. The Board reviewed her application and all supplemental documentation.

Motion: Dr. Bradley moved to approve.

Second: Dr. Sandoval

Passed: Dr. Simmonds abstained

C. Judson Pierce, DVM: Quarterly Practice Monitor Report

Discussion: Dr. Schank and Christina Johnson, LVT presented the Board with a report regarding Dr. Pierce' progress during the second quarter of his Probation. A letter will be sent to Dr. Pierce regarding his progress and Board concerns.

D. Lisa Hayden, DVM Review of Probation

Discussion: Dr. Hayden and Larry Espadero, Director of PRN were present to request that Dr. Hayden be released from her Probation. Mr. Espadero stated that Dr. Hayden had successfully completed four years of the PRN program and that he was recommending release of her Probation. The Board congratulated Dr. Hayden on her progress.

Motion: Dr. Taylor moved to release Dr. Hayden from her current Probation.

Second: Dr. Bradley

Passed: Unanimous.

D. Jaime Haas, LVT Application.

Discussion: Ms. Haas submitted an application for licensed veterinary technician based on her Bachelor of Arts degree, Oregon veterinary technician license, eleven years of practical experience as an ICU technician, VTNE scores, and a letter of recommendation. The

Board reviewed her application and all supplemental documentation.

Motion: Dr. Bradley moved to approve.

Second: Dr. Iodence

Passed: Unanimously.

6. **Discussion of Regulations/New Policies**

A. **HEARING** on Proposed Regulations R116-10

Discussion: Dr. Schank opened the Hearing for public comment and Board discussion at 10:15 a.m.

The Nevada Veterinary Medical Association (NVMA) had provided a letter to the Board that was read into the record. Dr. Crumley, President of the NVMA, asked for clarification regarding Section 4.1 (d) (5) & 6 and Section 15.1 (c). Mr. Ling explained that in Section 4.1 that the person preparing and verifying the prescription could be the same licensed person. Pursuant to Senate Bill 294 veterinary assistants cannot handle dangerous drugs until 1-1-2012. Mr. Ling also noted that Section 15.1 is a duplication of Section 4.1 with veterinary assistants being added to the language and is necessary here due to the different implementation dates.

Motion: Dr. Taylor moved to adopt the regulations as written.

Second: Ms. Willard

Passed: Unanimously.

Dr. Schank closed the Hearing at 10:54am.

7. **Discussion and Determination**

A. **Anesthesia free teeth cleanings.**

Discussion: David Lowell, DVM, Angie Stamm, DVM, Michael Borin, DVM, Ken Kurtz, owner of Animal Dental Care, and Eric Williams, Manager of Animal Dental Care were present to discuss the issue of anesthesia free teeth cleaning. This panel of professionals currently provides these services in several States at over 100 veterinary facilities under the direction of a veterinarian and they have been in business for nearly twenty years. The company is currently providing these services to a veterinary facility in the Reno area where the the procedure is being done by either a licensed veterinary technician or a veterinary technician in training. The facility is providing a waiver form that provides the client with a definition of the procedure being performed.

Dr. Sandoval, Dr. Chumrau, Christina Johnson, LVT, and Debbie Machen recently observed the procedure. Dr. Sandoval presented a report to the Board of the committee's findings.

John Crumley, DVM, President of the NVMA, presented a letter to the Board

regarding the position of the NVMA in regard to anesthesia free teeth cleaning. The NVMA is concerned that "this misguided service misinforms clients that a complete oral exam and periodontal treatment has been performed and subjects patients to stress and discomfort." The NVMA recommends that regulations be adopted to define the standard of practice in regards to teeth cleaning.

B. Compounding Guidelines – Dr. Sandoval & Dr. Taylor

Discussion: Dr. Sandoval and Dr. Taylor presented the Board with concerns regarding the practical implementation of the current interpretation of the Nevada Pharmacy Board compounding laws on bulk administration. The primary concern of the Board is that this interpretation is practical in a human compounding environment but would compromise veterinary patient care. Mr. Ling stated that he would discuss these issues with the pharmacy board regarding a possible memorandum of understanding being drafted and approved by both the pharmacy and veterinary boards.

C. Veterinary Technicians in Training (VTTT) extension of the two year registration.

Discussion: Ms. Machen presented NAC 638.0525 which allows the Board to extend a two-year VTTT's registration. The consensus of the board is that if the Licensee meets the Boards' protocol for extension the registration can be extended for one year with a \$ 50.00 fee assessed.

D. One or two year audit schedule – letters of engagement

Discussion: Ms. Machen presented the Board with a letter of engagement from Steele and Assoc., CPA's that outlined the costs of a one year and a two year audit. Ms. Machen requested that the Board table this item to allow staff to place the audit out to bid due to the substantial increase. The Board agreed to table this item for consideration at a future meeting.

E. The resale by veterinarians to wholesale brokers of therapeutic pesticide products such as frontline.

Discussion: Ms. Machen received an e-mail from a VIN reporter who requested that the Board answer the following question: Are there any Nevada laws that pertain to disciplining a veterinarian who resells to wholesale laboratories therapeutic pesticide products, such as Frontline Plus? The consensus of the Board is that there are ethical provisions and pharmacy board law that would allow the board to investigate a complaint of this nature and determine if there is sufficient evidence to charge the licensee.

F. Executive Director evaluation

Discussion: Dr. Schank presented a yearly evaluation of Debbie Machen, Executive Director.

G. Time limit for public comment on agendas.

Discussion: Dr. Simmonds asked that the Board evaluate the time limit for public comment that is posted on the agenda. The consensus of the Board is that the

current limit of five minutes is appropriate.

II. Schedule Board meetings:

January 19, 2012/Reno; April 12, 2012/ Las Vegas; July 19, 2012/Reno

8. Staff Reports

A. Financial Report -Debbie Machen

Discussion: Ms. Machen presented the first quarter financial report to the Board's satisfaction.

B. 2010-2011 Audit

Discussion: Ms. Machen presented the Board with the 2010-2011 financial audit conducted by Steele and Associates, CPA's.

Motion: Dr. Taylor moved to accept the audit.

Second: Dr. Bradley

Passed: Unanimously.

C. Administrative Report-Tracie Estep

Discussion: Ms. Estep presented the administrative report to the Board's satisfaction.

D. Hospital Inspection Report-Christina Johnson, LVT

Discussion: Ms. Johnson presented the hospital inspection report to the Board's satisfaction.

E. Legal Report-"Advisory Letters" a non-disciplinary letter Louis Ling, Esq.

Discussion: Mr. Ling provided the Board with an article that was written by Dale Atkinson, Esq., an attorney who represents several national occupational boards and associations. Mr. Ling feels that this board is using this valuable tool, Letters of Caution, as a non-disciplinary mechanism to provide specific guidance and reminders in evaluating licensee's practice management and professional activities.

F. Summary of AAVSB annual meeting.

Ms. Machen provided the Board will a summary of the 2011 AAVSB meeting in New Orleans.

9. Public Comment

Ms. Nipper, a complainant from a 2008 consumer complaint, was present and addressed the Board with concerns regarding the overall investigation of her complaint that was investigated and then discussed and dismissed by the Board on 1-29-2009.

10. Agenda items for next meeting

- 1) Subcommittee for continuing education approval.

11. Adjournment

Adjournment at 4:55 p.m.

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 Kietzke Lane, Building O-265

Reno, Nevada 89502

Phone 775 688-1788/fax 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NVVETBOARD.US

BOARD MEETING

at

**Airport Plaza
Hotel & Conference Center
1981 Terminal Way
RENO, NEVADA**

July 14, 2011

MINUTES

BOARD MEMBERS PRESENT

Craig Schank, DVM - President
Richard Simmonds, DVM - Vice-President
Ronald Sandoval, DVM
William Taylor, DVM
Scott Bradley, DVM
Mark Iodence, DVM
Beverly Willard

BOARD STAFF PRESENT

Debbie Machen - Executive Director
Tracie Estep - Licensing Specialist
Mike Chumrau, DVM - Investigator
Christina Johnson, LVT - Inspector
Louis Ling, Esq. - Board Counsel

Dr. Schank called the meeting to order at 9:03 and called roll.

1. Public Comment:

None

2. Approval of Board Minutes:

A. May 4, 2011 Board Meeting

Motion: Dr. Taylor moved to approve the minutes as presented.

Second: Dr. Sandoval

Passed: Unanimous

3. Review & Determination of Complaints/Disciplinary Action:

A. WR01-040511 Randall Warner, DVM: Letter of Reprimand

Motion: Dr. Simmonds moved to accept the Letter of Reprimand as presented.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Bradley abstained.

B. PSS01-042511

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Bradley moved to dismiss.

Second: Dr. Taylor

Passed: Unanimous. Dr. Sandoval abstained.

C. HN01-042611

Discussion: This complaint was tabled for further investigation.

D. LS01-051211

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Iodence moved to dismiss.

Second: Dr. Taylor

Passed: Unanimous. Dr. Simmonds abstained.

E. OS01-051611

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of recommendation to the Licensee regarding NAC 638.069, a "veterinary facility shall not use the term "24 hours" in any public statement or advertising unless the facility has a licensed veterinarian on the premises 24 hours per day."

Motion: Dr. Simmonds moved to dismiss with a letter of recommendation.

Second: Dr. Taylor

Passed: Unanimous. Ms. Willard abstained.

F. HS01-051711

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Iodence

Passed: Unanimous. Dr. Bradley abstained.

G. KN01-051811

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Iodence abstained.

H. SS01-060111

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Simmonds

Passed: Unanimous. Dr. Schank abstained.

4. Continuing Education-Request for approval of CE's for:

A. "Basic Course in Acupuncture" for 156 hours (4 sessions) for veterinarians.

Discussion: Dr. Taylor provided the Board with a hand-out that illustrated his research and evaluation of the courses that they are providing to veterinarians.

Motion: Dr. Simmonds moved to approve the course for the requested hours for veterinarians.

Second: Ms. Willard

Passed: Unanimous.

B. "13th Annual Traditional Chinese Veterinary Medicine Conference for exotics and Neurological Diseases" for a total of 28 hours for veterinarians.

Discussion: Dr. Simmonds provided the Board with a hand-out that illustrated his research and evaluation of the courses that they are providing to veterinarians.

Motion: Ms. Willard moved to approve the courses for the requested hours for veterinarians.

Second: Dr. Bradley

Passed: Unanimous.

C. "Veterinary Acupuncture and Herbal Medicine Introduction for Small Animal and Equine" for a total of 14 hours for veterinarians.

Discussion: Dr. Simmonds provided the Board with a hand-out that illustrated his research and evaluation of the courses that they are providing to veterinarians.

Motion: Dr. Sandoval moved to approve the course for a total of 13 hours for veterinarians.

Second: Ms. Willard

Passed: Unanimous.

5. Requests for Licensure/Reinstatement/Old Business

A. Jennifer Cole, LVT application

Discussion: Ms. Cole submitted an application for veterinary technician-in-training/licensed veterinary technician based on her Associate of Science Animal Health Degree from Olds College I in Alberta, Canada. This college is accredited by the Canadian Veterinary Medical Association. Ms. Cole is also licensed in Massachusetts. The Board reviewed her application and all supplemental documentation. The AVMA Executive Board approved a recommendation that the AVMA recommends that veterinary technicians credentialing entities in the US recognize graduates of Canadian Veterinary Medical Association (CVMA)-accredited veterinary technology programs as eligible for credentialing.

Motion: Dr. Simmonds moved to approve Ms. Cole's application.

Second: Dr. Taylor

Passed: Unanimous

B. Torechart Chartkunchand, VTIT/LVT application

Discussion: Mr. Chartkunchand submitted an application for veterinary technician-in-training/licensed veterinary technician based on his Bachelor of Science Degree in Biology and his practical hours working in a veterinary hospital. The Board reviewed his application and all supplemental documentation.

Motion: Dr. Bradley moved to approve.

Second: Ms. Willard

Passed: 5-yes 1-nay (Dr. Simmonds)

C. Judson Pierce, DVM: Quarterly Practice Monitor Report

Discussion: Dr. Schank and Christina Johnson, LVT presented the Board with a report regarding Dr. Pierce' progress during the first quarter of his Probation. A letter will be sent to Dr. Pierce regarding his progress.

D. Kerry Sibell, LVT application

Discussion: Ms. Sibell submitted an application for veterinary technician-in-training/licensed veterinary technician based on her licensure in California, her completion of a California approved Alternate Route Veterinary Technician Candidate Program, and her practical hours

working in a veterinary hospital. The Board reviewed her application and all supplemental documentation.

Motion: Dr. Simmonds moved to approve.

Second: Dr. Sandoval

Passed: Unanimous. Dr. Taylor abstained.

6. Discussion of Regulations/New Policies

A. WORKSHOP on Proposed Regulations R116-10

- 1) Dispensing/prescribing of prescription drugs.
- 2) Removes Veterinary information Network from the exemption to distance learning continuing education courses.
- 3) Defines what must be included in notes taken during surgery.
- 4) The addition of new tasks that licensed veterinary technicians and veterinary technicians-in-training can perform.

Discussion: Dr. Schank opened the Workshop for public comment and Board discussion at 9:05 am.

The following changes will be submitted to LCB for review:

- a) Page 5, Section 4, (e), (6) a unique number identifying the prescription drug dispensed.
- b) Change all referenced "x ray" to "radiograph."
- c) Page 9, Section 6, (1); the vital signs of the animal at the beginning and end of the surgery that are appropriate to the species and condition of the animal at the time of surgery, ~~including without limitation~~ *which may include* the temperature...
- d) Page 9, a new section will be added on diagnostic imaging.
- e) Page 10, Section 6, (4), (c) remove "and" insert at the end of (d).
- f) Page 11, Section 7, (2), (a) add "or splints."
- g) Page 13, Section 7, (4), (s) add "skin scrapings."
- h) Page 15, Section 8, (3), (b) remove "skin scrapings."

There was no public comment. One e-mail was submitted from Dennis Lopez, LVT, Director of PIMA Veterinary Technician Program, was read into the record.

The above noted changes will be sent to LCB for review and scheduled for a regulatory hearing on October 19, 2011 in Las Vegas.

7. Discussion and Determination

A. 2010 Legislative update Neena Laxalt

Discussion: Ms. Laxalt presented the Board with a final legislative report for 2011.

B. AAVSB proposed amendments to the Bylaws

Discussion: Ms. Machen explained that AAVSB had several bylaws changes that are to be voted on at their annual meeting in September 2011. As the Delegate for the Board she needs the Board's input on how to vote. The first and second proposed

amendments make changes to the Board of Directors and Officers. The third through the fifth proposed amendments make changes to the Representatives of the NBVME and the Nominating Committee.

Motion: Dr. Simmonds moved to have Ms. Machen vote "yes" on all proposed amendments.

Second: Dr. Bradley

Passed: Unanimously.

C. Hospital Inspection violations

Discussion: Ms. Machen presented information that would provide an alternative to citing and fining facilities for minor violations. The new concept would incorporate the use of demerits for each violation based on the severity. A percentage or a grade would be attributed to each inspection, reported to the facility, and be posted on the Board's website. The hospital inspection committee will review this information for further discussion in October 2011.

D. 2011 Annual Newsletter articles

Discussion: Each Board Member will write an article for the annual newsletter. The articles are to be based on discussions from prior board meeting,

E. Compounding guidelines

Discussion: Mr. Ling presented a veterinary compounding fact sheet for discussion. This form will be posted on our website and published in the annual newsletter.

F. Election of Officers

Discussion: The Board elected Dr. Richard Simmonds, Board President.

Motion: Dr. Taylor moved to accept, effective October 20, 2011.

Second: Ms. Willard

Passed: Unanimously.

Discussion: The Board elected Dr. William Taylor, Vice President.

Motion: Dr. Bradley moved to accept, effective October 20, 2011.

Second: Dr. Simmonds

Passed: unanimous.

G. Schedule Board Meetings: October 19, 2011-Las Vegas; January 18, 2012 Reno; April 12, 2012-Las Vegas

Discussion: Board meeting dates: October 19, 2011-Las Vegas; January 19, 2012 Reno; April 12, 2012-Las Vegas

8. Staff Reports

A. Financial Report & 2011-2012 budget-Debbie Machen

Discussion: Ms. Machen presented the un-audited financial report for 2010-2011 and the 2011-2012 proposed budget.

Motion: Dr. Simmonds moved to accept the 2011-2012 budget.

Second: Dr. Taylor

Passed: Unanimously.

B. Administrative Report-Tracie Estep

Discussion: Ms. Estep presented the administrative report to the Board's satisfaction. Ms. Machen presented the Board's performance indicators self-evaluation report for 2009-2010.

C. Hospital Inspection Report-Christina Johnson, LVT

Discussion: Ms. Johnson presented the hospital inspection report to the Board's satisfaction.

D. Legal Report-"Changes to the Open Meeting Law" Louis Ling, Esq.

Discussion: Mr. Ling presented the Board with new open meeting laws which were effective July 1, 2011 and described how they would affect the Board.

9. Public Comment

None

10. Agenda items for next meeting

- 1) Anesthesia-free dentals
- 2) Standard of Care-Radiograph and digital imaging protocol

11. Adjournment

Motion: Dr. Taylor motioned to adjourn at 2:45 p.m.

Second: Dr. Bradley

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 Kjetzke Lane, Building O-265

Reno, Nevada 89502

Phone 775 688-1788/fax 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NV/VETBOARD.US

BOARD MEETING

at

Airport Plaza
Hotel & Conference Center
1981 Terminal Way
Reno, Nevada

Wednesday, May 4, 2011

MINUTES

Board Members Present

Craig Schank, DVM, President
Richard Simmonds, DVM VP
Ronald Sandoval DVM
William Taylor, DVM
Scott Bradley, DVM
Mark Iodence, DVM
Beverly Willard

Staff Present

Debbie Machen, Exec. Dir.
Tracie Estep, Admin. Asst.
Mike Chumrau, DVM, Investigator
Christina Johnson, LVT, Inspector
Louis Ling, Esq.

Dr. Schank called the meeting to order at 8:35 a.m.

Beverly Willard arrived at the meeting at 9:15 a.m.
(The agenda items that she was absent for are noted)

1. Approval of Board Minutes

A. January 27, 2011 Board Meeting

Motion: Dr. Taylor moved to approve.

Second: Dr. Bradley

Passed: Unanimously; Ms. Willard was absent.

2. Disciplinary Action

A. PN01-101810-0167 - Judson Pierce, DVM

Discussion: Keith Marcher, Chief Deputy Attorney, Louis Ling, Prosecutor for the Board, and Marshall Smith, attorney for Dr. Judson Pierce were present. Keith Marcher explained that an Accusation had been filed by the Board and an Answer had been filed by Dr. Pierce and both attorneys were presenting a negotiated Settlement Agreement to the Board for their review and acceptance. Mr. Ling and Mr. Marshall presented the negotiated Settlement Agreement in detail explaining the resolution of this complaint through Probation, mentoring by a practice monitor, quarterly review by the Board of his progress, and voluntary surrender of Dr. Pierce's license upon sale of his practice or at one year from the date of the Settlement Agreement.

Motion: Dr. Simmonds moved to accept the Settlement Agreement.

Second: Dr. Bradley

Passed: Unanimously. Dr. Iodence abstained; Ms. Willard was absent.

B. CS01-111010 - Kurt Mychajlonka, DVM; Letter of Reprimand

Discussion: At the January 27, 2011 Board Meeting the Board voted to proceed with disciplinary action. A signed Stipulated Agreement signed by Dr. Mychajlonka was presented to the Board for consideration.

A Letter of Reprimand stipulating to the following:

1) NRS 638.140(1) and (6) and NAC 638.045(2), Negligence, in that the Licensee did not recognize the gas in the stomach to be a potential dangerous life threatening sign and failed to inform the pet's owners of what signs and symptoms to watch for, and what to do if the signs and symptoms may have occurred.

The Stipulated Adjudication is as follows:

- 1) Receive a Public Letter of Reprimand which will be noticed to the national disciplinary database; and
- 2) Pay attorney fees, investigative costs and Board costs of \$400.00.

Motion: Dr. Simmonds moved to accept the Letter of Reprimand as presented.

Second: Dr. Bradley

Passed: Unanimously. Dr. Schank abstained.

C. RN01-020911

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of recommendation to the Licensee regarding incomplete medical records.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Simmonds

Passed: Unanimously. Dr. Bradley abstained.

After further discussion:

Amended Motion: Dr. Taylor moved to dismiss with a letter of recommendation.

Second: Dr. Simmonds

Passed: Unanimously. Dr. Bradley abstained.

D. RN01-021111

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Dr. Iodence

Passed: Unanimously. Dr. Taylor abstained

E. KR01-021211

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Dr. Taylor

Passed: Unanimously. Dr. Iodence abstained.

F. DN01-021411

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Dr. Bradley

Passed: Unanimously. Dr. Iodence abstained.

G. JKS01-022211

Discussion: The review panel recommended the Board dismiss the complaint against the first veterinarian due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action with a letter of recommendation being sent to the second veterinarian noted in the complaint regarding incomplete medical records.

Motion: Dr. Taylor moved to dismiss with a letter of recommendation being sent to the second veterinarian noted in the complaint.

Second: Dr. Bradley

Passed: Unanimously. Dr. Simmonds abstained.

H. WR01-040511

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Board Counsel initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Sandoval

Passed: Unanimously. Dr. Bradley abstained. Beverly Willard absent.

3. Continuing Education-Request for approval of CE's for:

A. "New Developments in Using Various Anesthetic-Analgesic Agents" by Jeff Ko, DVM, MS, DACVA - 8 hours continuing education.

B. "Pain Management" by Carolina Allende, DVM - 1 hour for Veterinary Technicians.

C. "Hypotension" by Linda Weatherton, DVM - 1 hour for Veterinary Technicians.

Motion: Dr. Taylor moved to approve 3A, 3B, and 3C for the requested hours.

Second: Dr. Sandoval

Passed: Unanimously. Beverly Willard absent

D. "Hip Dysplasia" by David Mason, DVM, MRCVS - 1.5 hours for Veterinarians and Veterinary Technicians.

E. "Mechanical Ventilation" by Linda Weatherton, DVM - 1 hour for Veterinary Technicians.

F. "Laryngeal Paralysis Updates and Recent Research/Providing Behavior Help to Clients and their Pets" by Regina Schroeder, DVM/Adrienne Navarro, MS, ACAAB - 2 hours for Veterinarians and Veterinary Technicians.

Motion: Dr. Taylor moved to approve 3D, 3E, and 3F for the requested hours.

Second: Dr. Bradley

Passed: Unanimously. Beverly Willard absent.

G. "Equine Infectious Disease, Upper Airway Endoscopy and Colic" by Idaho Equine Hospital/MWI, Nampa, ID. - 8.5 hours Veterinarians.

Motion: Dr. Taylor moved to approve

Second: Dr. Bradley

Passed: Unanimously. Beverly Willard absent.

H. "Geriatric Ocular Disease" by Stacy Ivins-Petersen, DVM, DACVO - 2 hours for Veterinarians and Veterinary Technicians

I. "Glaucoma" by Stacy Ivins-Petersen, DVM, DACVO - 2 hours for Veterinarians and Veterinary Technicians.

J. "Corneal Disease" by Stacy Ivins-Petersen, DVM DACVO - 2 hours for Veterinarians and Veterinary Technicians.

Motion: Dr. Iodence moved to approve 3H, 3I, and 3J for the requested hours.

Second: Dr. Taylor

Passed: unanimously. Beverly Willard absent.

4. Requests for Licensure/Reinstatement.

A. Animal Foundation request approval of rabies vaccination protocol.

Discussion: Jennifer Stone, DVM, Medical Director at the Animal Foundation had presented the Board with a PowerPoint presentation on

the protocol/training for licensed veterinary technicians to administer rabies vaccinations. Dr. Simmonds reviewed the presentation and sated that the presentation was quite thorough and recommended that the following three points be added: 1) the requirements for care and storage of the vaccine, 2) what abnormalities found upon physical examination of an animal that would require a decision not to vaccinate the animal, and requirements for documentation of the animal being vaccinated for Rabies.

The consensus of the Board is that a letter be sent to the Animal Foundation with the above noted recommendations and a clarification of the law regarding the administration of Rabies.

B. Kristin Clark, DVM, Reinstatement of veterinary license #1492.

Discussion: Dr. Clark was present via phone to answer questions regarding the reinstatement of veterinary license #1492. Dr. Clark currently holds an inactive license. The Board reviewed the documentation presented and determined that Dr. Clark had met all the requirements for reinstatement except for the 15 hours of continuing education(CE). Dr. Clark stated that she planned to attend CE at LSU over the weekend to make-up the hours. She also stated that she is not licensed in any other states.

Motion: Dr. Simmonds moved to reactivate Dr. Clark's veterinary license contingent on 15 hr. of continuing education being completed and the certificates of attendance being sent to the Board. The 15 hours cannot be used for the 20 required hours for the 2012 renewal.

Second: Dr. Taylor

Passed: 3 votes yes (Dr. Simmonds, Dr. Taylor & Dr. Sandoval)/3 votes no (Dr. Bradley, Dr. Iodence & Ms. Willard)

Motion passed: Dr. Schank yes/ 4 yes/3 no

5. Discussion of Regulations/New Policies

A. Continuing Education task force.

Discussion: Dr. Simmonds and Dr. Taylor volunteered to review continuing education approval requests for each board meeting.

6. Discussion and Determination

A. AVMA new accredited schools

Discussion: Ms. Machen presented two letters from the AVMA regarding the accreditation of Ross University School of Veterinary Medicine and the Universidad Nacional Auntnoma de Mexico effective March 2011. Mr. Ling explained that students that graduated prior to March of 2011 would have to meet the current statutory requirement of a foreign graduate.

B. 2010 Legislative Update.

Discussion: Ms. Machen presented the Board with an outline of the 2011 Legislative Bills that the Board is tracking.

C. Schedule Board Meetings

July 14, 2011 - Reno

October 19, 2011 - Las Vegas

January 19, 2012 - Reno

7. Staff Reports

A. Financial Report - Debbie Machen

Discussion: Ms. Machen presented the financial report to the Board's satisfaction.

B. Administrative Report - Tracie Estep

Discussion: Ms. Estep presented the administrative report to the Board's satisfaction.

C. Hospital Inspection Report - Christina Johnson

Discussion: Ms. Johnson presented the Hospital Inspection report to the Board's satisfaction.

8. Public Comment.

None

9. Agenda items for next meeting

10. Adjournment

Motion: Dr. Bradley moved to adjourn at 1:52pm.

Second: Dr. Sandoval

Passed: Unanimously.

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 Kietzke Lane, Building O-265

Reno, Nevada 89502

Phone 775 688-1788/fax 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NVVETBOARD.US

BOARD MEETING

at

Airport Plaza
Hotel & Conference Center
1981 Terminal Way
Reno, Nevada

Thursday, January 27, 2011

MINUTES

Board Members Present

Craig Schank, DVM, President
Richard Simmonds, DVM VP
Ronald Sandoval DVM
William Taylor, DVM
Scott Bradley, DVM
Mark Iodence, DVM
Beverly Willard

Staff Present

Debbie Machen, Exec. Dir.
Tracie Estep, Admin. Asst.
Mike Chumrau, DVM, Investigator
Christina Johnson, LVT, Inspector
Louis Ling, Esq.

Dr. Schank called the meeting to order at 9:03 a.m.

1. Approval of Board Minutes

A. October 21, 2010 Board Meeting

Motion: Dr. Taylor moved to approve.

Second: Beverly Willard

Passed: Unanimously

B. Workshop October 14, 2010

Motion: Dr. Taylor moved to approve.

Second: Dr. Iodence

Passed: Unanimously

2. Disciplinary Action

A. LR01-100410

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of recommendation to the Licensee regarding:

1) NAC 638.0475; omissions in the medical records:

- a) Temperature-pulse-respiration was noted with "WNL" (within normal limits). Vitals must have specific number and detail.
- b) The surgeon was not noted in the record.
- c) Consultations with out-of-state veterinarians were not noted in the record.

Motion: Dr. Bradley moved to dismiss with recommendations.

Second: Dr. Simmonds

Passed: Unanimously. Dr. Schank abstained.

B. CSN01-101610

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee's had committed an act which constitutes a cause for disciplinary action and send a letter of recommendation to the Licensee's regarding:

1) NAC 638.0475, omissions in the medical record:

- a) Lack of assessment of lab work.
- b) No differential diagnosis.

2) Procedures are in place to prevent incorrect lab work being sent to the owner or a referring hospital.

Motion: Dr. Simmonds moved to dismiss with recommendations.

Second: Beverly Willard

Passed: Unanimously. Dr. Taylor abstained.

C. PN01-101810

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Bradley moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Dr. Taylor

Passed: Unanimously. Dr. Iodence abstained.

D. ES01-101910

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Bradley moved to dismiss.

Second: Dr. Iodence

Passed: Unanimously. Dr. Sandoval abstained

E. VS01-102510

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Iodence

Passed: Unanimously. Dr. Simmonds abstained.

F. CS01-111010

Discussion: After discussion of the above noted complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Beverly Willard

Motion Failed: Yes-3, No-3

After further discussion,

Motion: Dr. Simmonds moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.

Second: Beverly Willard

Passed: Unanimously. Dr. Schank abstained. Dr. Schank Abstained.

G. LS01-111810

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Bradley

Passed: Unanimously. Dr. Simmonds abstained.

H. AS01-112210

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Iodence

Passed: Unanimously. Dr. Sandoval abstained.

I. WS01-113010

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Bradley moved to dismiss.

Second: Dr. Taylor

Passed: Unanimously. Dr. Simmonds abstained.

J. GHKRS01-121110

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Simmonds

Passed: Unanimously. Dr. Schank abstained

3. Continuing Education-Request for approval of CE's for:

A. Tracheal/Urethral Stenting by Michael Dearmin, DVM, DACVS for veterinarians - 2 hours continuing education.re-submitted.

Motion: Dr. Taylor moved to approve for 2 hours of continuing education for veterinarians.

Second: Dr. Simmonds

Passed: Unanimously

B. Chi Institute-Traditional Chinese Veterinary Medicine Seminars

Discussion: Dr. Simmonds provided the Board with a hand-out that illustrated his research and evaluation of the Chi Institute and the courses that they are providing to veterinarians and animal chiropractors.

Motion: Dr. Taylor moved to approve the courses for the requested hours for veterinarians.

Second: Dr. Bradley

Passed: Unanimously

4. Legal Report-Louis Ling, Esq.

A. Open/Pending Complaints/Hearings.

Discussion: Mr. Ling explained how the Governor's Executive Orders on freezing proposed regulations and the establishment of ethics requirements for public officials will affect the Board members and staff.

5. Requests for Licensure/Reinstatement

A. Armando Martinez, DVM; Evaluation, discussion, and determination of Probationary terms.

Discussion: Dr. Martinez was present via teleconference to discuss the terms of his Probation and review the documentation that supports the completion of all the conditions and terms.

Ms. Machen provided an overview of Dr. Martinez's probationary terms, including his disciplinary history, Order of Probation, and continuing education.

Motion: Dr. Taylor moved to terminate Dr. Martinez's probation.

Second: Dr. Bradley

Passed: Unanimously

B. Kristina Spitale, VTIT; Application for Licensed Veterinary Technician.

Discussion: Ms. Spitale was present to answer any questions the Board may have regarding the completion of her Bachelors of Science degree. The Board reviewed her application and all supplemental documentation at a previous Board meeting and asked that she resubmit her transcripts to the Board for review once she had graduated.

Motion: Dr. Simmonds moved to accept her application.

Second: Dr. Taylor

Passed: Unanimously.

6. REGULATORY HEARING

A. Proposed Regulation Amendment Hearing - The purpose of the hearing is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations.

Amendment of Nevada Administrative Code NAC 638

- 1) Dispensing/prescribing of prescription drugs.
- 2) Removed Veterinary Information Network from the exemption to distance learning continuing education courses.
- 3) Defines what must be included in notes taken during surgery.
- 4) Adds new tasks that licensed veterinary technicians can perform.

Ms. Machen explained that since the regulatory hearing had been noticed prior to the Governor's Executive Orders freezing the regulatory process we would proceed with the hearing and solicit public comment. The regulations would have to be submitted to the Governor's office with a request for an exemption from his Executive Order prior to proceeding through the final phases.

Dr. Schank opened the hearing for public comment at 1:05 pm.

Dennis Lopez, LVT, Director, Veterinary Technology Program at PIMA in Las Vegas; Michelle Wagner, Executive Director NVMA, and Neena Laxalt, Board Legislative Consultant were present to provide testimony.

Written testimony was presented from the following individuals: Dennis Lopez, LVT; Melissa Pehrson, LVT, Director of PIMA Veterinary Technician Program; Brian Hewitt, DVM; Joanne Stefanatos, DVM; Miranda Tortorici, LVT; Lee Jackson, LVT; Wendy Wyatt, LVT; Kimberly Burton, LVT; Erika Little, DVM; Brandi Gramolini, LVT; Jon Pennell, DVM; John Crumley, DVM.

After hearing public comment the following changes were voted on:

- 1) Page 3, Section 3, (2), (f) addition to subsection-(f) Ensure that the purchasing, storage, **disposal**, and recordkeeping of controlled substances comply with the applicable state and federal laws.
- 2) Page 11, Section 7, (2), (c) delete "induction of anesthesia" from immediate supervision and add to immediate or direct supervision.
- 3) Page 12, Section 7, (3), (f) add "except that ultrasonography may be used to accomplish cystocentesis."
- 4) Page 12, Section 7, (3), (g) add "with or without the aid of ultrasonography."

Motion: Dr. Simmonds moved to adopt R116-10 as amended.

Second: Dr. Taylor

Passed: Unanimously.

B. Update from October 21, 2010 board meeting on boarding animals in a veterinary hospital.

Discussion: Ms. Machen provided the board with laws from Maryland that states that a veterinarian who operates an animal boarding business in connection with a veterinary hospital is responsible for the care of the animal and staff training. The Board directed staff to bring this topic back to the Board at a future meeting when regulation changes are agendaized for discussion.

C. Update from October 21, 2010 board meeting on Continuing Education credits for the presenter of an approved course.

Discussion: Ms. Machen provided the board with laws from Arizona and Illinois that allow licensees to obtain continuing education if they are an instructor or presenter of an approved continuing education course. The Board directed staff to bring this topic back to the Board at a future meeting when regulation changes are agendaized for discussion.

D. Legislative Update 2011 Neena Laxalt.

Discussion: Ms. Laxalt provided the Board with a list of current Bill Draft Requests and Bills that she is tracking.

E. Board Policy NV-010; Finances.

Discussion: Ms. Machen provided the Board with a new finance policy.

Motion: Dr. Simmonds moved to accept.

Second: Dr. Taylor

Passed: Unanimously.

F. Update from October 21, 2010 board meeting on Animal Physical Therapy assistant.

Discussion: Ms. Machen updated the Board on information she had obtained regarding the issue of registering animal physical therapist assistants (APTA's). She had discussed this with the physical therapy board, veterinarians that were working with APTA's, and other states that register physical therapists. The consensus was that at this time no other states register APTA's and the concern is that supervision of APTA's would be difficult for the veterinarian. The Board agreed that at this time there is no need for this licensing group.

G. Protocol for verifying controlled substances during hospital inspections.

Discussion: Ms. Johnson had asked that the Board establish protocol for reconciling controlled substance logs during hospital

inspections. The consensus of the Board is that verification should be done in the presence of an employee of the facility. To expedite the process the Board should consider purchasing a mechanical portable pill counter.

7. Staff Reports

A. Financial Report - Debbie Machen

Discussion: Ms. Machen presented the financial report to the Board's satisfaction.

B. Administrative Report - Tracie Estep

Discussion: Ms. Estep presented the administrative report to the Board's satisfaction. Ms. Machen presented a draft of the Board's performance indicators self-evaluation report for 2009-2010.

C. Hospital Inspection Report - Christina Johnson

Discussion: Ms. Johnson presented the Hospital Inspection report to the Board's satisfaction.

8. Discussion and Determination

A. Is there a need to continue to mail yearly Wallet/Registration cards? - Gary Ailes, DVM.

Discussion: Dr. Ailes asked that the Board consider discontinuing the mailing of yearly wallet/registration cards. A verification of licensure is available on the web-site. The consensus of the Board is that the licensees that renew on-line can easily print verification for their records. Ms. Machen stated that slowly phasing out this mailing would save approximately \$1500.00/year.

B. 2011 Board Meetings

Discussion: May 4, 2011 Reno; July 14, 2011 Reno; October 19, 2011 Las Vegas

9. Public Comment

Michelle Wagner with the NVMA wanted to bring to the Boards attention that the AVMA provided a proclamation to the Legislators regarding 2011 being the 150th Anniversary of Veterinary Medicine.

10. Agenda items for next meeting

11. Adjournment

Motion: Dr. Bradley moved to adjourn at 3:39pm.

Second: Beverly Willard

Passed: Unanimously.

STATE OF NEVADA



BOARD OF VETERINARY MEDICAL EXAMINERS

4600 Kietzke Lane, Building O-265

Reno, Nevada 89502

Phone 775 688-1788/fax 775 688-1808

VETBDINFO@VETBOARD.NV.GOV

WWW.NVVETBOARD.US

BOARD MEETING

at

Western Veterinary Conference
Oquendo Center for Clinical Education
2425 East Oquendo Road
Las Vegas, Nevada 89120

Thursday, October 21, 2010

MINUTES

Board Members Present

Craig Schank, DVM, President
Richard Simmonds, DVM VP
Ronald Sandoval DVM
William Taylor, DVM
Scott Bradley, DVM
Mark Iodence, DVM
Beverly Willard

Staff Present

Debbie Machen, Exec. Dir.
Tracie Estep, Admin. Asst.
Mike Chumrau, DVM, Investigator
Christina Johnson, LVT, Inspector
Louis Ling, Esq.

Other

Christina Parvin, Deputy Attorney General

Dr. Schank called the meeting to order at 8:15 a.m.

1. Approval of Board Minutes

A. July 22, 2010

Motion: Dr. Taylor moved to approve.

Second: Dr. Bradley

Passed: Unanimously

2. Disciplinary Action

A. S001-031110-LTD-03 Randall Scagliotti, DVM: Administrative Hearing.

Discussion: Dr. Schank called the hearing to order at 8:20 am. Dr. Randall Scagliotti appeared and was sworn in by President Schank prior to answering questions or providing testimony.

Mr. Ling advised the Board that Dr. Scagliotti had stipulated to the facts as plead in the Allegation.

Dr. Scagliotti presented the Board an affidavit from his company's resident coordinator (Exhibit 1) explaining that "she had entered his renewal on-line and assumed that he had taken the required continuing education." He also submitted copies (Exhibits 2-5) of his current 2010 continuing education. He explained, "his intent was to attend the continuing education (CE) but because of his mother's illness had to cancel; there was no intent to deceive." He explained, "he lectures several hours every week at resident level CE each year in Ophthalmology." He asked, "The Board to reconsider the punishment due to the special circumstances."

In closing, Mr. Ling stated that since Mr. Scagliotti had admitted to the violation that the recommendation would be consistent with prior licensees that had not complied with their required CE.

Motion: After deliberation, Dr. Taylor made the motion to accept Dr. Scagliotti's acceptance of guilt with a letter of concern.

Second: Dr. Bradley

Passed: Unanimously. Dr. Simmonds abstained.

B. SL01-042010

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Beverly Willard

Passed: Unanimously. Dr. Taylor abstained.

C. WS01-060910

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Taylor moved to dismiss.

Second: Dr. Bradley

Passed: Unanimously. Dr. Simmonds abstained.

D. YS01-070610

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Iodence moved to dismiss.

Second: Dr. Sandoval

Passed: Unanimously. Dr. Simmonds abstained

E. TS01-070710

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Beverly Willard

Passed: Unanimously. Dr. Schank and Dr. Taylor abstained.

F. AAFP01-071410

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of recommendation to the Licensee regarding written aftercare instructions being given to the client upon release and when an e-collar is recommended, the medical record reflect that recommendation.

Motion: Dr. Bradley moved to dismiss with a letter of recommendation.

Second: Dr. Taylor

Passed: Unanimously. Dr. Iodence abstained.

G. TN01-072810

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Dr. Taylor

Passed: Unanimously. Dr. Bradley abstained.

H. AZS01-073110

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action.

Motion: Dr. Simmonds moved to dismiss.

Second: Dr. Iodence

Passed: Unanimously. Dr. Schank abstained.

I. SWS01-091710

Discussion: The review panel recommended the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of recommendation to the Licensee regarding the lack of communication with the owner regarding the aftercare of the animal, that the medical record is clear as to who performed the surgery, and the medical record documents the aftercare instructions.

Motion: Dr. Iodence moved to dismiss with a letter of recommendation.

Second: Dr. Simmonds

Passed: Unanimously. Dr. Sandoval abstained.

3. Continuing Education-Request for approval of CE's for:

A. Tracheal/Urethral Stenting by Michael Dearmin, DVM, DACVS for veterinary technicians - 2 hours continuing education.

Discussion: The Board reviewed the CE request and supporting documentation. The consensus of the Board was that the content of the class is not appropriate for veterinary technicians due to the course outline not being specific to the duties and care that a licensed veterinary technician would provide before and after this procedure.

Motion: Dr. Simmonds moved to deny.

Second: Dr. Bradley

Passed: Unanimously

4. Legal Report-Louis Ling, Esq.

A. Open/Pending Complaints/Hearings.

Discussion: There was no report.

5. Requests for Licensure/Reinstatement

A. Vidya Francis, DVM; Evaluation, discussion, and determination of probationary terms.

Discussion: Dr. Francis was present to discuss the terms of his Probation and review the documentation that supports the completion of all the conditions and terms.

Ms. Machen provided an overview of Dr. Francis's probationary terms, including his disciplinary history, Order of Probation, continuing education, new anesthesia and surgical release forms, and the current hospital inspection. Dr. Taylor asked why the discrepancies in the controlled substance logs. Dr. Frances stated, that the logs have now been updated and will be reconciled on a regular basis."

Motion: Dr. Simmonds moved to terminate Dr. Francis's probation.

Second: Dr. Sandoval

Passed: 5 yeas/Ms. Willard abstained

B. Glenn Park, DVM; Evaluation, discussion, and determination of Probationary terms.

Discussion: Dr. Park was present to discuss the terms of his Probation and review the documentation that supports the completion of all the conditions and terms.

Ms. Machen provided an overview of Dr. Park's probationary terms. Ms. Johnson provided an assessment of Dr. Park's facility inspection. The Board had not received a response to the inspection, but he still had time to submit his response and Dr. Park assured the Board that the facility was in full compliance and that he would submit the written statement prior to the due date.

Motion: Dr. Taylor moved to terminate Dr. Park's probation.

Second: Dr. Bradley

Passed: Unanimously

C. Hany Botros, DVM; Evaluation, discussion, and determination of Probationary terms.

Discussion: Dr. Botros was present to discuss the terms of his Probation and review the documentation that supports the completion of all the conditions and terms.

Ms. Machen provided an overview of Dr. Botros' probationary terms, including continuing education, new anesthesia/surgery forms, and the current hospital inspection. Dr. Simmonds stated that the review panel saw improvement in the medical records but still had some concerns and were recommending that Dr. Botros continue to work with a mentor to improve his medical record keeping. Dr. Botros stated "that he would voluntarily work with a Board appointed person."

Motion: Dr. Taylor moved to terminate Dr. Botros' probation with the above noted stipulation.

Second: Beverly Willard

Passed: Unanimously

D. Amanda Nolen; special circumstance for LVT license.

Discussion: Ms. Nolen submitted an application for veterinary technician licensure. Ms. Nolen asked to be licensed based on previous NAC 638 laws that were changed in March of 2010. The Board reviewed her application and all supplemental documentation.

Ms. Nolen was present and explained to the Board the circumstances that led her to believe that she could obtain a veterinary technician license based on her active veterinary technician license in Washington. It had taken her almost a year to meet the requirements only to find out that the laws had changed in April of 2010.

Motion: Dr. Sandoval moved to accept her application.

Second: Dr. Simmonds

Passed: Unanimously.

E. Bethany Heldt; application request VTIT & LVT with a Bachelor of Science Degree in Biology.

Discussion: Ms. Heldt submitted an application for veterinary technician-in-training and veterinary technician licensure in the State based on her Bachelor of Science Degree in Biology. The Board reviewed her application and all supplemental documentation.

Motion: Dr. Simmonds moved to accept her application.

Second: Dr. Taylor

Passed: Unanimously.

6. Discussion of Regulations/New Policies

A. Update on AAVSB meeting in Baltimore.

Discussion: Ms. Machen provided the Board with an outline of the presentations at the September AAVSB meeting.

B. LCB R-116-10 Dispensing/Prescribing of drugs

Discussion: The following changes were recommended:

1) PG 4; Section 4; 1 c

Concern that "new" prescription being picked up at a practice only when a veterinarian is present is a concern. The language could be changed to: "veterinarian is available" or the addition of LVT being present or available.

2) PG 5; Section 4; (6)

Add LVT to verification

3) PG 8; j
Change "surgery log" to "surgery record"

Exempt large animal or add "for procedures only done in a veterinary facility"

Add "if it appropriate for the species of the animal"
Take out blood pressure and oxygen levels.

Change "15" minutes: to "5".

Add that the medical records must capture the initials of the person who performed the procedure,

4) PG 11; 2 g
Add existing surgical and gingival incision.

5) Add External anal gland expression tasks to unlicensed assistants.

Ms. Machen reminded the Board that we will be having a public hearing regarding these potential changes before they are finalized and presented to the Board at a future meeting for approval for submission to the Legislature Regulatory Review Committee.

C. Request for amending NAC 638.760 Animal Physical Therapy

Discussion: Ms. Darlene Rogue was present to answer Board questions regarding a request that she had made to change laws that would allow physical therapy assistants (PTA) to work under the direction of an animal physical therapist. Ms. Rogue explained that "she has been a licensed PTA for the past 7 years, has completed the University of Tennessee's canine rehabilitation certification, and completed 300 hours of clinical experience." The Board requested that staff discuss this issue with the registered animal physical therapists and the veterinarians that are utilizing these services to determine the need.

D. Legislative update 2011

Discussion: Ms. Machen provided the Board with a list of current Bill Draft Requests that the Board and Ms. Laxalt will be tracking.

E. Set-up legislative and hospital inspection committee.

Discussion: The 2011 legislative committee will be Dr. Simmonds, Dr. Taylor, and Dr. Schank and the hospital committee will be Dr. Taylor and Dr. Sandoval.

F. PRN presentation.

Discussion: Larry Espadero, LADC, Director of the Clinical Dependency Program at Montevista Hospital was present to give a presentation to the Board about the PRN program. He explained how PRN evolved, the referral process, the monitoring, and the contract between PRN and the Licensee. He stated that the contracts are for five years with specific parameters individualized according to their needs. The only cost to the Licensee is for the drug testing. In-house testing is \$20.00 and an outside lab cost is \$50.00. He suggested that the Board place contact information on their web-site and the NVMA web-site so that the Licensees understand that they can be admitted into the program on a voluntary basis and this is not reported to the Board unless the Licensee fails a drug test or fails to complete the contract.

G. Update on rabies vaccination laws

Discussion: Ms. Machen provided the Board with an update to the current rabies/zoonotic disease laws in the State. Pursuant to NRS 638.015 and NRS 441A, only a licensed veterinarian or a licensed veterinary technician can administer a zoonotic vaccination.

H. Continuing Education credits for the presenter of an approved course.

Discussion: The Board requested staff to research other boards regarding provider approved continuing education and provide this information at the next meeting.

I. Boarding animals in a veterinary hospital

Discussion: The Board discussed the issue of a veterinary facility that provides boarding services to the public and the jurisdiction this board has over these ancillary practices. The Board requested staff to research other veterinary boards and provide this information at the next meeting.

J. Misdemeanor DUI applicant for licensure-Board approval?

Discussion: Ms. Machen discussed license applications that are being presented to the Board when the applicant has a misdemeanor DUI. The criteria that is currently being used to determine if the application needs to be approved by the Board is the following: When did it happen; was it a first offense; was it drug related; was it related to the practice of veterinary medicine; and have they complied with any stipulations in any court order. The consensus of the Board is that the language on the application should be changed from "gross misdemeanor" to misdemeanor"

7. Staff Reports

A. Financial Report - Debbie Machen

Discussion: Ms. Machen presented the un-audited financial report to the Board's satisfaction.

B. Audit - Debbie Machen

Discussion: Ms. Machen presented the 2009-2010 audit to the Board's satisfaction. Dr. Simmonds suggested that the language in the "Management Discussion and Analysis" section be reworded so that there is no misunderstanding that the indicated "increase" in license fee income is related to an increased number of licensees and not an actual increase in the fees for licensure.

C. Hospital Inspection Report - Christina Johnson

Discussion: Ms. Johnson presented the administrative report to the Board's satisfaction.

D. Administrative Report - Tracie Estep

Discussion: Ms. Estep presented the administrative report to the Board's satisfaction.

8. Discussion and Determination

A. American Academy of Veterinary Acupuncture letter regarding RACE and the response of AAVSB.

Discussion: Ms. Machen had provided the Board with a letter from AAVA regarding the denial of their continuing education courses from RACE and the response from RACE.

B. Staff Evaluations.

Discussion: Ms. Machen explained that she had completed staff evaluations. For the second year there would be no request for merit or cost of living increases. Members of the Board commended Ms. Machen and the staff on their job performance and applauded their voluntary decision not to seek salary or merit increases again this year.

C. Set Board Meetings, Reno; January 27, 2011; Las Vegas; April 21, 2011.

The Board meetings were set at follows:

January 27, 2011-Reno

April 21, 2011-Las Vegas

July 14, 2011-Reno

9. Public Comment

Discussion: Ms. Wagner, Executive Director of the NVMA provided an update from the Wild West Veterinary Conference. She stated "that the conference had been a great success and that attendance had increased from the 2009 conference."

10. Agenda items for next meeting

None

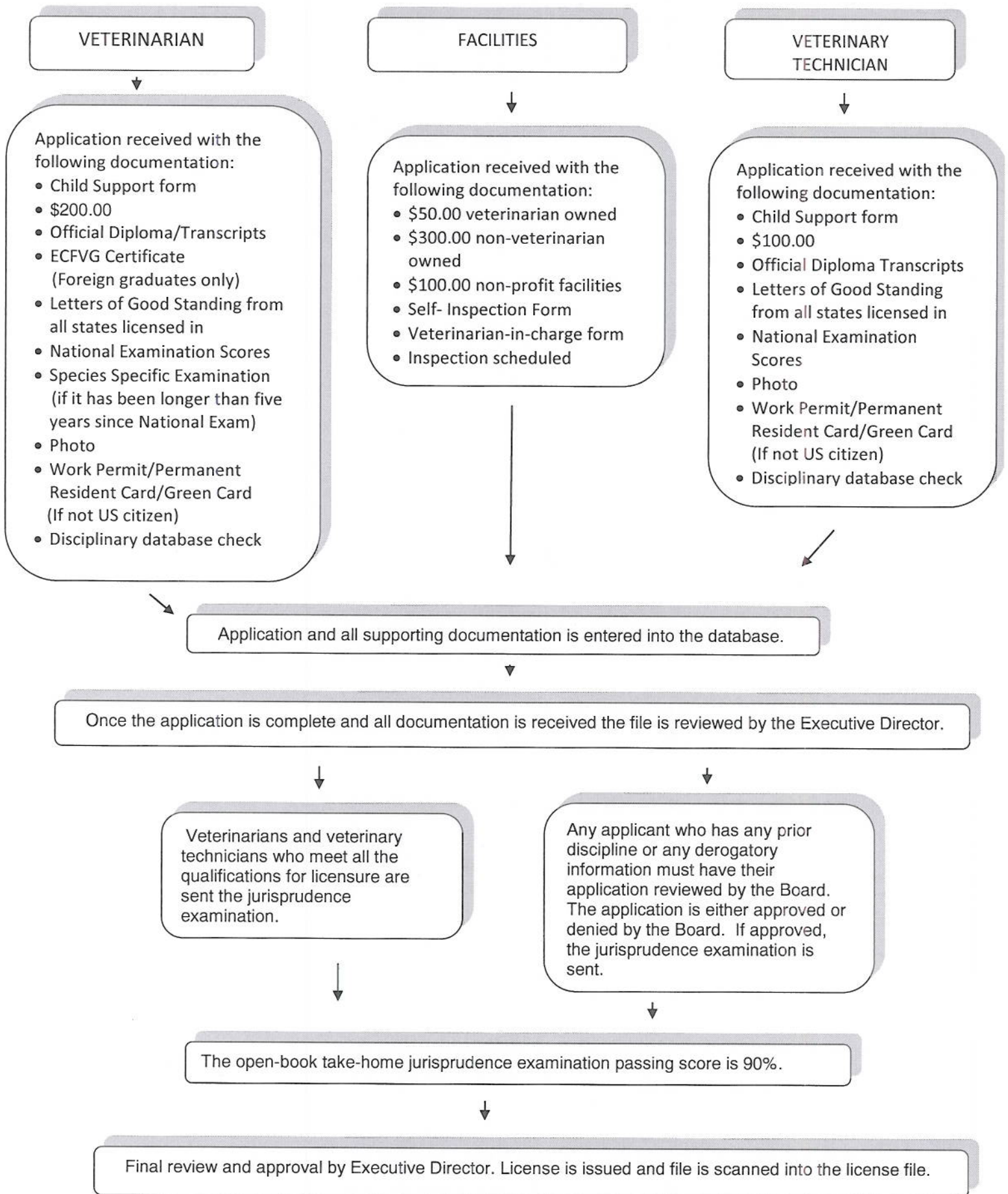
11. Adjournment at 3:00 p.m.

TAB 7

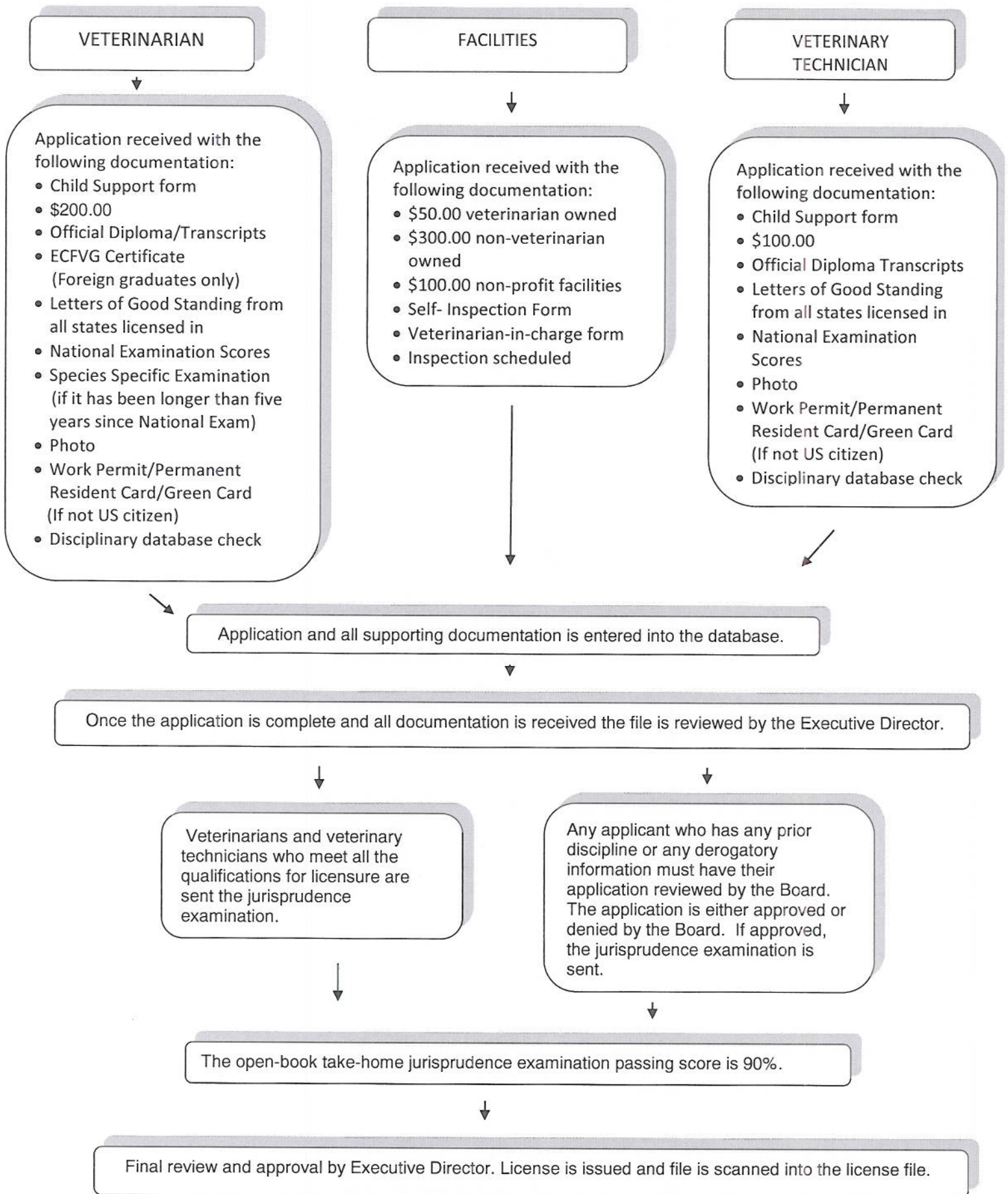
Application Process

NEVADA STATE BOARD OF VETERINARY MEDICAL EXAMINERS
Nevada Revised Statutes 638.020

APPLICATION PROCESS



APPLICATION PROCESS



APPLICATION PROCESS

