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

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

MEETING OF:

STATE BOARD OF VETERINARY MEDICINE

TIME: 10:32 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

July 26, 2024

State Board of Veterinary Medicine
July 26, 2024

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BOARD MEMBERS:

Thomas Garg, V.M.D., Chair
Matthew Eaton, Director of Operations, Bureau of
Professional and Occupational Affairs, on behalf of
Arion R. Claggett, Acting Commissioner
Joseph S. Bender D.V.M.
Anjilla Cooley, D.V.M.
Clement George, Public Member
Apryle Horbal, V.M.D.
Valerie Kehoe, C.V.T.
Hilary Vesell, Esquire, Public Member

BUREAU PERSONNEL:

Todd P. Kriner, Esquire, Board Counsel
Thomas M. Davis, Esquire, Regulatory Board Counsel
Paul J. Jarabeck, Esquire, Senior Board Prosecutor
Sarah Buhite, Esquire, Board Prosecutor
Denice Szekely, Esquire, Board Prosecutor
Michelle Roberts, Board Administrator
Andrew LaFratte, MPA, Deputy Policy Director,
Department of State

ALSO PRESENT:

Beth Venit, VMD, MPH, DACVPM, Chief Veterinary
Officer, American Association of Veterinary State
Boards
Madeline Helmstetter, Sargent's Court Reporting
Service, Inc.

1 ***

2 State Board of Veterinary Medicine

3 July 26, 2024

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:30 a.m. the Board entered into Executive Session
7 with Todd P. Kriner, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations
9 and to receive the advice of counsel. The Board
10 returned to open session at 10:30 a.m.]

11 ***

12 The regularly scheduled meeting of the State
13 Board of Veterinary Medicine was held on Friday, July
14 26, 2024. Thomas Garg, V.M.D., Chair, called the
15 meeting to order at 10:32 a.m.

16 ***

17 [Todd P. Kriner, Esquire, Board Counsel, noted the
18 meeting was being recorded and voluntary
19 participation constituted consent to be recorded.

20 Mr. Kriner also noted the Board met in Executive
21 Session to deliberate on quasi-judicial matters and
22 to receive advice of counsel on the matters upon
23 which the Board will later vote.]

24 ***

25 Roll Call

1 [Chair Garg noted all Board members are attending
2 virtually and provided a roll call of Board members.
3 A quorum was present.

4 Chair Garg welcomed new Board member, Clement
5 George, who introduced himself to Board members.]

6 ***

7 Introduction of Attendees

8 [Michelle Roberts, Board Administrator, provided an
9 introduction of attendees.]

10 ***

11 Approval of minutes of the May 17, 2024 meeting

12 CHAIR GARG:

13 The first item on the agenda is the
14 approval of the minutes from the
15 previous meeting. Were there any
16 concerns with regard to those minutes?

17 Would anybody like to make a motion
18 to accept those minutes?

19 MS. KEHOE:

20 I make a motion.

21 DR. HORBAL:

22 I'll second.

23 CHAIR GARG:

24 I'll call roll.

25

1 Mr. Eaton, yes; Dr. Bender, aye; Dr.
2 Cooley, aye; Dr. Horbal, aye; Ms.
3 Kehoe, aye; Ms. Vesell, abstain; Tom
4 Garg, aye; Mr. George, abstain.

5 [The motion carried. Hilary Vesell and Clement
6 George abstained from voting on the motion.]

7 ***

8 Report of Board Prosecution - No Report

9 ***

10 Report of Board Counsel - Motion to Enter Default and
11 Deem Facts Admitted

12 MR. KRINER:

13 Based on the Board's discussions in
14 Executive Session, I believe the Chair
15 would accept a motion to grant the
16 Motion to Deem Facts Admitted and Enter
17 Default and Direct Board Counsel to
18 prepare an Adjudication and Order in
19 accordance with those discussions in
20 Executive Session in the Matter of the
21 Commonwealth of Pennsylvania Bureau of
22 Professional and Occupational Affairs
23 vs. Anne Marie Anderson, Case No. 21-
24 57-012822.

25 DR. BENDER:

1 I'll make the motion.

2 DR. HORBAL:

3 I'll second.

4 CHAIR GARG:

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

7

8 Mr. Eaton, yes; Dr. Bender, aye; Dr.
9 Cooley, aye; Mr. George, abstain; Dr.
10 Horbal, aye; Ms. Kehoe, aye; Ms.
11 Vesell, aye; Tom Garg, aye.

12 [The motion carried. Clement George abstained from
13 voting on the motion.]

14

15 Report of Board Counsel - Act 17 of 2024

16 [Todd P. Kriner, Esquire, Board Counsel, addressed
17 House Bill 1661, now Act 17 of 2024, noting that it
18 was signed into law on May 15, 2024, and amends the
19 Controlled Substance, Drug, Device, and Cosmetic Act
20 schedules of controlled substances, making xylazine a
21 Schedule III drug.

22 Mr. Kriner stated the matters being proposed is
23 under Section 4(3)(x), noting the most important item
24 for the Board is it carves out an exception for
25 veterinarians.]

1 ***

2 Report of Regulatory Counsel - Regulatory Status
3 Report

4 [Thomas M. Davis, Esquire, Regulatory Counsel,
5 provided a Status of Regulations Report for the
6 Board's review and noted four active regulations were
7 moving through the process.]

8 ***

9 Report of Regulatory Counsel - IRRC Approval Letter
10 (Euthanasia Regulation 16A-5726)

11 [Thomas M. Davis, Esquire, Regulatory Counsel,
12 informed Board members that Euthanasia Regulation
13 16A-5726 was approved by the Independent Regulatory
14 Review Commission (IRRC) on June 20, 2024, and is
15 being reviewed by the Office of Attorney General as
16 of June 24, 2024. He reported that it is scheduled
17 for publication in the *Pennsylvania Bulletin* on
18 August 10, 2024, and will be a final-form regulation.

19 Mr. Davis noted that the Board will be done with
20 the euthanasia regulation but will have some
21 administrative matters to work out. He stated the
22 Board should be able to issue licenses for euthanasia
23 technicians and certificates of registration for any
24 animal protection organizations that wish to purchase
25 and store drugs for euthanasia.

1 Chair Garg thanked Mr. Davis for his hard work.
2 He commented that it was exciting to see the
3 regulation come to an end. He mentioned that the
4 regulation has been in the process of being drafted
5 since 2012 and has gone through many iterations.]

6

7 Report of Regulatory Counsel - 16A-5732 Fee
8 Regulation

9 [Thomas M. Davis, Esquire, Regulatory Counsel,
10 provided an update for 16A-5732 regarding the fee
11 regulation. He noted the proposed rulemaking was
12 published on June 29, 2024, and public comments are
13 due July 29, 2024. He further noted IRRC comments
14 will then be due 30 days after that on August 28,
15 2024, and informed Board members that he is working
16 on the final-form regulation.

17 Mr. Davis noted that he is waiting on comments
18 but did not believe any were received as of the
19 current date. He mentioned that 16A-5732 could be
20 found on the Independent Regulatory Review
21 Commission's website.

22 Mr. Davis mentioned that both of those
23 regulations intermingle a little bit, where they
24 published as proposed the euthanasia reg and then
25 published as proposed the fee reg and are now

1 publishing as final the euthanasia reg with the fee
2 reg to be final later on.

3 Mr. Davis explained that some changes to the
4 annex for the fee regulation may be necessary before
5 it is published as final because there will be some
6 new sections to the Board's regulations which are
7 addressed in that package and may slow the process
8 down.

9 Mr. Davis mentioned that the Bureau of Finance
10 and Operations (BFO) presented numbers a while ago
11 recommending the Board increase fees even though the
12 Board was in the black at the moment. He referred to
13 FY25-26, noting the Board would still have a
14 remaining balance of \$1.4 million if they did not
15 increase fees but would have approximately \$1.5
16 million if they do increase fees.

17 Mr. Davis mentioned that putting the fee increase
18 in place by this renewal is becoming less and less
19 probable but assured the Board that they are still in
20 the black and in good financial shape. He noted the
21 fee increase is being put in place, because the Board
22 is expending more than it is bringing in per
23 biennium.

24 Mr. Davis addressed another option to push out
25 the renewal period by a couple months to allow the

1 regulation to get put into place before the renewal
2 period opens. He noted the Board is not in dire
3 financial need whatsoever but wanted to provide an
4 option. He also cautioned the Board in doing so and
5 felt it would upset the licensure base for several
6 reasons.

7 Dr. Horbal agreed with Mr. Davis. She commented
8 that everyone knows their license expires at the end
9 of November on an even numbered year and did not want
10 to mess with the renewal period.]

11 ***

12 Report of Board Chairperson - No Report

13 ***

14 Report of Acting Commissioner

15 [Matthew Eaton, Director of Operations, Bureau of
16 Professional and Occupational Affairs, on behalf of
17 Arion Claggett, Acting Commissioner, announced that
18 the Commonwealth and all of its agencies have been
19 updating current websites, including the State Board
20 of Veterinary Medicine. He advised Board members to
21 take a look at the new website and to reach out to
22 Ms. Roberts with any concerns.

23 Mr. Eaton provided an update on the transition
24 to a new licensing platform. He noted the request
25 for proposal (RFP) process concluded, and a vendor

1 has been chosen. He mentioned the vendor could not
2 be revealed at this time, because the contract was
3 not fully signed. He reported having a timeline in
4 place and will begin meeting with the vendor and
5 discussing the transition after Labor Day 2024.]

6

7 Report of Board Administrator - Proposed 2025 and
8 2026 Meeting Dates

9 [Michelle Roberts, Board Administrator, noted the
10 proposed 2025 and 2026 Board meeting dates are on the
11 official calendar and asked Board members to notify
12 her of any issues with those dates.]

13

14 Report of Board Administrator - AAVSB Annual Meeting
15 [Michelle Roberts, Board Administrator, referred to
16 the American Association of Veterinary State Boards
17 (AAVSB) Annual Meeting September 25-28, 2024, and
18 reminded Board members that their next meeting is on
19 September 27, 2024. She announced the deadline is
20 August 28, 2024, and noted Ms. Kehoe expressed an
21 interest in attending.

22 Dr. Cooley also expressed an interest in
23 attending the meeting but will check her schedule.

24 Chair Garg commented that the option of attending
25 through Teams is also available, and Ms. Kehoe

1 mentioned that there was a lot of trouble the last
2 two years with voting in Teams.]

3 MR. KRINER:

4 The Chair would entertain a motion to
5 send two delegates to the AAVSB Annual
6 Meeting.

7 Does somebody want to make a
8 motion?

9 DR. BENDER:

10 I'll make a motion.

11 DR. HORBAL:

12 I'll second.

13 CHAIR GARG:

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

16
17 Mr. Eaton, yes; Dr. Bender, aye; Dr.
18 Cooley, yes; Mr. George, aye; Dr.
19 Horbil, aye; Ms. Kehoe, aye; Ms.
20 Vesell, aye; Tom Garg, aye.

21 [The motion carried unanimously.]

22 ***

23 [Valerie Kehoe, CVT, informed Board members that she
24 is a member of the Registry of Approved Continuing
25 Education (RACE) Committee and will be attending a

1 meeting possibly in February of 2025. She asked
2 whether she is required to inform the Board of her
3 attendance.

4 Mr. Kriner explained that she is not required to
5 advise the Board if she is not representing the Board
6 as a board member.

7 Chair Garg explained that Ms. Kehoe would not be
8 able to be a member of that committee if she was not
9 associated with the Board.

10 Mr. Kriner asked Ms. Kehoe to inform the Board
11 when she attends the meeting, so she could provide a
12 report under Board members who attended a meeting on
13 behalf of the Board.]

14 ***

15 Upcoming Meeting Dates

16 [Thomas Garg, V.M.D., Chair, noted the upcoming 2024
17 meeting dates are September 27 and November 22.]

18 ***

19 Adjournment

20 CHAIR GARG:

21 Would anybody like to make a motion to
22 adjourn?

23 DR. BENDER:

24 I'll make a motion to adjourn.

25 DR. COOLEY:

1 I second.

2 CHAIR GARG:

3 Be safe everybody. We'll see you guys
4 in September.

5 ***

6 [There being no further business, the State Board of
7 Veterinary Medicine Meeting adjourned at 10:56 a.m.]

8 ***

9

10 CERTIFICATE

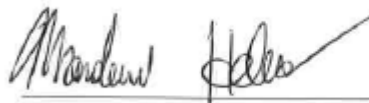
11

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

18

19

20



21

Madeline Helmstetter,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

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STATE BOARD OF VETERINARY MEDICINE
REFERENCE INDEX

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TIME	AGENDA
9:30	Executive Session
10:30	Return to Open Session
10:32	Official Call to Order
10:33	Roll Call
10:34	Introduction of Attendees
10:34	Approval of Minutes
10:36	Report of Board Counsel
10:39	Report of Regulatory Counsel
10:47	Report of Acting Commissioner
10:49	Report of Board Administrator
10:56	Meeting Dates
10:56	Adjournment