

Tennessee Board of Veterinary Medical Examiners



Newsletter



FALL 2010

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(closed State and Federal holidays) <http://tennessee.gov/health>

CURRENT COMPOSITION OF THE BOARD

The Board of Veterinary Medical Examiners is composed of seven (7) members. Five (5) members are licensed veterinarians, one (1) member is a licensed veterinary medical technician, and one (1) member is a citizen member. The State Veterinarian serves as a non-voting, ex-officio member.

Current members are: Bryan Bondurant, DVM, president; Janet Jones, LVMT, vice-president; Joseph Kendrick, DVM, secretary; Tiffani Rogers, DVM; Forrest Reynolds, DVM; Charles "Chuck" Halford, DVM; Valisa Thompson, public member; and Charles Hatcher, DVM, state veterinarian.

LEGISLATIVE UPDATE

The following is a summary of bills relative to the practice of veterinary medicine in the state of Tennessee:

Public Acts 2010

Public Chapter No. 663

This public act requires all physicians, dentists, optometrists, podiatrists, veterinarians, advanced practice nurses with a certificate of fitness, or physician assistants to report the activity within five (5) business days if the provider has actual knowledge that a person has knowingly, willfully, and with intent to deceive, obtained or attempted to obtain controlled substances unlawfully. The report is submitted to the local law enforcement agency where the health care provider is located, or, where one exists, to a judicial district or multi-judicial district drug task force. The controlled substance database advisory committee is required to develop a form that health care providers may choose to

use to make reports. The form will be available on the Department of Health website. A health care provider who is providing treatment to a person with a mental illness may, but is not required to, report this information. The act further provides that only the pertinent information from the database for the thirty (30) days prior to the date of treatment leading to the alleged offense may be received by law enforcement if the health care provider's actual knowledge was obtained from the controlled substance monitoring database. This thirty (3) day report is grounds to obtain more detailed controlled substance database information for purposes of a criminal investigation or pending prosecution. This act extends the immunity provided for the health care provider for making reports in good faith to persons under the direction of the health care provider and to any entity that assumes the responsibility of reporting for the provider. This act further provides that the penalty against a health care provider for violating the provisions of this law would be a civil penalty assessed by the provider's licensing board and would be limited only to cases involving a pattern of willful failure to make a report.

This act became effective March 30, 2010.

Public Chapter No. 680

This public act extends the sunset date of the Board of Veterinary Medical Examiners to 06/30/2013.

This act became effective March 31, 2010.

Public Chapter No. 775

This public act provides immunity from civil liability to any person who in good faith and without compensation for services provides, renders, or obtains emergency care for a non-livestock animal that is running at large, abandoned, injured or in distress due to an emergency, or for a stray non-livestock animal, for any injuries or harm to such animal resulting from such actions, or any act or failure to act to provide or arrange for further emergency care. This immunity would not apply if a

person fails to take reasonable steps to locate the owner of such animal prior to rendering or obtaining emergency care unless a licensed veterinarian determines that the animal needs immediate emergency care to alleviate pain or save the life of the animal or the animal exhibits visible signs of recent abuse. Taking reasonable steps to locate the owner includes attempting to contact the owner using any notification information located on the animal's identification tag, collar, or chip; and includes providing notice to an appropriate animal shelter, dog pound, animal control agency or humane shelter operated by the municipality, county, or other governmental agency located where the person resides. The person must also notify an appropriate shelter in the location where the person took custody of the animal, if the location is outside of the municipality or county where the person resides. The person must give to the shelter or shelters such person's contact information. This act provides that a licensed veterinarian, or ancillary veterinary personnel employed by and working under the direct supervision of a licensed veterinarian, who, in good faith, at the request of someone other than the owner renders emergency treatment to an ill or injured non-livestock animal, is not liable to the owner of the animal for any civil damages arising from the treatment provided to the animal; or who renders treatment other than emergency treatment to a non-livestock animal is not liable to the owner of the animal for any civil damages arising from the treatment only if the person requesting the treatment certifies in writing to the veterinarian, or ancillary veterinary personnel, that such person has taken reasonable steps to locate the owner. This act further provides that an animal control agency or an employee of an animal control agency acting within the scope of such employment, who, in good faith, takes into its custody and cares for a stray or abandoned non-livestock animal, or a non-livestock animal running at large for which reasonable steps to locate the owner of such animal are taken, that has been delivered to such agency or employee by an individual or group of individuals not affiliated with the agency, would not be subject to civil liability for its care of such animal. The immunity provided in this bill for the rendering of care to an animal would not apply if the actions constitute malice, gross negligence, or criminal misconduct.

This act became effective April 16, 2010.

Public Chapter No. 804

This public act provides that the practice of veterinary medicine means to diagnose, treat, correct, change, alleviate, or prevent animal disease, illness, pain, deformity, defect, injury, or other physical, dental, or mental conditions by any method or mode, including: the prescription, dispensing, administration, or application of any drug, medicine, biologic, apparatus, anesthetic, or other therapeutic or diagnostic substance or medical or surgical, including cosmetic, technique; the use of complementary, alternative, and integrative

therapies; the use of any manual, mechanical, biological, or chemical procedure for the testing of pregnancy, or for the management or treatment of sterility or infertility; the rendering of advice or recommendation by any means including telephonic and other electronic communications; the collection of blood or other samples for the purpose of diagnosing disease or other condition; and the removal of an embryo from livestock or companion animal for the purpose of transplanting such embryo into another female animal or for the purpose of cryopreserving such embryo. The act exempts any unlicensed personnel employed by the United States Department of Agriculture or the Tennessee Department of Agriculture who are engaged in animal disease control programs, or who perform laboratory examinations. The act clarifies that extension personnel or vocational agriculture teachers are not prohibited from doing educational work that is considered normal to their profession in their government positions. The act further provides that the practice of veterinary medicine means to represent, directly or indirectly, publicly or privately, an ability and willingness to do an act describe above; and to use any title, words, abbreviation, or letters in a manner or under circumstances that would induce the belief that the person using them is qualified to do any act described above. Such use is prima facie evidence of the intention to represent oneself as engaged in the practice of veterinary medicine. The act provides definitions for "consultation" and "veterinarian-client-patient relationship". "Consultation" means when a licensed veterinarian receives advice in person, telephonically, electronically, or by any other method of communication, from a veterinarian licensed in this or any other state, or other person whose expertise, in the opinion of the licensed veterinarian, would benefit a patient. The welfare of the patient is the responsibility of the licensed veterinarian receiving consultation. "Veterinarian-client-patient relationship" means the veterinarian has assumed responsibility for making clinical judgments regarding the health of the animal and the need for medical treatment, has obtained informed consent, and the client has agreed to follow the veterinarian's instructions; the veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal; the veterinarian has seen the animal within the last twelve (12) months or is personally acquainted with the keeping and care of the animal, either by virtue of an examination of the animal or by medically appropriate visits to the premises where the animals are maintained within the last twelve (12) months; the veterinarian is readily available or has arranged for emergency coverage for follow-up evaluation in the event of adverse reactions or the failure of the treatment regimen; the veterinarian must maintain medical records as required by the Board of Veterinary Medical Examiners; and the veterinarian-client-patient relationship cannot be established or maintained solely by telephone or other electronic means. The act exempts any lawfully qualified veterinarian residing in some other state or

country when meeting in consultation with a licensed veterinarian of this state who does not open an office or appoint a place to do business within this state; does not print or use letterhead or business cards reflecting addresses in this state; does not establish answering services or advertise the existence of a practice's address within this state; and who practices veterinary medicine as a consultant while rendering services directly to the public, under the direction of and in consultation with Tennessee licensees for less than twelve (12) days per calendar year. The act removes the exemption for any licensed veterinarian residing near the border of a neighboring state whose practice extends into the limits of this state. This act provides an exemption for any person or such person's employees to remove an embryo from the person's own food animal for the purpose of transplanting or cryopreserving such embryo. The act provides an exemption for the use of any manual procedure for the testing of pregnancy in bovine animals when performed by a farmer if the farmer testing for pregnancy is not compensated by the person who owns such animals, other than by the exchange of services for or the use of equipment by such farmer performing the pregnancy test; and if the results of such testing are for the owner's use only and not to affect commerce.

This act became effective April 19, 2010.

ACCESSING THE BOARD'S WEB SITE

- Log onto <http://tennessee.gov/health>
- Click on "For Health Care Professionals"
- Click on "Health Related Boards"
- Click "Boards, Councils, Committees, and Registry"
- Select "Veterinary Medical Examiners"

The direct address is: <http://health.state.tn.us/Boards/Veterinary>

ACTIVE LICENSEES AS OF SEPTEMBER 30, 2010

Veterinarians:	1,938
Veterinary Medical Technicians:	409
Certified Animal Euthanasia Technicians:	226
Veterinary Facilities:	669
Certified Animal Control Agencies:	61

LICENSING ACTIVITY FOR 2009

New Licensees:

Veterinarians:	118
Veterinary Medical Technicians:	48
Certified Animal Euthanasia Technicians:	41
Veterinary Facilities:	55
Certified Animal Control Agencies:	2

Renewals:

Veterinarians:	854*
Veterinary Medical Technicians:	165**
Certified Animal Euthanasia Technicians:	70***
Veterinary Facilities:	197
Certified Animal Control Agencies:	25

*Web Renewals:	153
**Web Renewals:	47
***Web Renewals:	15

CHANGE OF ADDRESS

Each person holding a license/certificate who has had a change of address shall file in writing with the Board his/her current mailing address, giving both old and new addresses. Such request should be received in the Board's administrative office no later than thirty (30) days after such change has occurred and must reference the individual's name, profession, and license/certificate number.

2011 BOARD MEETING DATES

April 20 & 21

August 24 & 25

December 14 & 15

All meetings begin at 9 CT and are open to the public. Dates and locations are subject to change, but are listed on the Board's web site.

Tennessee Board of Veterinary Medical Examiners
227 French Landing, Suite 300
Heritage Place Metro Center
Nashville, TN 37243



Tennessee Board of Veterinary Medical Examiners Board Members as of September 30, 2010

Janet B. Jones, L.V.M.T.
Vice-President
Knoxville

Bryan W. Bondurant, D.V.M.
President
Gallatin

Joseph Kendrick, D.V.M.
Secretary
Knoxville

Tiffani D. Rogers, D.V.M.
Memphis

Valisa Thompson
Consumer Member
Nashville

Forrest W. Reynolds, D.V.M.
Franklin

Charles Hatcher, D.V.M.
State Veterinarian
Ex-officio Member

Charles R. Halford, D.V.M.
Memphis

Elizabeth L. Miller, Director
Health Related Boards
Ex-officio Member

Board Staff

Rita Buckner-Shelton
Board Administrator

Lisa Lampley
Director

Katherine Young
Licensing Technician

Robert Taylor, D.V.M.
Consultant/Inspector