



CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Veterinary Medical Examiners
124 Halsey Street, 6th Floor, Newark, NJ 07102



ROBERT LOUGY
Acting Attorney General

STEVE C. LEE
Acting Director

Mailing Address:
P.O. Box 45020
Newark, NJ 07101
(973) 504-6500

VETERINARY MEDICAL EXAMINERS FEBRUARY 24, 2016 HUDSON ROOM PUBLIC SESSION MINUTES

A. CALL TO ORDER

This scheduled meeting of the Board will be called to order at 10:00 a.m. in the Hudson Conference Room 6th Floor, 124 Halsey Street, Newark, New Jersey.

	<u>Present</u>	<u>Absent</u>
Board President Logan	(X)	()
Board Member Adler	(X)	()
Board Member Charnick	()	(X)
Board Member Croman	(X)	()
Board Member Gardner	(X)	()
Board Member Tamassia	()	(X)
Board Member Thornton	(X)	()
Deputy Attorney General Oo	()	(X)
Deputy Attorney General Bradford	(X)	()
Executive Director Eisenmenger	(X)	()

Announcement of quorum.

In accordance with Chapter 231 of P.L. 1975, more commonly referred to as the Sunshine Law, adequate notice of this meeting was provided by mailing to the Office of the Secretary of State, the Newark, Star Ledger, the Trenton Times, the Bergen Record. Atlantic City Press and the Courier Post .

B. APPROVAL OF PUBLIC MINUTES

1. January 27, 2016 Public Minutes - On a motion by Dr. Adler, seconded by Dr. Croman, the Board approved the minutes of the Public Meeting held on January 27, 2016. The Vote of the Board was unanimous.

C. PUBLIC COMMENT

D. OLD BUSINESS

1. IMO Jaque Smith aka Jacqueline Smith Fabrico Order continuing temporary restraints pursuant to Rule 4:52 – The Board drafted a response to Judge Sandson’s Order Continuing Temporary Restraints Pursuant to Rule 4:52 filed February 3, 2016 in the matter of Jacqueline Smith. On page three of this Order, the Board was directed to issue an opinion as to whether Defendant’s “teeth floating” practices described in the attached one (1) page document, identified as “Bates Page 98”, constitute the practice of veterinary medicine and the reasoning for said opinion.

E. NEW BUSINESS

F. LEGISLATIVE/REGULATORY

1. The Board reviewed a number of inquiries and correspondence concerning unlicensed individuals performing massage therapy with animals. These items were tabled from the December 2015 meeting for research and discussion with Regulatory Analyst Chuck Manning.

The Board reviewed the statutes and regulations governing veterinary medicine, and was also referred to the regulations of the Massage Therapy Board.

Under the Board’s statutes and regulations, massage therapy for the treatment of any condition (physical or mental) of an animal constitutes the practice of veterinary medicine. The Board determined to respond to the inquiring parties that anyone who graduates from the animal massage certification program that they would be prohibited from performing treatment or therapy on animals unless they are under the direction and supervision of a licensed veterinarian.

In addition, the Massage Therapy regs state that licensed massage therapists are prohibited from performing massage therapy on animals because it is considered the practice of veterinary medicine. Pursuant to **N.J.A.C.** 13:37A-3.1(b)(2). It would, then, also seem that licensed massage therapists would not be permitted to perform animal massage either.

On a motion by Dr. Croman, seconded by Dr. Adler, the board found that animal massage therapy is within the scope of practice of veterinary medicine in the State of New Jersey. The Board directed the executive director to send a letter to the correspondents with this information.

2. S1315 Bill regarding practice of physical therapy - The bill revises the Physical Therapist Licensing Act of 1983 by expanding the scope of practice of physical therapists to include, among other things, animal physical therapy.

On a motion by Dr. Adler, seconded by Ms. Thornton, the Board determined to OPPOSE this legislation, as the education of physical therapists does not contain an adequate knowledge of animal anatomy and physiology to scope of physical therapy that would permit these individuals to practice safely and effectively on animals.

G. ADMINISTRATIVE

1. Darlene Kane, FY2016 Budget Report - This was received as informational.

H. CREDENTIALING

I. CORRESPONDENCE

1. AAVSB Board of Directors and Committees information - This was received as informational.

2. AAVSB Nominations packet for 2016 - This was received as informational.

3. Letter from Dr. Thomas Bonura re licensure requirements

On a motion by Dr. Adler, seconded by Dr. Gardner, the Board directed the executive director to send a license to the Washington State Veterinary Board of Governors stating that the New Jersey Board would consider applicants who are licensed in Washington to practice veterinary medicine, in order to evaluate their credentials to ensure that their licensing requirements are substantially equivalent to the statutory and regulatory requirements in New Jersey, pursuant to **N.J.S.A.** 45:1-7.5.

J. PUBLIC ACTION FILED BY THE BOARD

1. Jacque Smith aka Jacqueline Smith Fabrico – The Board reviewed an Order Continuing Temporary Restraints Pursuant to Rule 4:52 filed February 3, 2016

K. MISCELLANEOUS

1. Legislation Bill # S-63 - Prohibits sight-unseen sale of cats and dogs; requires pet shops to sell cats and dogs only from specified sources; repeals "Pet Purchase Protection Act."

Table for discussion on the next agenda.

L. NEXT MEETING

Next meeting is scheduled for April 13, 2016

M. EXECUTIVE SESSION

The Board will convene in executive session to hold investigative inquiries and to consider new and pending consumer complaints and disciplinary matters. Immediately subsequent to executive session the Board will return to open session to vote on those matters resulting in disciplinary action.

N. ADJOURNMENT