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City Council Meeting
October 27, 2025
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CITY COUNCIL MEETING
COUNCIL CHAMBER, CITY HALL
OCTOBER 27, 2025
5:30 p.m.

VIA ZOOM/ IN PERSON

PRESIDING: Mayor Richard Mays

COUNCIL PRESENT: Tim McGlothlin, Rod Runyon, Scott Randall, Dan Richardson,
Ben Wring

STAFF PRESENT: City Manager Matthew Klebes, City Attorney Jonathan Kara, City Clerk Amie Ell, Deputy Public Works Director David Mills, Police Chief Tom Worthy, Community Development Director Joshua Chandler, Finance Director Brita Meyer, Assistant City Manager / HR Brenda Fahey, Economic Development Officer Jacob Anderson

CALL TO ORDER

The meeting was called to order by Mayor Mays at 5:30 p.m.

ROLL CALL OF COUNCIL

City Clerk Ell conducted Roll Call. McGlothlin, Runyon, Randall, Richardson, Wring, Mays present

PLEDGE OF ALLEGIANCE

Councilor Runyon invited the audience to join in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Mays noted the removal of Item #12 from the Consent Agenda.

It was moved by Richardson and seconded by Randall to approve the agenda as amended.

Motion carried 5 to 0: Richardson, Randall, Runyon, Wring, McGlothlin voting in favor; none

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opposed; none absent.

PRESENTATIONS PROCLAMATIONS

Local Government Academy 2025 Graduate Recognition

Mayor Mays thanks the participants and presented certificates of appreciation

AUDIENCE PARTICIPATION

Jim Wilcox, resident of The Dalles, commended the City Council for supporting the Local Government Academy and preparing future leaders. He reported on the growth and investment at the Columbia Gorge Regional Airport, noting revisions to the joint operating agreement with Klickitat County and inviting the Council to tour the facility next spring. He encouraged members to visit the Fort Dalles Museum to see recent restorations, suggested naming a City asset in honor of former Public Works Director Dave Anderson, and announced that The Dalles Lions Club Charitable Trust had committed \$15,000 toward the Federal Street Plaza Project, which would be their chief fundraising project for 2026.

Kai Nichols, representing Mid-Columbia Community Action Council and the Houseless Collaborative, invited the City Council to a screening of No Place to Grow Old on November 6 at the Granada Theater. She emphasized the unique challenges older adults face in houselessness and encouraged continued focus on housing solutions for seniors and others in need.

Chuck Gomez, representing Beautification Committee, reported that the committee had successfully completed its tree grant project in October, distributing trees to selected applicants at Thompson Park. He noted that the sidewalk beautification grant had continued to enhance the downtown area with new planters and landscaping, creating a more welcoming environment for residents and visitors. Current projects included re-landscaping the triangle at Trevitt, improving the roundabout at Lewis and Clark Park, and enhancing the ODOT slope near the docks. He thanked the City Council for its support of the committee's ongoing beautification efforts.

Dan Durrow and Bruce Lumper, residents of The Dalles, reflected on a six-year effort to repair and maintain The Dalles Riverfront Trail. They said the City Council had unanimously approved seed funding for the project, and that former City Manager Julie Krueger had helped leverage community contributions to nearly cover the estimated project cost. Additional funding was provided by BPA for trail repairs near Taylor Lake. They reported projects, including repairs and seal coating, had been completed, with a total of approximately \$615,000 raised and spent over six years. They also highlighted that annual community fundraising letters had consistently generated \$18,000–\$20,000, demonstrating strong local support.

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CITY MANAGER REPORT

City Manager Matthew Klebes reported;

- There would be an increased use of the consent agenda for routine and non-controversial items, including contract awards, to streamline City Council meetings.
- Letter sent to the US EPA and other agencies regarding the Portland Harbor cleanup and a potential proposal to transport waste to the Wasco County landfill; Council would be informed as responses received.
- Contact with Chenoweth Water District regarding a franchise agreement, prompted by recent construction impacting the Safe Routes to School project, to strengthen coordination and avoid future road cuts.
- Attendance at the Oregon Connections Telecom Conference in Hood River, including participation in a panel on local leadership and Q Life involvement.
- Informational meeting for Downtown 2026 projects, including First Street Streetscaping, the Federal Street Plaza, and the First and Webber interceptor project, with anticipated traffic and parking impacts.
- City Council goal-setting scheduled for November 6–7; the regular City Council meeting on November 10 was cancelled.
 - Community City Council Strategic Planning survey conducted with SSW Consulting, had received 214 responses and would help guide goal-setting discussions.
- Discussions with the Dalles Art Center regarding a roundabout art installation project.
- Ribbon-cutting for new City-owned water infrastructure funded by Google, highlighted the transfer of water rights, the aquifer storage and recovery system, and strengthened local management of community water resources.

CITY COUNCIL REPORTS

Councilor McGlothlin reported;

- Attended a briefing with the City Manager.
- Participated in an airport commission meeting.
- Attended the Google ribbon-cutting with fellow Council members and the City Manager.
- Participated in a houselessness meeting to discuss ongoing community issues.
- Halloween traffic control in the downtown area, reminded the public to be safe and aware with children present.

Councilor Wring reported;

- Attended urban renewal meeting.
- Participated in briefing session with the City Manager.
- Attended Sister Cities banquet at the Neon Sign Museum, part of the cultural exchange

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program with Miyoshi City, Japan.

- Noted upcoming walking school bus event for students traveling to Chenoweth School

Councilor Randall reported;

- Attended a briefing with the Mayor, City Manager, and City Attorney.
- Participated in an interview with Sarah Wilson in preparation for the City Council goal-setting retreat.
- Attended the Water Infrastructure ribbon-cutting and toured the City of Beaverton's aquifer storage recovery system, noting the substantial scale of The Dalles' system acquired through the Google agreement.
- Attended a Historic Landmarks Commission meeting where the request for the Federal Street Plaza was approved.

Councilor Richardson reported;

- Attended the Traffic Safety Commission meeting, discussing priority areas for traffic calming, downtown projects, and potential impacts from Portland Harbor sludge trucks.
- Attended the aquifer recharge ribbon-cutting, noting the benefits of the wells, water rights, and aquifer storage system for the community's water supply; requested updates on test pumping and a future presentation.
- Participated in the urban renewal meeting, where the Tony's lot proposed development was determined financially unfeasible; the lot will be used as a laydown yard for downtown projects in the interim.
- Noted that it was free yard debris month at the Dalles Transfer Station and encouraged residents to use the service.
- Attended the No Kings demonstration, observing a peaceful and multigenerational community gathering with professional police presence.

Councilor Runyon reported;

- Attended a briefing session with the Mayor, City Manager, City Attorney, and Councilor McLaughlin.
- Attended the Google ribbon-cutting, noting that the City will operate the two wells it now owns on Google property, and will charge Google for water use. The system included over 100 million gallons of excess water available for the City, providing long-term aquifer storage benefits.
- Participated in an interview with goal-setting facilitators in preparation for the upcoming City Council goal-setting session.

Mayor Mays reported;

- No report given

CONSENT AGENDA

It was moved by Wring and seconded by McGlothlin to approve the Consent Agenda as presented.

City Attorney Jonathan Kara explained the consent agenda had included a resolution repealing a previously adopted resolution that had mistakenly applied a \$500 administrative fee to a noxious vegetation abatement. The City did not have such a fee, and the repeal corrected the record. He noted that this action followed multiple discussions with the Codes Department and the property owner, who had intended to make the proper payment.

The motion carried 5 to 0, Wring, McGlothlin, Runyon, Richardson, Randall voting in favor; none opposed; none absent.

Items approved on the consent agenda were:

- A) Approval of the October 13, 2025 Regular City Council Meeting Minutes
- B) Resolution No. 25-042 Repealing Resolution No. 24-005, a Resolution Assessing the Real Property Located at 2221 West 8th Street for the Cost of Nuisance Abatement
- C) Authorizing the City Manager to Execute a Public Works Agreement with HB Hansen Construction, Inc. for the Construction of New Aviation T-Hangars at the Columbia Gorge Regional Airport

ACTION ITEMS

Staffing Proposal to Address Critical HR and IT Functions

Assistant City Manager/HR Director Brenda Fahey reviewed the staff report.

Runyon expressed appreciation for the Assistant City Manager's efforts in managing administrative and human resources responsibilities and encouraged careful budgeting and staffing decisions.

Wring supported the proposal but expressed concern about balancing technical and HR skill sets, suggesting possible use of contractors for temporary IT support and noting the need to revisit staffing in the future.

Fahey acknowledged the hiring challenges and said she would seek a candidate strong in one area with aptitude in the other. She added that contracting funds may be proposed in a future budget amendment to support key IT projects.

Klebes explained that Council would be approving the wage table and proposed salary range,

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with the job description and class specification already crafted by administration. Once supported, a second step would bring back a budget amendment to provide the resources to fund the position.

Mayor Mays noted the position would address critical areas—liability, HR, safety, and risk—that had been under-attended and viewed it as a positive step. He highlighted progress in safety and risk and asked for details on the high volume of IT support tickets.

Fahey said IT staff spent 50–75% of their time handling support tickets, which affected productivity and services. She noted that additional support and system upgrades would allow the team to focus on critical projects and address recurring issues.

It was moved by Randall and seconded by Richardson to adopt the attached October 27, 2025 Wage Table, adding 1 FTE (Analyst)

The motion carried 5 to 0, Randall, Richardson, Wring, McGlothlin, Runyon voting in favor; none opposed; none absent.

General Ordinance No. 25-1421 Amending TDMC Chapter 5.20 (Dog Control)

City Manager Matthew Klebes and City Attorney Jonathan Kara reviewed the staff report and additional amendments (see attached).

During council questions, staff provided additional clarifying information including;

- The Oregon Health Authority administered administrative rules that allowed local animal control authorities to request rabies vaccination certificates from veterinary facilities.
- Audio or video recordings of barking dogs served as acceptable, but not required, evidence of a nuisance violation.
 - The intent of the ordinance language was to provide municipal judges with guidance that such recordings could serve as prima facie evidence but were not exclusive proof.
 - The clarification originated from a past municipal judge's recommendation to make enforcement clearer when officers did not directly witness violations.
- Dog owners using veterinarians outside City limits could submit their rabies vaccination certificates as proof when licensing their dogs.
- The proposed ordinance limited the number of adult dogs and allowed only one breeding female per residence to support neighborhood livability.
 - The limits applied only to residential properties and excluded licensed commercial kennels, grooming, or dog sales businesses.

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- Existing zoning rules already prohibited kennels and breeding kennels in residential zones, allowing them only in specified commercial and industrial zones under conditional use.
- Council discussed that the holding period for impounded dogs was a policy decision limited by state law minimums; the proposed ordinance matched those standards and tied the timeframe to the date of notice of impoundment.
- Staff noted that longer holding periods increased financial and space burdens at the Columbia Gorge Humane Society shelter.
- The Animal Control Officer would have discretion to reunite dogs with owners without impoundment when possible through tags or microchip identification.
- No fees were proposed in this ordinance for the proposed three-year license; Council sets dog license fees by resolution.
 - State law set minimum license fees to ensure funding for local dog control programs. The statewide minimum cannot be reduced, except for spayed/neutered dogs, which can be as low as \$3.
 - Any fee changes would be addressed in the annual fee resolution, expected in January.

Mayor Mays asked for public comment.

Brianna Wimber, representing the Columbia Gorge Humane Society, thanked the City for adopting an ordinance requiring dog licensing and current rabies vaccinations, stating it supported public health, responsible pet ownership, and animal welfare. She noted that local veterinarians partnering with the City would help residents stay in compliance and that participating clinics would be recognized as community partners. She addressed questions about impoundment periods, explaining that the shelter's mission was to reunite pets with their owners as quickly as possible, operating every day of the year and making every effort to return dogs promptly despite limited kennel space. She reported that about 150 dogs had been impounded in the prior year and that rehoming had become increasingly difficult due to pet overpopulation, adding that the Humane Society supported reducing impoundment days. She described close coordination with the City's animal control officer, emphasized the value of licensing and microchipping, and noted the shelter's use of social media to help locate owners. Speaking also as a City resident and dog owner, she encouraged consideration of allowing well-trained dogs under reliable voice control within the proposed leash law.

Jim Wilcox, a resident of The Dalles, expressed support for the proposed ordinances, stating he had experienced challenges living near a property with excessive and uncontrolled dogs. He noted that the absence of such ordinances in the past had resulted in significant nuisance and health issues. He recommended setting limits for dogs under six months to prevent overbreeding and suggested removing the distinction between "dangerous" and "potentially dangerous" dogs, stating that dogs exhibiting aggressive behavior should be classified as dangerous. He described

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prior incidents involving a neighboring property with numerous bloodhounds that created noise, odor, and sanitation problems, which required abatement and cleanup under hazardous conditions. He concluded by emphasizing the importance of adopting the ordinance to address such issues and reaffirmed his support for its passage.

Dr. Cynthia Lindsay, owner of Columbia Veterinary Hospital, thanked the Mayor, City Council, and City Manager for including local veterinarians in discussions regarding the proposed animal ordinances. She expressed concern that the County had approved related regulations in October of the prior year without notifying or consulting private veterinary businesses that would be directly affected. She stated that the County's actions repealed and replaced several longstanding animal regulations without outreach to impacted parties. Dr. Lindsay noted that veterinary medical facilities had been excluded from prior versions of the ordinance and emphasized the financial and operational implications of the changes. She questioned the legal and financial responsibility should privacy or disclosure issues arise and clarified that rabies certificates are considered medical records held confidentially by veterinary offices, provided only when required by law or authorized by the pet owner. She expressed appreciation for the City's transparency and collaboration in addressing these issues.

Klebes clarified that the County's jurisdiction on the matter ended at the City limits. He stated that the County's ordinance applied to areas outside the City limits, while the proposed City ordinance governed the animal control program within City boundaries.

Dr. Cynthia Lindsay expressed concern that the County had implemented changes without notifying those affected, noting that while she supported a healthier animal population and a thriving shelter, the County's actions did not appear to have been done in good faith.

Mayor Mays advised that she share her concerns directly with the County by attending a County Board meeting or contacting a commissioner, County staff, or the County Administrator, noting that the County would likely want to hear public feedback.

Dr. Cynthia Lindsay asked for clarification on the requirement for veterinary medical facilities to submit monthly client contact information to the City. She inquired how to determine whether clients resided within City limits if her facility acted as a central point for license sales and questioned why this verification could not be handled by a City cashier instead.

Klebes explained that the goal of the proposed program was to efficiently identify pet owners within City limits and streamline education and enforcement efforts. He noted that processing applications at a central facility would allow staff to capture as many dogs as possible, with follow-up by the animal control officer as needed. He acknowledged that the system would not identify every dog but emphasized that it created a logical nexus for managing compliance, supporting the shelter, and promoting partnerships to return pets to their owners.

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Dr. Dan Davidson, a veterinarian with approximately 50 years of experience, expressed support for the proposed ordinance while noting concerns about its impact on local veterinary clinics. He stated that veterinarians had historically cooperated with animal control and had never withheld required information. He noted that client lists were a valuable business asset and that requiring monthly reporting of all client transactions could drive clients to seek services elsewhere. He also highlighted staffing challenges, explaining that clinic personnel often balanced multiple tasks, making additional license processing burdensome. He expressed appreciation for revisions that limited reporting to rabies certificates and for efforts to streamline the license process, stating that with these adjustments, clinics would be able to assist with license issuance and supported passage of the ordinance.

Kim Robichaud stated that she had little to add beyond previous comments and Dr. Davidson's statements, noting that adding additional responsibilities would create a significant hardship. She explained that her clinic was transitioning to a paperless system after 50 years of using paper records. She requested clarification on whether practices unable to process licenses would be required to submit copies of rabies certificates for clients living within City limits every 90 days and echoed Dr. Lindsay's concern about legal responsibility, noting that turning over rabies certificates involved sharing client information. It was clarified that veterinary practices were not required to submit rabies certificates at this time, as they are part of the medical record, and are only accessed in connection with bite incidents or when an owner is traveling.

Kara summarized the proposed changes, noting the three red-line edits previously provided to the Council. He added two items with apparent consensus: including a cross-reference to the land use and development ordinance for breeders, and removing mention of the state minimum from the ordinance, possibly referencing it on the fee schedule. He asked if there were any additional changes.

When asked to what certainty was it know whether rabies vaccination information was considered privileged or not Kara said to the fullest extent he could determine as an Oregon attorney, rabies vaccination information was not considered confidential. He had consulted medical professionals, reviewed all applicable laws, and prepared a memorandum with 23 citations, which the City Manager had shared with local veterinarians. He had spoken in June with Peter J. Burns, Executive Director of the Oregon Veterinary Medical Examining Board, and had sent him the memorandum. He noted that, according to the Executive Director, veterinary medical records were not confidential.

Lindsay, from Columbia Veterinary Hospital, stated that the change would require clinics to operate differently and could erode client trust. She noted that relationships with clients were already sensitive and said the clinic would not risk damaging those relationships without first informing clients of the new requirement.

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Kara referred to the Oregon Veterinary Medical Board's 2017 newsletter (see attached) and summarized its guidance. He noted veterinary medical records were not confidential, client consent was not required, and records could not be withheld for payment. He stated records must be provided to clients, veterinarians, the Board, or law enforcement, and clinics could choose to provide them to anyone. He added records must be provided within 72 hours, or immediately in emergencies.

Lindsay said the passage referenced from the newsletter addressed client ownership of medical records, not the issue under discussion. Law enforcement requests described in the publication related to specific incidents in which an animal or human health risk existed, which differed from the current situation. She added that, according to the conversation with Peter J. Burns, nothing in the Board statutes or rules either prohibits or requires veterinarians to provide records to the City, creating an apparent conflict with the guidance Kara had just read.

Wring stated he would advocate for this item to return to the next City Council meeting for clarification. He requested a clear legal understanding of veterinarians' obligation to protect client information, noting it is highly sensitive and competitively important. He said his research provided conflicting evidence and recommended guidance from a governing body, such as the Veterinary Board or a state statute, before making a decision.

Klebes stated the ordinance would likely return to the City Council at the December 8 meeting. He noted the first two red-line changes could be incorporated immediately, while the third would require additional work or legal confirmation regarding sharing information. He emphasized the importance of aligning the ordinance with the fiscal year, supporting the local shelter through license fees, and allowing adequate time for administrative work and public awareness.

Mayor Mays announced a recess at 8:30 p.m.

Mayor Mays resumed the meeting at 8:37 p.m.

DISCUSSION ITEMS

Business License Program – White Paper Review and Policy Direction

Economic Development Officer Jacob Anderson reviewed the staff report. Key highlights included:

- Out of 241 Oregon cities, most comparable cities require some type of business license; 77 cities have populations over 5,000.
- Equity concern: some businesses (e.g., short-term rentals, food carts) require licenses, while brick-and-mortar businesses or kennels may not.

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- Key benefit of a business license is compliance: increases engagement and accountability compared to voluntary systems (e.g., dog licenses achieve 10–20% compliance without enforcement, 50–70% with targeted efforts).
- Business licenses provide a “captive audience” and allow the City to manage and regulate businesses more effectively, including addressing problematic operations.
- Licenses serve as a base record for additional services or permits, supporting efficient administration and future planning.
- Enables the City to collect comprehensive business information, identify gaps, and target economic development or recruitment efforts.
- Business license data allows direct outreach to businesses (e.g., for public notices, downtown closures), improving communication efficiency.
- Current estimates: City has ~812–1,100 documented businesses, though total businesses, including multiple LLCs, may be ~2,400.
- Use of AI can help gather contact information, but without a license program, voluntary data collection is limited (~10–20% uptake).
- Emphasized potential for an efficient, online system to reduce administrative costs while enhancing data collection, compliance, and communication.

Council discussion highlights included:

- Support expressed for establishing a registry to track businesses, improve communication, and manage operations that are noncompliant with existing regulations.
- Council noted value of minimal licensing fees, online registration, and keeping it non-revenue generating.
- Several members emphasized avoiding overly burdensome requirements for small businesses; licensing should be simple and efficient.
- Registry could provide critical data for economic development, identifying gaps, and supporting recruitment to vacant commercial spaces.
- AI and Business Oregon data tools help compile business lists, but licensing ensures higher participation and more complete, actionable data.
- Business license would act as a base record for other permits, compliance, and enforcement, including for mobile food vendors, dog licenses, and construction/contractor operations.
- Discussion noted existing state and city data sources are available but incomplete or difficult to compile without a licensing program.
- The program had value and warranted further discussion; potential timing for broader consideration at upcoming goal-setting session.
- The underlying issue was the City’s need to track economic health, including jobs, business sustainability, and population trends.

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- Before implementing a program, council expressed interest in defining the specific metrics and data required to inform economic and policy decisions.
- Alternative solutions, such as purchasing data, were suggested as potentially more efficient than a new licensing program.
- The discussion highlighted the importance of understanding the “why” and ensuring any solution effectively addresses the City’s economic tracking needs.

Lisa Farquharson, CEO of The Dalles Area Chamber of Commerce, supported a business license, noting it would have provided a dedicated, accurate data source for grant writing, workforce tracking, and economic planning. She highlighted that existing data sources were incomplete and time-consuming to compile, and a local registry would have improved competitiveness, supported downtown development, and helped prevent market oversaturation, making economic development efforts more efficient.

Klebes stated that there was interest in exploring a business license program but no decision was needed that evening. He explained the strategic planning process would determine its priority. If ranked high, staff would schedule a future discussion; if lower, it could be postponed.

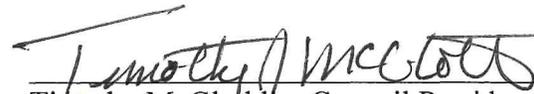
Anderson stated he would have updated implementation cost information by that time to support a rational decision. He added that while it was not his immediate priority, he could work on it as a six-month project, coordinating with the Community Development and Finance departments and the Caselle system, to present a well-prepared proposal for future Council consideration.

ADJOURNMENT

Being no further business, the meeting adjourned at 9:24 p.m.

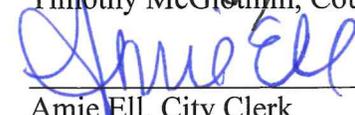
Submitted by/
Amie Ell, City Clerk

SIGNED:



Timothy McGlothlin, Council President

ATTEST:



Amie Ell, City Clerk

Post-Agenda Publication Amendments

General Ordinance No. 25-1421

October 27, 2025, City Council Meeting

Amend **TDMC 5.20.030(A) (License Required)** to read:

No ~~person-keeper~~ shall keep an adult dog within the city limits without obtaining and maintaining a dog license issued pursuant to this Section by July 1, 2026. Any person who keeps one or more adult dogs on premises for reproduction is a keeper for purposes of this Section.

Add a new **TDMC 5.20.030(F)(3) (Reissuance)**:

“The license tag shall display an expiration date that does not exceed the dog’s rabies vaccine coverage expiration by more than 2 months, as required by OAR 333-019-0019. If such coverage expires before the license term ends, the City shall reissue the keeper a license tag when the keeper furnishes a current rabies vaccination certificate for the dog.”

Amend **TDMC 5.20.030(G)(2) (Reporting)**:

At least every 90 days, a person licensed or certified under ORS Chapter 686 working at, for, or on behalf of a veterinary medical facility shall, on behalf of that veterinary medical facility, send the Animal Control Officer a copy of each rabies vaccination certificate issued during that period for all dogs whose keeper has ~~monthly send a written or emailed report that includes (at least) the mailing and email addresses for all keepers visiting that veterinary medical facility that month and having~~ a mailing address within The Dalles, and any other information the City reasonably requests and determines is necessary to enforce this Chapter’s provisions. Information and records submitted pursuant to this subsection G(2) may be used only to administer and enforce this Chapter.

Oregon’s standard ***Rabies Vaccination Certificate***:

RABIES VACCINATION CERTIFICATE
NASPHV FORM 51 (revised 2007)

Owner's Name & Address Print Clearly		RABIES TAG #	
		MICROCHIP #	
LAST	FIRST	M.I.	TELEPHONE #
NO. STREET		CITY	STATE ZIP
SPECIES Dog <input type="checkbox"/> Cat <input type="checkbox"/> Ferret <input type="checkbox"/> Other: <input type="checkbox"/> _____ <small>(specify)</small>	AGE Months <input type="checkbox"/> Years <input type="checkbox"/> SEX <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/> Neutered	SIZE Under 20 lbs. <input type="checkbox"/> 20 - 50 lbs. <input type="checkbox"/> Over 50 lbs. <input type="checkbox"/>	PREDOMINANT BREED ANIMAL NAME
Animal Control License <input type="checkbox"/> 1 Yr <input type="checkbox"/> 3 Yr <input type="checkbox"/> Other _____		PREDOMINANT COLORS/MARKINGS	
DATE VACCINATED Month / Day / Year	Product Name: Manufacturer: <input type="text"/> <input type="text"/> <input type="text"/> (First 3 letters)	Veterinarian's Name: License Number: _____	
NEXT VACCINATION DUE BY: Month / Day / Year	<input type="checkbox"/> 1 Yr USDA Licensed Vaccine <input type="checkbox"/> 3 Yr USDA Licensed Vaccine <input type="checkbox"/> 4 Yr USDA Licensed Vaccine <input type="checkbox"/> Initial dose <input type="checkbox"/> Booster dose Vaccine Serial (lot) Number _____	Veterinarian's Signature Address: _____ _____ _____	



Oregon Veterinary Medical Board Summer 2017 Newsletter

Cite & Fine Update

After many years of collaborative effort between the Board and OVMA, the Board was granted authority in the 2015-17 legislative session to issue a citation and fine in-lieu-of discipline for minor clerical or administrative violations of the Veterinary Practice Act. Rulemaking ensued; however, legal analysis revealed that a key component—confidentiality—was lacking.

Consequently, the Board introduced a concept for the 17-19 legislative session to correct the language in the statute. Unfortunately, before a hearing could be scheduled, a media report characterized the bill as being contradictory to the Governor's commitment to transparency in state government. The Board withdrew the bill.

The current rule authorizes issuance of non-disciplinary citations and fines. While the citation document must be provided to the public on request, the matter is not reportable to the National Disciplinary Database and would not be flagged as discipline on the Board's website.

The Board will continue to work with stakeholders to restore original intent.



LET'S MAKE RULES!

Interested in serving on a Rule Advisory Committee in the future? The Board needs volunteers to help draft rules for issues such as CVT scope of practice, facility standards, and telemedicine. Contact us!

Because ... Records

*Summer brings warm grass and sky,
Fragrant lilies, lulling peppies.
Through the seasons still we cry:
Yes, you must give record copies!*



So Let Us Review:

- Veterinary medical records *are not* confidential. Client consent to release is not required.
- You *may not* withhold patient records pending client consent or for payment of bills.
- You *are allowed to charge* a 'reasonable' copying fee, e.g., comparable to local commercial rates, but you may not hold records hostage for payment.
- Records you provide *must* include imaging, consultation info and test results. Tip: Treatment and referrals declined by the client and provision of follow-up care instructions, should be in the record.
- You *are required* to provide copies of patient records, if asked, to:
 - The client, or another veterinarian
 - The Board
 - Law enforcement
- You *may choose* to provide copies of patient records to anyone!
- Patient record copies should be provided within 72 hours, or immediately in emergency situations.

Complaint Refresher

The Board is required by statute (ORS 676) to investigate complaints against veterinarians, CVTs and euthanasia technicians. If you are the subject of a complaint, here's what you should know:

While every complaint received must be investigated, staff has delegated authority to assess and close cases that are not within the Board's jurisdiction, such as fee disputes, communication, or business practices. You will generally not be notified of nor asked to respond to nonjurisdictional complaints. They are not made part of your public record and therefore not disclosed to the public.

If the complaint is jurisdictional, you will receive a letter asking for a copy of the patient record, a typed transcript of the record, and a summary of the patient's treatment. Do please err on the side of more rather than less information! If the Board cannot come to a decision based on what you provide, you may be called in for an investigative interview.

ORS 676.176 prohibits the Board from identifying a complainant or disclosing details of complaints, so you will not be told who has filed the complaint. (It isn't necessarily a client—the Board can initiate its own investigation, and persons other than the client often file complaints.) The law also protects your identity if the complaint is unfounded.

After the Board has voted on the case, you will be notified of the decision, including options if discipline is proposed. Any person may request a summary of how a decision was reached. If the Board provides a summary, information that would lead to complainant information will be removed. A person who receives a summary is not prohibited from publicizing it. The Board's policy generally is not to provide summaries of complaint decisions.

When the Board declines to disclose confidential information, a person may appeal the decision to the Attorney General. The appeal must show

'clear and convincing evidence' that the public interest is better served by disclosure. When the Attorney General receives a public request order, the Board must notify the licensee of the request and inform them of their right to contest release of the information.

The statute allows sharing of confidential information with state and federal law enforcement and other states' regulatory boards. In a contested case hearing, some contents of the case file may be subject to disclosure through administrative discovery.

Lastly, here are some tips for getting through the process. Generally, less than 10 per cent of complaints received result in discipline. Don't automatically assume the worst.

- ▶ Respond truthfully and thoroughly. Don't alter records after an investigation has begun.

- ▶ Approach the matter with courtesy and respect for the work your colleagues volunteer to do in the public interest.

- ▶ Come to your interview with a positive attitude and willingness to help the Board understand the situation.

- ▶ Your best defense is a patient record that meets the minimum standards in OAR 875-015-0030.

Board Members

- Dr. Emilio DeBess, Portland (Chair)
- Dr. Colleen Robertson, John Day (Co-Chair)
- Dr. Dannell Davis, Astoria
- Ms. Lynn Larsen, Public Member, Lake Oswego
- Dr. Marla McGeorge, Tualatin
- Dr. Patricia Mayfield, Sun River
- Ms. Tiah Schwartz, CVT, Oregon City
- Ms. Peggidy Yates, Public Member, Portland

Staff

- Lori Makinen, Director
- Bertina Balajadia, Admin. Assistant
- Mark Reed, Investigator

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Discipline Update	Rulemaking
<p>In 2016, the Board found violations in 13 cases. Some 2016 cases remain under investigation along with about 25 new cases in 2017. Following is a sampling of cases in which the Board voted to find violations of the Veterinary Practice Act.</p> <p>A dog died after treatment with a contraindicated medication. The Board found the veterinarian in violation of OAR 875-011-0010(7) for failure to use standard methods of treatment and assessed a \$250 civil penalty.</p> <p>A CVT failed to report an arrest within 10 days as required under ORS 676.150(3). The Board imposed a \$250 civil penalty.</p> <p>A veterinarian failed to offer standard diagnostics in violation of OAR 875-011-0010(7) and made inadequate patient records in violation of OAR 875-015-0030. The Board imposed a \$500 civil penalty.</p> <p>A veterinarian failed to disclose an arrest when he renewed his license. The Board imposed a \$250 civil penalty.</p> <p>A veterinarian entered into a stipulated agreement with the Board, under which he agreed not to perform surgeries until certain conditions were met. The veterinarian continued to perform surgeries without meeting conditions. The Board revoked the veterinarian's license.</p> <p>The veterinary license was used to order a prescription drug for a family member. The Board imposed a \$250 civil penalty for violation of OAR 875-011-0010(18).</p> <p>A veterinarian was given a \$3,000 civil penalty for records, follow-up care, and analgesia violations. The amount of the penalty reflected the licensee's history of similar violations.</p>	<p>The Board has <u>adopted</u> these rule amendments and the following changes are now in effect.</p> <ul style="list-style-type: none"> ▶ Only veterinarians or CVTs under immediate supervision may administer rabies vaccine, i.e., neither unlicensed persons nor vet/CVT students may administer rabies vaccines. (OAR 875-010-0045) ▶ Approval of radiation safety programs is moved from Oregon Health Authority to the Board. (OAR 875-030-0050) ▶ Years of experience for out-of-state CVT applicants reduced to four (OAR 875-030-0010). ▶ Starting with the 2019 license renewal, veterinarians must obtain one hour of CE in both appropriate methods of analgesia and judicious use of antibiotics. (OAR 875-010-0090) ▶ Facility Managing Veterinarians are no longer limited to four facilities within any geographic region. (OAR 875-010-0031) <p>The following <u>proposed amendments</u> will be filed soon and posted on the Board's website, along with information on the public comment process. They are not in effect at this time.</p> <ul style="list-style-type: none"> ▶ Facilities will be required to post signage indicating availability of prescriptions on request. ▶ State exams for veterinary applicants will be conducted by the American Association of Veterinary State Boards. ▶ Interns and supervisors must report any change in supervision within 10 days. ▶ Medical record and VCPR/exam requirements will be clarified. ▶ A 'year' will be defined as at least 2,000 hours in a 52-week period.

**Concerns about whether a practice or policy
is compliant with minimum standards?
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