



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
5509 Big Tyler Road, Suite 3
Cross Lanes, West Virginia 25313
Telephone: (304) 776-8032 Fax: (304) 776-8256

MINUTES-TELECONFERENCE/SKYPE MEETING
April 27, 2020 @ 9:00 AM

Member Present by Phone/Skype: Dr. John Wilson; Ms. Monica R. Patton; Dr. Keith Berkeley;
Dr. Mark Ayers, Dr. Frank Cary; Ms. Jo Long; Ms. Amy Meadows;
Dr. Barbara Meade; Dr. D. James Moore
Non-Members Present by Skype: Keith Fisher, Attorney General's Office
Minutes taken by: Trish Holstein

I. The meeting was called to order at 9:06 am.

II. Dr. Wilson went over the Mission Statement.

III. There was no Public Comment.

Dr. Cary motioned to go into Executive session at 9:07 am to discuss disciplinary; seconded by Mrs. Long. Motion carried.

Dr. Berkeley motioned to go out of Executive session at 10:50 am; seconded by Dr. Ayers. Motion carried.

IV. Disciplinary Committee Report

- a) Case BVMCE0419A Dr. Reagan Rodgers Board Complaint CE Audit
 - Consent Agreement and Order signed August 5, 2019.
 - Within 90 days of Consent Agreement and Order (November 5, 2019).
 - Pay fine of \$100.00 received August 5, 2019.
 - Reimbursement of administrative cost received October 8, 2019.
 - Accepts CE hours completed to date during the calendar year 2019 in lieu of the deficient continuing education for the calendar year 2018. Such hours may NOT be counted as part of the CE requirement for the year 2019.
 - In compliance with CE audit for calendar year 2019.
 - Dr. Berkeley motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by Dr. Moore. Motion carried.
- b) Case BVMCE0419B Dr. Peggy Williams Board Complaint CE Audit
 - Consent Agreement effective January 29, 2020.
 - Within 90 days of Consent Agreement and Order (April 29, 2020).
 - Pay fine of \$100.00 received January 27, 2020.
 - Reimbursement of administrative cost (April 29, 2020).
 - Paid invoice on April 15, 2020.
 - CE audit for calendar year 2020
 - 2019 license was not renewed in order to do a CE audit.
 - Mrs. Long motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by Dr. Moore. Motion carried.

- c) Case No.1119D Dr. Audra Melton (Original complaint received 11/14/2019 18 months – 5/14/21)
 - Consent Agreement effective February 19, 2020.
 - Within 90 days of Consent Agreement and Order (May 19, 2020).
 - Reimbursement of administrative cost received February 18, 2020.
 - **Dr. Berkeley** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Mrs. Long**. Motion carried.
- d) Case No.1119E (Original complaint received 11/18/2019 18 months – 5/18/21)
 - **Dr. Moore** motioned to not find probable cause as to the allegations to the complaint but upon investigation and reviewing of the medical records the Board has found probable cause for insufficient medical records; seconded by **Mrs. Patton**. The small animal complaint committee recused themselves from the vote. Because **Dr. Meade** was previously associated with the facility where the Respondent works, **Dr. Meade** recused herself from discussing this case with the animal complaint committee. Motion carried.
- e) Case No.0220A (Original complaint received 02/18/20 18 months – 8/18/21)
 - **Dr. Berkeley** motioned to find probable cause; seconded by **Mrs. Long**. The small animal complaint recused themselves from the vote. Because **Dr. Ayers** is part owner of the facility where the Respondent works, **Dr. Ayers** recused himself from discussing this case with the animal complaint committee. Motion carried.
- f) Case No.0220B (Original complaint received 02/25/20 18 months – 8/25/21)
 - **Dr. Berkeley** motioned to find probable cause; seconded **Mrs. Long**. The small animal complaint committee recused themselves from the vote. Because **Dr. Ayers** is part owner of the facility where the Respondent works, **Dr. Ayers** recused himself from discussing this case with the animal complaint committee. Motion carried.
- g) Case No.0320A (Original complaint received 03/16/20 18 months – 9/16/21)
 - **Dr. Cary** motioned to not find probable cause as to the allegations to the complaint but upon investigation and reviewing of the medical records the Board has found probable cause for insufficient medical records. seconded by **Mrs. Patton**. The small animal complaint committee recused themselves from the vote. Motion carried.
- h) Case No.0420A (Original complaint received 04/03/20 18 months – 10/03/21)
 - Since we have not received the Respondent's response at the time of the meeting, this case was not discussed.
- i) The Board is still investigating the WV board of pharmacy breach of professional standards.
- j) **Dr. Cary** motioned to file a Complaint against the veterinarian regarding the Complaint from the PA Prosecutor investigation; seconded by **Mrs. Patton**. Motion carried.
- k) **Mrs. Long** motioned that based on the information that was supplied by the WV veterinarian, there is no evidence of a VA licensed Veterinarian practicing in WV; seconded by **Mrs. Patton**. Motion carried.

V. Approval of Minutes

- a) **Dr. Berkeley** motioned to approve the January 9, 2020 minutes; seconded by **Dr. Moore**. Motion carried.
- b) **Dr. Berkeley** motioned to approve the March 20, 2020 minutes; seconded by **Dr. Moore**. Motion carried.
- c) **Dr. Berkeley** motioned to approve the March 25, 2020 minutes; seconded by **Dr. Moore**. Motion carried.

VI. Reports

- a) Complaint Committee meeting was held April 20, 2020 at 7:00 pm via teleconference call.
- b) The Board discussed the 2020 legislation that did not pass.
 - SB218 - Consumer Choice Non-Licensed
 - HB2119 – De Claw
 - HB4011/SB313 – Reorganizing various Boards (3 separate)
 - HB4121 - Budget Average
 - HB4395 – Removing Veterinarians from Controlled Monitoring – Vetoed
 - HB4813 – Repeal RVT & CAET
 - HB4835 – Boards in the same location

- HB 4864 – PERD fees

- c) The Board discussed the Board's Rules that passed legislation.
 - Military applicants can request a waiver of fees for licensure, renewals, and facility inspections.
 - Low income applicants can request a waiver of fees for licensure.
 - Series 6 Fees
 - Series 6 Fees for RVT's modified by the Legislative Rule Making Committee
 - Application fee from \$100.00 to \$10.00
 - Renewal fee from \$80.00 to \$5.00
 - Inactive fee from \$25.00 to \$2.00
 - Reactivation fee from \$80.00 to \$6.00
- d) The website was transferred from Big Picture to WV Treasurer's Office on April 14, 2020. The database with Big Picture ended April 15 and we have been working with InLumon to go live with the database.

VII. Questions for the Board

Question: Can blood be drawn from an unlicensed WV veterinarian if they are not charging for the service?

Board Answer: Dr. Berkeley motioned that drawing blood from a dog is considered the practice of veterinary medicine and must be done by a WV licensed veterinarian; seconded by Dr. Cary.

VIII. New Business

- a) The Board discussed COVID-19 exemptions. If a licensee cannot attend an online CE course, they can submit a letter to the Board to request a CE Extension. The Board requested that once the State of Emergency is over, to notify licensees that the Rule suspension is also over.
- b) Dr. Berkeley motioned to approve the rental Agreement of \$700.00 a month for 5 years; seconded by Dr. Moore. Motion carried.
- c) Dr. Moore motioned to approve the purchase of 3 chairs to be upholstered, 2 office tables, 1 printer stand, and 2 desk printers; seconded by Dr. Meade. Motion carried.
- d) Dr. Berkeley motioned to approve the 2021 budget; seconded by Mrs. Long. Motion carried.

IX. The next Board meeting is scheduled for Thursday, June 25, 2020 at Stonewall Resort. We will do another Skype meeting should it be cancelled.

X. The meeting was adjourned at 11:52 pm.

Approved by:



Monica R. Patton, RVT
Secretary-Treasurer