



WEST VIRGINIA BOARD OF VETERINARY MEDICINE

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MINTUES

January 4, 2019 @ 9:00 am

Cross Lanes, WV

Members Present: Dr. John Wilson; Ms. Monica R. Patton; Dr. Mark Ayers, Dr. Keith Berkeley;
Ms. Jo Long; Dr. Barbara Meade; Ms. Amy Meadows; Dr. D. James Moore;
Dr. William Peery
Non-Members Present: Doreen Colbert, Secretary; Keith Fisher, Attorney General's Office
Minutes taken by: Trish Holstein

I. The Meeting was Called to Order at 9:03 am.

II. Dr. Wilson went over the WV Board of Veterinary Medicine's Mission Statement.

III. There were no Public Comments.

Dr. Berkeley motioned to go into executive session to discuss disciplinary at 9:04 am; seconded by **Ms. Long**. Motion carried.

Ms. Long motioned to go out of executive session at 11:48 am; seconded by **Dr. Peery**. Motion carried.

IV. Disciplinary Committee Report

- a) Case No.0517A Dr. Kevin Rowles (Original complaint received 5/25/17 18 months - 11/25/18)
 - Hearing was held on September 6, 2018.
 - 2nd Hearing date November 13, 2018 postponed for negotiations.
 - 18-month letter signed October 15, 2018.
 - **Dr. Berkeley** motioned to offer the latest revised Consent Agreement with no revisions or to continue with a hearing; seconded by **Dr. Moore**. Motion carried.
- b) Case No.0817B Dr. Tina Keplinger (Original complaint received 8/25/17 18 months - 2/25/19)
 - Consent Agreement and Order signed May 16, 2018.
 - Within 6 months of Consent Agreement and Order (November 16, 2018)
 - 3 hours of Board approved CE's in pharmaceutical or medication administration extended to January 1, 2019 received December 18, 2018.
 - Received reimbursement of administrative cost November 12, 2018.
 - **Dr. Moore** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Berkeley**. Motion carried.
- c) Case No.1117B Dr. Thomas McMahon (Original complaint received 11/28/17 18 months - 5/28/19)
 - Consent Agreement and Order signed April 11, 2018.
 - 1-year Probation (April 11, 2019)
 - Within 6 months of Consent Agreement and Order (October 11, 2018)
 - 6 hours of Board approved CE's in record keeping or documentation received December 12, 2018.
 - Within 6 months after taking CE, submit 5 patient records for the Board to review (June 6, 2019).

- 6 hours of Board approved CE's in ophthalmology care received December 12, 2018.
 - Reimbursement of administrative cost
 - Paid reimbursement on June 27, 2018.
- d) Case No.1217B Dr. Holly Kossuth (Original complaint received 12/07/17 18 months - 6/07/19)
- 6-month letter sent June 4, 2018.
 - **Dr. Berkeley** motioned to have Keith Fisher respond to the Respondent's attorney to offer a revised Consent Agreement; seconded by **Dr. Moore**. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. Motion carried.
- e) Case No.1217C Dr. Brianne Miller (Original complaint received 12/07/17 18 months- 6/07/19)
- 6-month letter sent June 4, 2018.
 - **Dr. Berkeley** motioned to have Keith Fisher respond to the Respondent's attorney to offer a revised Consent Agreement; seconded by **Dr. Moore**. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. Motion carried.
- f) Case No.1217D Dr. Mica Partridge (Original complaint received 12/07/17 18 months - 6/07/19)
- 6-month letter sent June 4, 2018.
 - **Dr. Berkeley** motioned to have Keith Fisher respond to the Respondent's attorney to offer a revised Consent Agreement; seconded by **Dr. Moore**. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. Motion carried
- g) Case No.0218A Dr. Kathryn Walker (Original complaint received 02/08/2018 18 months - 8/08/19)
- Consent Agreement and Order signed June 27, 2018.
 - Within 6 months of Consent Agreement and Order (December 27, 2018)
 - 6 hours of Board approved CE's in record keeping or documentation received October 25, 2018.
 - Within 6 months after taking CE, submit 5 patient records for the Board to review received October 25, 2018.
 - 3 hours of Board approved CE's in gastroenterology, including gastrointestinal obstruction received October 25, 2018.
 - **Dr. Berkeley** motioned to approve 5 medical records and the complaint case is now closed; seconded by **Ms. Meadows**. Because the Respondent is an employee of **Dr. Peery**, **Dr. Peery** recused himself and left the room during discussion and motion. Motion carried.
- h) Case No. BVMCE0418 CE Audit – Dr. Garrett Call
- Consent Agreement and Order signed June 20, 2018.
 - Fine of \$300.00.
 - Paid fine on June 27, 2018.
 - Submit to a CE audit for 2018.
- i) Case No.0518A Dr. Carrie Wehr (Original complaint received 05/02/2018 18 months - 11/02/19)
- 6-month letter sent October 29, 2018
 - Consent Agreement and Order signed December 13, 2018.
 - Within 6 months of Consent Agreement and Order (June 13, 2019)
 - 1 hour of Board approved CE's on the subject of pain control.
 - 3 hours of Board approved CE's and 3 hours on the subject of communication.
 - Reimbursement of administrative cost.
- j) Case No.0618B Dr. Mark Curtis (Original complaint received 06/18/2018 18 months - 12/18/19)
- Consent Agreement and Order signed December 11, 2018.
 - Within 6 months of Consent Agreement and Order (June 11, 2019).
 - 3 hours of Board approved CE's on the subject of urogenital medicine, with emphasis on urinary tract infections and bladder stones.
 - Reimbursement of administrative cost.
- k) Case No.0818A (Original complaint received 08/13/2018 18 months - 02/13/20)
- **Ms. Long** motioned that no probable cause was found; seconded by **Dr. Berkeley**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.

- l) Case No.1018A (Original complaint received 10/10/2018 18 months - 04/10/20)
 - **Ms. Long** motioned that no probable cause was found; seconded by **Dr. Berkeley**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- m) Case No.1118A (Original complaint received 11/19/2018 18 months- 05/19/20)
 - **Dr. Berkeley** motioned that because of incomplete patient medical records and lack of documentation of thorough physical and diagnostic examination to support the medical decision, that probable cause was found and to submit a Statement of Charges and a Consent Agreement; seconded by **Ms. Long**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- n) Case No.1118B (Original complaint received 11/19/2018 18 months- 05/19/20)
 - **Dr. Berkeley** motioned that no probable cause was found; seconded by **Ms. Long**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- o) Case No.1118C (Original complaint received 11/30/2018 18 months- 05/30/20)
 - **Dr. Berkeley** motioned to further investigate and to have a facility visit. seconded by **Dr. Moore**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- p) Case No.1218A (Original complaint received 12/13/2018 18 months- 06/13/20)
 - Since the Respondent's response is still pending, this case will be discussed at the next Board meeting.
- q) **Ms. Patton** motioned to submit a Complaint for falsifying a license renewal; seconded by **Dr. Peery**. Motion carried.

V. Approval of Minutes

- a) **Dr. Berkeley** motioned to approve the October 15, 2018 minutes; seconded by **Dr. Moore**. Motion passed.
- b) **Dr. Moore** motioned to approve the November 30, 2018 minutes; seconded by **Ms. Meadows**. Motion passed.

VI. Reports

- a) The board accepted and reviewed the treasurer's report and itemized object codes which will be filed for auditing.
- b) **Ms. Long** motioned to approve the P-Card Charges September 17, 2018 – December 16, 2018; seconded by **Dr. Berkeley**. Motion passed
- c) The board reviewed the 4th quarter 2018 to date facility inspection reports.
- d) The disciplinary committee meeting was held January 4, 2019 at 8:00 am in Cross Lanes, WV.
- e) The Board reviewed the AAVSB report.
- f) The Board reviewed the mobile quarterly reports.
- g) The PERD Audit was presented December 10, 2018.
- h) Topics from the Auditor's Conference on November 27, 2018 were discussed
 - Open meetings notices
 - Minute requirements for probable cause
 - 18-month extension letter requirements
 - WV checkbook.gov
 - Providing lunch for Board meetings
 - Public comment is not a requirement but recommended
 - Cease & desist – do not recommend
 - Auditor conference – Chair & Ex Director annually
 - Subpoenas – who can sign
- i) Ethics Financial Disclosure Statement is due February 1, 2019.
- j) Executive Director Report
 - The Board reviewed the applications and renewals approved by Executive Director and statistics from October 1 - December 31, 2018.
 - The Board reviewed online, office, and expired renewal counts from October 1 - December 31, 2018.
 - Legislation begins January 9, 2019.

VII. The Board answered the submitted question.

VIII. **New Business**

- a) The Board discussed the reconsideration of heart sticks. The Board's stance is that a struggling animal would not be a candidate for a heart stick since the "last resort" method pertains to animals that are non-responsive. A responsive animal would need to be sedated prior. CAET's are trained at the initial training.
- b) The Board requested informative letters be sent to active licensed Veterinarians that have listed veterinary facilities that are not registered with the Board and to provide instructions on the facility registration process.
- c) The Board discussed expired and reappointed board members.
- d) **Dr. Berkley** motioned to approved the revised disciplinary processing; seconded by **Ms. Patton**. Motion carried.
- e) Dr. Berkeley, Dr. Meade, and Ms. Patton will meet prior to the next Board meeting and bring back to the Board recommendations for a Board Member Complaint and Conflict Policy.
- f) Dr. Berkeley, Dr. Meade, and Ms. Patton will meet prior to the next Board meeting and bring back to the Board recommendations for a revised Disciplinary Committee Policy.
- g) The Board discussed the AAVSB Board Basics & Beyond Training being held April 4 - 6, 2019.
- h) **Dr. Meade** motioned to approve the \$30.00 annual membership fee for the National Institute of Government Procurement WV Chapter Membership; seconded by **Dr. Berkeley**. Motion carried.
- i) The RVT Series 3 Rule Revisions will be discussed with the Rule Committee prior to the next Board meeting.
- j) Dr. Meade and Dr. Moore will take Michigan and Washington State's online record keeping courses prior to the next Board meeting. **Dr. Meade** motioned to pay for Mike and Trish to attend an online record keeping course; seconded by **Dr. Ayers**. Motion carried
- k) The Board discussed the use of CBD Oil; however, no policies were developed.
- l) The Board discussed Strategy and Goals for 2019
 - Disciplinary revised process
 - Record keeping courses
 - Resolve Big Picture issues
 - Continue to discuss Board appointees
 - Practitioners aware of record keeping and documentation of recommendations
- m) **Dr. Peery** motioned to approve Dr. Jon Day's CE extension request for 1 year; seconded by **Ms. Long**. Motion carried.

IX. **The Next Board Meeting will be Thursday, April 11, 2019, at The Greenbrier.**

X. **The Meeting was Adjourned at 2:14 pm.**

Approved by:


Monica R. Patton, RVT
Secretary-Treasurer

4/11/19