



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
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MINUTES
April 11, 2019 @ 9:00 AM
White Sulphur Springs, WV

Members Present: Dr. John Wilson; Ms. Monica R. Patton; Dr. Mark Ayers, Ms. Jo Long;
Dr. Barbara Meade; Ms. Amy Meadows; Dr. D. James Moore; Dr. Frank Cary (was not
present for part of the meeting),
Members Absent: Dr. Keith Berkeley
Non-Members Present: Doreen Colbert, Secretary; Keith Fisher, Attorney General's Office; Dr. Vandevender
Minutes taken by: Trish Holstein

I. The Meeting was Called to Order at 9:10 am.

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

III. Dr. Vandevender discussed patient client relationship for bees with a disease either using telemedicine or bringing a frame from the colony to the veterinary facility.

Dr. Meade motioned to go into executive session to discuss disciplinary and employee raises at 10:00 am; seconded by **Dr. Ayers**. Motion carried.

Ms. Long motioned to go out of executive session at 12:41 pm; seconded by **Dr. Ayers**. 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 date was held on September 6, 2018.
 - 2nd Hearing date November 13, 2018 postponed for negotiations.
 - 18-month letter signed October 15, 2018.
 - 2nd Hearing date March 20, 2019.
 - **Ms. Long** motioned to approve an 18-month extension letter to end December 16, 2019; seconded by **Dr. Ayers**. Motion carried. **Dr. Cary** was not present for the vote.
- b) 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.
 - Received April 8, 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.
 - **Ms. Long** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Meade**. Motion carried. **Dr. Cary** wasn't present for the vote.

- c) Case No.1217B Dr. Holly Kossuth (Original complaint received 12/07/17 18 months - 6/07/19)
 - 6-month letter sent June 4, 2018.
 - Consent Agreement and Order signed March 6, 2019.
 - Within 6 months of Consent Agreement and Order (September 6, 2019)
 - 3 hours of Board approved CE's in record keeping or documentation.
 - Within 6 months after taking CE, submit 5 patient records for the Board to review.
 - 3 hours of Board approved CE's in emergency medicine.
 - Submit a plan of action, either by the Respondent or the facility, ensuring proper case management and recordkeeping, work flow and communication between veterinarians, and continuity of patient care.
- d) Case No.1217C Dr. Brianne Miller (Original complaint received 12/07/17 18 months- 6/07/19)
 - 6-month letter sent June 4, 2018.
 - Consent Agreement and Order signed March 6, 2019.
 - Within 6 months of Consent Agreement and Order (September 6, 2019)
 - 3 hours of Board approved CE's in record keeping or documentation.
 - 3 hours of Board approved CE's in emergency medicine.
- e) Case No.1217D Dr. Mica Partridge (Original complaint received 12/07/17 18 months - 6/07/19)
 - 6-month letter sent June 4, 2018.
 - Consent Agreement and Order signed March 6, 2019.
 - Within 6 months of Consent Agreement and Order (September 6, 2019)
 - 3 hours of Board approved CE's in record keeping or documentation.
 - Within 6 months after taking CE, submit 5 patient records for the Board to review.
 - 3 hours of Board approved CE's in emergency medicine.
 - Submit a plan of action, either by the Respondent or the facility, ensuring proper case management and recordkeeping, work flow and communication between veterinarians, and continuity of patient care.
- f) 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.
 - Complied to 2018 CE audit.
 - **Ms. Meadows** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Ayers**. Motion carried. **Dr. Cary** wasn't present for the vote.
- g) 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 received March 12, 2019.
 - 3 hours of Board approved CE's and 3 hours on the subject of communication.
 - Reimbursement of administrative cost.
- h) 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 received December 13, 2018.
 - Reimbursement of administrative cost received March 18, 2019.
 - **Ms. Long** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Ms. Meadows**. Motion carried. **Dr. Cary** wasn't present for the vote.
- i) Case No.1118A Dr. Daniel Toler (Original complaint received 11/19/2018 18 months- 05/19/20)
 - Consent Agreement and Order signed February 20, 2019.
 - Within 6 months of Consent Agreement and Order (August 20, 2019).
 - 3 hours of Board approved CE's in record keeping or documentation.

- Within 6 months after taking CE, submit 5 patient records for the Board to review.
 - Reimbursement of administrative cost.
 - Paid reimbursement on March 27, 2019.
- j) Case No.1118C (Original complaint received 11/30/2018 18 months- 05/30/20)
- **Ms. Patton** 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. **Dr. Cary** wasn't present for the vote.
- k) Case No.1218A (Original complaint received 12/13/2018 18 months- 06/13/20)
- **Ms. Long** motioned that no probable cause was found; seconded by **Ms. Patton**. The small animal complaint committee left the room and recused themselves from the vote. Because Dr. Ayers is part owner of the facility where the Respondent works, Dr. Ayers recused himself and left the room during discussion. Motion carried. **Dr. Cary** wasn't present for the vote.
- l) Case No.1119A Board Complaint (Original complaint received 1/10/2019 18 months- 07/10/20)
- **Ms. Long** motioned that because of a falsified license renewal, to find probable cause and to offer a Consent Agreement; also, create a new Complaint case number for the additional licensee involved in this case and to submit a Consent Agreement to this licensee. Seconded by **Dr. Moore**. Motion carried. **Dr. Cary** wasn't present for the vote.
- m) Case No.0119A (Original complaint received 1/31/2019 18 months- 07/31/20)
- **Dr. Moore** 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. **Dr. Cary** wasn't present for the vote.
- n) Case No.0219A (Original complaint received 2/21/2019 18 months- 08/21/20)
- **Dr. Moore** 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. **Dr. Cary** wasn't present for the vote.
- o) **Dr. Ayers** motioned to approve the questionable veterinarian application; seconded by **Ms. Meadows**. Motion carried. **Dr. Cary** wasn't present for the vote.

V. Approval of Minutes

- a) **Ms. Long** motioned to approve the January 4, 2019; seconded by **Dr. Ayers**. Motion passed. **Dr. Cary** wasn't present for the vote.
- b) **Ms. Long** motioned to approve the February 6, 2019 teleconference; seconded by **Dr. Ayers**. Motion passed. **Dr. Cary** wasn't present for the vote.

VI. Reports

- a) The Board accepted and reviewed the treasurer's report and itemized object codes which will be filed for auditing.
- c) **Dr. Ayers** motioned to approve the P-Card charges December 17, 2018 – March 16, 2019; seconded by **Dr. Moore**. Motion carried. **Dr. Cary** wasn't present for the vote.
- b) The Board reviewed the 1st quarter 2019 to date facility inspection reports.
- c) The Rule Making Committee for April 10, 2019 at 1:30 pm was cancelled.
- d) The Disciplinary Committee met April 11, 2019 at 8:00 am.
- e) The CAET CE Training will be held May 3, 2019.
- f) The CAET Certification Training will be held April 26 – 28, 2019.
- g) Big Picture Updates
- Since the original contract expires, all enhancements must be done by April 14.
 - Any other enhancements will require an RFQ allowing other vendors to bid.
 - Maintenance had to be bid out as a "Sole Source".
 - Trish has been in contact with other vendors regarding their databases.
- h) The Board reviewed the mobile quarterly reports.
- i) Dr. Moore and Dr. Meade discussed the record keeping course they took from Washington State. They do not feel like this course meets the Board's needs.
- j) Trish and Keith discussed topics from the FARB Conference held January 24 – 27, 2019.
- Good moral characters factors to consider.

- Matt Shafer, University of KY Capstone Project, presentation regarding unlicensed professions contradicts the Institute for Justice information.
 - Analysis fails to find evidence that an occupation being licensed has an effect on wages and employment.
 - Ontario Canada shared their complaint manual and case risk assessment tool.
 - Boards should adopt clear written policies and put on website list of what crimes are related to profession.
- k) The 2019 legislation was discussed.
- **Passed**
 - HB 2486 Criminal Convictions (VETO)
 - HB 2510 Board Funds
 - HB 2768 Prescriptions
 - SB 396 Low Income, Military – signed by Governor
 - **Did not Pass**
 - HB 2119 De Claw
 - HB 2951 Separating Boards
 - HB 2697 Non-licensee bill
 - HB 2760 Rules & Fees
- l) Executive Director Report
- The Board reviewed the applications and renewals approved by Executive Director and statistics from January 1 – March 31, 2019.
 - The Board reviewed online, office, and expired renewal counts from January 1 – March 31, 2019.

VII. The Board Answered the Submitted Questions.

VIII. New Business


- a) **Ms. Patton** motioned to approve the Governor's salary increase for Trish and Doreen effective July 1, 2019 and to increase the Inspector's salary 10%, \$2100.00, effective May 11, 2019; seconded by **Ms. Long**. Motion carried. **Dr. Cary** was not present.
- b) **Ms. Patton** motioned that bringing a honeybee infected frame in a large zip lock bag, along with the Elisa test and inspection report, to a veterinary office would meet the patient client relationship requirement; seconded by **Ms. Long**. Motion carried.
- c) **Ms. Long** motioned to submit a complaint to the 4 veterinarians and 1 RVT that were not in compliance with the CE audit; seconded by **Dr. Ayers**. Motion carried.
- d) RVT, Series 3, Rule revisions were tabled to discuss at the next Board meeting.
- e) Fees, Series 6, Rule revisions were tabled to discuss at the next Board meeting.
- f) **Ms. Patton** motioned to revise the ambulatory policy that the Inspector can meet 50 miles across state lines for only multiple vehicles; second by **Ms. Meadows**. Motion carried.
- g) **The Board** discussed ambulatory facilities that were not registered.
- h) Dr. Wilson will discuss with the Association, WVVMA, of any interest in being WV Board of Veterinary Board members and to request them to submit their names to the Board. **Dr. Ayers** motioned for Dr. Moore to create a protocol of recruiting board members; seconded by **Ms. Meadows**. Motion carried.
- i) Dr. Meade discussed a revised policy of complaint process. Dr. Meade will finish working on a revised policy and she will bring more information to the Board at the next Board meeting.
- j) **Ms. Long** motioned to approve the computer purchases for \$1794.00; seconded by **Dr. Ayers**. Motion carried.
- k) The Board discussed topics for Dr. Wilson to discuss at the Association, WVVMA, meeting the next day.
 - Ambulatory registration and inspection
 - SB 396 Low Income/Military
 - Expired Board Members
 - Release of Patient Records
 - CBD Oil
- l) The Board discussed record keeping courses.
- m) The Board discussed 2019 strategy and goals.

- n) Trish discussed that bids for our database will be needed next year since the contract has expired with Big Picture.
- o) **Ms. Long** motioned to approve the fiscal year 2020 budget; seconded by **Dr. Moore**. Motion carried.

IX. The Next Board Meeting Date is Scheduled for June 14, 2019 at Snow Shoe.

X. The Meeting was Adjourned at 2:56 pm.

Approved by:



Monica R. Patton, RVT
Secretary-Treasurer