



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
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MINUTES
October 21, 2019 @ 9:00 AM
Shepherdstown, WV

Members Present: Dr. John Wilson; Dr. Keith Berkeley; Dr. Frank Cary; Mrs. Jo Long; Dr. Barbara Meade;
Mrs. Amy Meadows; Dr. D. James Moore; Mrs. Monica R. Patton
Members Absent: Dr. Mark Ayers
Non-Members Present: Keith Fisher, Attorney General's Office; Bruce Dell, Road Runner Pharmacy; Nick
Aliberti and Brian Bennett, In Lumon; Mike Goff, WV Board of Pharmacy
Minutes taken by: Trish Holstein

I. The Meeting was Called to Order at 9:05 am.

II. Dr. Wilson went over the Mission Statement.

III. Public Comment.

- a) Bruce with Dell Road Runner Pharmacy discussed upcoming changes to USP Standards for 503A and 503B compounding.
- b) Nick and Brian Bennett, InLumon, did a presentation of their database product.
- c) Mike Goff, Executive Director, WV Board of Pharmacy, did a presentation of the Controlled Substance Monitoring Program.

Dr. Berkeley motioned to go into Executive session at 11:27 am to discuss disciplinary; seconded by **Mrs. Meadows**. Motion carried.

Mrs. Long motioned to go out of Executive session at 12:10 pm; seconded by **Dr. Berkeley**. 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 November 13, 2018 postponed for negotiations.
 - 18-month letter signed October 15, 2018.
 - 2nd Hearing March 20, 2019.
 - 18-month letter extended to December 16, 2019 signed on April 11, 2019.
 - Brief submitted to Administrative Law Judge on May 1, 2019.
 - **Dr. Berkeley** motioned to executive another extension to July 1, 2020; seconded by **Mrs. Long**. Motion carried.
- b) 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 received May 28, 2019.

- Within 6 months after taking CE, submit 5 patient records for the Board to review received July 11, 2019.
 - 3 hours of Board approved CE's in emergency medicine received May 28, 2019.
 - Submit a plan of action, either by the Respondent of the facility, ensuring proper case management and recordkeeping, workflow and communication between veterinarians, and continuity of patient care received July 11, 2019.
- Consideration of patient records, Plan of Action, and closing of the case.
- **Mrs. Long** 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.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 received September 4, 2019.
 - 3 hours of Board approved CE's in emergency medicine received August 26, 2019.
 - Consideration of closing of the case.
 - **Mrs. Long** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Berkeley**. Motion carried.
- d) 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 received July 11, 2019.
 - Within 6 months after taking CE, submit 5 patient records for the Board to review received July 11, 2019.
 - 3 hours of Board approved CE's in emergency medicine received July 11, 2019.
 - Submit a plan of action, either by the Respondent of the facility, ensuring proper case management and recordkeeping, work flow and communication between veterinarians, and continuity of patient care received July 11, 2019.
 - Consideration of patient records, Plan of Action, and closing of the case.
 - **Mrs. Long** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Berkeley**. Motion carried.
- e) 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 on the subject of communication received April 9, 2019
 - Reimbursement of administrative cost received July 15, 2019.
 - Consideration of closing of the case.
 - **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.
- f) Case No.1119A Board Complaint Dr. Jean Loonam
 - Consent Agreement and Order signed May 30, 2019.
 - Within 60 days of Consent Agreement and Order (August 30, 2019).
 - Pay fine of \$250.00 received May 28, 2019
 - Reimbursement of administrative cost received July 22, 2019.
 - **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.
- g) Case No.1119B Board Complaint Dr. Donald Fairman
 - Consent Agreement and Order signed May 30, 2019.
 - Within 60 days of Consent Agreement and Order (August 30, 2019).
 - Pay fine of \$250.00 received May 28, 2019.

- Reimbursement of administrative cost received July 22, 2019.
 - **Mrs. Long** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Mrs. Meadows**. Motion carried.
- h) 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.
 - Submit to a CE audit for calendar year 2019.
- i) Case BVMCE0419B Board Complaint CE Audit
- **Mrs. Long** motioned to find probable cause and to submit a Consent Agreement; seconded by **Mrs. Patton**. Motion carried.
- j) Case No.0619A (Original complaint received 06/18/2019 18 months - 12/18/20)
- **Dr. Moore** motioned to not find probable cause; seconded by **Mrs. Long**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- k) Case No.0719A (Original complaint received 07/10/2019 18 months - 1/10/21)
- **Mrs. Long** motioned to further investigate; seconded by **Dr. Moore**. Motion carried.
- Case No.0719B (Original complaint received 07/11/2019 18 months - 1/11/21)
- **Mrs. Long** motioned to not find probable cause; seconded by **Dr. Berkeley**. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.

V. Approval of Minutes

- a) **Dr. Berkeley** motioned to approve the June 14, 2019 minutes; seconded by **Mrs. Meadows**. Motion carried.
- b) **Dr. Berkeley** motioned to approve the July 10, 2019 minutes; seconded by **Mrs. Meadows**. Motion carried.
- c) **Mrs. Long** motioned to approve the August 6, 2019 minutes; seconded by **Dr. Berkeley**. Motion carried.

VI. Reports

- a) The Board accepted and reviewed the treasurer's report and itemized object codes which will be filed for auditing.
- b) **Mrs. Long** motioned to approve the P-Card charges May 17, 2019 – October 16, 2019; seconded by **Dr. Meade**. Motion carried.
- c) The Board reviewed the 2nd and 3rd quarter 2019 to date facility inspection reports.
- d) Trish advised that the Board did not receive Public Comments for Series 1, Veterinarian, Series 3, RVT, and Series 6 Rules revisions and the Agency Approved Rules were submitted to the Secretary of State on September 9, 2019.
- e) Trish advised that the 2nd Inspector, Dawn Karnes, was hired effective October 12, 2019.
- f) Trish and Doreen attended the P-card Training on August 13, 2019.
 - Internal Controls must be reviewed quarterly and any changes are to be submitted to the PCard Division.
- g) Trish attended the required Purchasing training – September 17-19, 2019
 - Cyber security insurance for software must be chosen under the Terms and Conditions.
- h) Complaint Committee meeting was held October 21, 2019 at 8:00 am.
- i) AAVSB Conference September 26 – 28, 2019 St. Louis, MO
 - Trish discussed topics from the conference.
 - NC Veterinary Board invite to attend their ambulatory inspections
 - VA Veterinary Board invite to attend a meeting regarding compound drugs.
 - Letters of concerns
 - AAVSB – NAVLE approval
 - Sharing data with a national id from the national test
 - School presentations – may want to do technicians

- Strategic planning
- Look at mission statement
- Elevator speech
- Dr. Wilson discussed topics from the conference.
 - Race Track – continuing education tracking
 - Roberts Rule – common consent agreement
- Mrs. Patton discussed topics from the conference.
 - Computer based diagnostics
 - Block chain
- Dr. Moore discussed topics from the conference.
 - Roberts Rule of Order
- j) FARB Regulatory Law Seminar October 3 – October 6, 2019
 - Keith discussed topics from the seminar.
 - Regulation vs de-regulation
 - Standards of care
 - Letters of concern
 - Jurisdiction – currently inactive
 - Probation definition
 - Expungement
 - Sovereign immunity
- k) Trish, Doreen, Mrs. Patton, Mrs. Meadows, and Mrs. Long will be attending the Auditor Chapter 30 Seminar on October 29, 2019.
- l) Executive Director Report
 - Avalon is now only using nasal kennel cough vaccines.
 - Concern from a licensed veterinarian was brought regarding how shelters are currently neutering animals.
 - The Board reviewed the applications and renewals approved by Executive Director and statistics from June 1 –September 31, 2019.
 - The Board reviewed online, office, and expired renewal counts from June 1 –September 31, 2019.
- m) The Board reviewed mobile quarterly report.

VII. Questions for the Board

- a) Question: Does farriers need be licensed in WV?
Board Answer: The Board does not license farriers.

VIII. New Business

- a) Common consent to approve the porting of the Board's website to the WV Treasures Office infrastructure for approximately \$1500.00 with a monthly fee of \$20.00 a month. Common Consent to approve the database purchase from Inlumon for \$9300 a year.
- b) The Board discussed compounding pharmacies for internal dispensing.
- c) The Board discussed third-party lasix client patient relationship.
- d) Common Consent that the Board does not have a list for required emergency cardiac and pulmonary resuscitation drugs. The drugs that veterinarians choose to use should meet the current standard of care and are not expired.
- e) **Dr. Berkeley** motioned to initiate a Complaint against the veterinary facility late registration; seconded by **Mrs. Patton**. Motion carried.
- f) The Board discussed inspections for veterinary facility that have are renewing late.
- g) Common Consent to approve the protocol submitted by Dr. Moore for expired and reappointed veterinary technicians.
- h) The Board discussed the revised Disciplinary Committee Policy and Dr. Meade will continue working on the policy and discuss at future Board meetings.
- i) Dr. Meade has spoken with Professor Bret regarding his presentation for record keeping. Professor Bret will talk to Mississippi state about offering this course online. He is also willing to do presentations in

person.

- j) The Board agreed that Trish, Dawn Karnes, Mike Leland, and Dr. Wilson would benefit on attending the online drip learning record keeping course.
- k) Since the 2nd quarter 2020 is in Dr. Berkeley's area, Dr. Berkeley agreed to attend inspections with Dawn Karnes, Inspector.
- l) Common Consent that Trish, Mike Leland, Dawn Karnes, and Dr. Wilson to attend the NC ambulatory inspections on November 21, 2019. attend.
- m) The Board discussed the nurse initiative.
- n) Dr. Moore will research AVMA guidelines regarding exempt student permissible duties.
- o) Dr. Wilson and Trish will come up with strategy and goals for 2020. Compounding and controlled substance monitoring was suggested.
- p) The Board discussed the newsletter.
- q) Common Consent to approve the revised P-Card Internal Controls.
- r) The Board discussed pet care topics for our website. The Board suggested asking the NC veterinary Board to share some of their postings.
- s) Common Consent to approve the list of veterinary specialties.
- t) Common Consent to approve the Greenbrier Special for the next Board meeting.

IX. The next Board meeting will be at the Greenbrier, Friday, January 31, 2020; if the second night is more expensive, then it will be January 30, 2020.

X. The meeting was adjourned at 4:20 pm.

Approved by:



Monica R. Patton, RVT
Secretary-Treasurer