

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

**WEST VIRGINIA BOARD OF
VETERINARY MEDICINE,**

COMPLAINANT,

v.

CASE No. BVMCE0418

**GARRETT CALL, DVM,
VETERINARIAN LICENSE NO. 21-2014,**

RESPONDENT.

CONSENT AGREEMENT AND ORDER

After conducting an audit of the continuing education hours reported by Respondent, Garrett Call, DVM (“Dr. Call”), for the calendar year 2017, the West Virginia Board of Veterinary Medicine (“Board”) determined there was probable cause to believe that Respondent had violated W. Va. Code § 30-10-19(g)(3) and W. Va. Code R. § 26-1-7.5.

Now, in lieu of a hearing, the parties have reached an agreement for the resolution of this matter and hereby agree to entry of this Order based upon the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

The Board hereby adopts the following factual findings:

1. Dr. Call is a licensee of the Board, holding License No. 21-2014, and is therefore subject to the license requirements of the Board.
2. The Board is a state entity created and governed by W. Va. Code §§ 30-10-1 *et seq.*, and is empowered to regulate the practice of veterinary medicine in the State of West Virginia.
3. In order to carry out its regulatory duties, the Board may suspend, revoke, or otherwise discipline an individual’s license to practice veterinary medicine under the authority

granted to it by W. Va. Code §§ 30-10-5 and 30-10-19 and W. Va. Code R. §§ 26-1-9 and 26-2-1 to 26-2-6.

4. Licensees of the Board are required to complete at least 18 50-minute hours of continuing education (“CE”) in the field of veterinary medicine during each calendar year. W. Va. Code R. § 26-1-7.5. CE hours may not be carried forward or held over past the calendar year in which they were completed. *Id.*
5. The Board conducted an audit of CE hours obtained by licensees for the calendar year 2017. In response to that audit, Dr. Call reported a total of 8 CE hours for 2017.
6. The number of CE hours reported by Dr. Call was insufficient to meet the 18 hours of CE’s required for said period.
7. By letter dated February 26, 2018 in response to the before mentioned CE audit, Dr. Call admitted that he failed to meet the required CE hours for the calendar year 2017 by 10 hours.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to take disciplinary action against Dr. Call.
2. Based upon the facts and matters set forth in the above Findings of Fact, the Board is authorized to suspend, revoke, or otherwise restrict the license of Dr. Call pursuant to W. Va. Code §§ 30-10-5 and 30-10-19.
3. Dr. Call’s failure to obtain the required hours of CE’s within the within the calendar year 2017 violates W. Va. Code § 30-10-19(g)(3) and W. Va. Code R. § 26-1-7.5. As such, Dr. Call is subject to disciplinary action.

CONSENT OF LICENSEE

I, Garrett Call, by affixing my signature hereto, acknowledge the following:

1. After having had the opportunity to consult with an attorney of my choice, I sign this Consent Agreement and Order voluntarily, freely, without compulsion or duress, and understand that my signature has legal consequences.
2. No person or entity has made any promise or given any inducement whatsoever to encourage me to make this settlement other than as set forth in this document.
3. I am aware that I may pursue this matter through appropriate administrative and/or court proceedings. I am aware of my legal rights regarding this matter, but I have chosen to waive those rights intelligently, knowingly, and voluntarily.
4. I waive any defenses including, but not limited to, laches, statute of limitations, and estoppel, that I may have otherwise claimed as a condition of this agreement.
5. I admit that my actions violated the statutes and rules of the Board of Veterinary Medicine.
6. I acknowledge that the execution of this document constitutes disciplinary action by the Board and is therefore considered to be public information.

The Respondent, Garrett Call, by affixing his signature hereto, agrees to the following:

ORDER

Based on the foregoing, the Board does hereby ORDER and DECREE as follows:

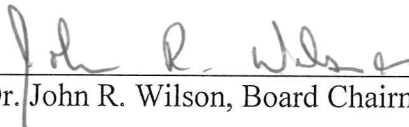
1. Dr. Call is hereby REPRIMANDED for his actions in this matter.
2. Dr. Call shall be assessed a monetary fine of Three Hundred Dollars (\$300.00), to be made payable to the West Virginia Board of Veterinary Medicine not later than ninety (90) days from the date of entry of this Consent Agreement and Order.

3. The Board accepts Dr. Call's CE hours completed to date during the calendar year 2018 in lieu of his deficient continuing education for the calendar year 2017. Accordingly, such hours may not be counted as part of Dr. Call's CE requirement for the period of 2018.
4. Dr. Call shall submit to an audit of his CE hours completed during the calendar year 2018.
5. Any failure to comply with all provisions in this Consent Agreement and Order may result in additional disciplinary action, up to and including the suspension of Dr. Call's license to practice veterinary medicine in the State of West Virginia.
6. This document is a public record as defined in West Virginia Code § 29B-1-2(4). The Board is bound by law and by this Agreement to report the results of all disciplinary actions, including this matter, for posting in the AAVSB Veterinary Practitioners Disciplinary Database and for posting on the Board's website.
7. This Consent Agreement and Order constitutes the entire agreement between the parties.

In recognition of this Consent Agreement and Order, we hereby affix our signatures.

WEST VIRGINIA BOARD OF VETERINARY MEDICINE

By:



Dr. John R. Wilson, Board Chairman

Entered:

10-20-2015

Date

REVIEWED AND AGREED TO BY:

Garrett Call DVM

Garrett Call, DVM
Respondent

6/7/2018
Date

This day personally appeared before me, the undersigned authority, a Notary Public in and for the jurisdiction aforesaid, hereby certify that Garrett Call, whose name is signed to the foregoing document and who is known to me, acknowledged before me on this date that, having reviewed the contents of this document, he executed the document voluntarily on the date shown above. The Affiant verified that the statements in the foregoing instrument are complete, true and correct, to the best of his knowledge, information, and belief.

Given under my hand and seal on this the 7 day of June, 2018.

My Commission expires: 11-21-21

Bridget Simpkins
Notary Public

BRIDGET SIMPKINS
Notary Public-Maryland
Garrett County
My Commission Expires
November 21, 2021

