

BEFORE THE WEST VIRGINIA BOARD OF VETERINARY MEDICINE

**WEST VIRGINIA BOARD OF
VETERINARY MEDICINE,**

COMPLAINANT,

v.

CASE NO. BVMCE0419A

**REAGAN RODGERS, DVM,
VETERINARIAN LICENSE NO. 27-2013,**

RESPONDENT.

CONSENT AGREEMENT AND ORDER

After conducting an audit of the continuing education hours reported by Respondent, Reagan Rodgers, DVM (“Respondent”), for the calendar year 2018, 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. Respondent is a licensee of the Board, holding License No. 27-2013, and therefore is 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 eighteen 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. Fourteen of these hours must be related to the practice of veterinary medicine, to include scientific, laboratory, regulatory, and medical recordkeeping, and no more than four hours may be related to practice management. *Id.*

5. Licensees of the Board are further required to maintain original documents verifying the date and subject matter of completed CE, the number of CE hours obtained, and certification of attendance from an approved CE provider. W. Va. Code R. § 26-1-7.5.b; *see also* W. Va. Code R. § 26-1-7.11. A list of approved CE providers is contained within the Board’s legislative rules. *See* W. Va. Code R. § 26-1-7.5.a.

6. If a licensee fails to comply with CE requirements, the Board may initiate a complaint against the licensee and audit the licensee again the following year. W. Va. Code R. § 26-1-7.5.b.1.

7. By correspondence dated February 11, 2019, the Board informed Respondent that she had been selected at random for an audit of CE hours completed during the calendar year 2018. Respondent was instructed to provide the Board with certificates of attendance and a completed CE tracking form.

8. In response, Respondent provided a completed CE tracking form and certificates of attendance demonstrating that, in the year 2018, she had completed three hours of online courses and had attended a 15-hour “Practice Management Workshop” offered by the American Association of Bovine Practitioners in Kansas City, Missouri.

9. In an email to the Board dated April 2, 2019, Respondent admitted that she was eleven hours short of the yearly 18-hour requirement because only four hours of the Practice Management Workshop could be counted under the Board's rules.

10. The number and type of CE hours reported by Respondent was insufficient to meet the 18 hours of continuing education required for the year 2018.

CONCLUSIONS OF LAW

1. The Board has jurisdiction to take disciplinary action against Respondent.

2. Based upon the facts and matters set forth in the above Findings of Fact, the Board is authorized to suspend, revoke, or otherwise discipline the license of Respondent pursuant to W. Va. Code §§ 30-10-5 and 30-10-19.

3. Respondent was notified of the allegations against her pursuant to the rules of the Board and the laws of this State.

4. Respondent's failure to obtain the required 18 hours of continuing education within the calendar year 2018 violates W. Va. Code § 30-10-19(g)(3) and W. Va. Code R. § 26-1-7.5. As such, Respondent is subject to disciplinary action.

CONSENT OF LICENSEE

I, Reagan Rodgers, 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 West Virginia 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, Reagan Rodgers, by affixing her signature hereto, agrees to the following:

ORDER

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

1. Respondent is hereby REPRIMANDED for her actions in this matter.
2. Respondent shall be assessed a monetary fine of One Hundred Dollars (\$100.00), 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 Order.
3. Within ninety (90) days from the date of entry of this Order, Respondent shall reimburse the Board the costs of this proceeding, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case.
4. The Board accepts Respondent's CE hours completed to date during the calendar year 2019 in lieu of her deficient continuing education for the calendar year 2018. Accordingly, such hours may NOT be counted as part of Respondent's CE requirement for the year 2019.

5. Respondent shall submit to an audit of her CE hours completed during the calendar year 2019.

6. 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 or revocation of Respondent's license to practice veterinary medicine in the State of West Virginia.


7. This document is a public record as defined in West Virginia Code § 29B-1-2. 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.

8. This *Consent Agreement and Order* constitutes the entire agreement between the parties.

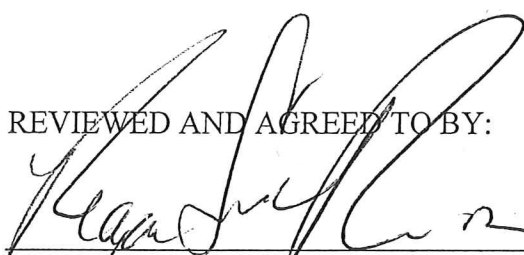
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In recognition of this *Consent Agreement and Order*, we hereby affix our signatures.

WEST VIRGINIA BOARD OF VETERINARY MEDICINE

By: 
Dr. John R. Wilson, Board Chairman

Entered: 8-6-2019
Date


REVIEWED AND AGREED TO BY:


Reagan Rodgers, DVM
Respondent
7/26/19
Date

This day personally appeared before me, Reagan Rodgers, whose name is signed to the foregoing document and who is known to me, having acknowledged before me that the statements in the foregoing document are complete, true and correct, to the best of her knowledge, information, and belief, and executed the document voluntarily on the date shown above.

Given under my hand and seal on this the 30th day of July, 2019.

My Commission expires: March 16, 2023


Notary Public

