



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
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MINUTES
AUGUST 1, 2023 @ 9:00 AM
STONEWALL RESORT – GAULEY ROOM

Members Present: Dr. Keith Berkeley; Mrs. Monica R. Patton; Dr. Mark Ayers; Dr. Jesse Fallon (attended via Google Meeting); Dr. K.W. Gilpin; Mrs. Jo Long; Mrs. Amy Meadows; Dr. Donna Piercy; Dr. Shawn Sette
Non-Members Present: Ms. Hollie Burnside; Brandi Legg, Secretary; Dr. Barbara Meade, Investigator; Joanne Vella, Attorney General Office (attended via Google Meeting)
Minutes taken by: Trish Holstein

- I. The meeting was called to order at 9:11 am. **Dr. Sette** moved to adopt the agenda; seconded by **Dr. Piercy**. So moved.
- II. Dr. Berkeley went over the Mission Statement.
 - The West Virginia Board of Veterinary Medicine protects the health, safety and welfare of the general public and animals of West Virginia through public education, enforcing licensing standards for veterinarians, registered veterinary technicians, certified animal euthanasia technicians and veterinary and euthanasia facilities.
- III. Ms. Hollie Burnside discussed her training and experience in teeth floating. She would also like to do wolf teeth. She is associated with International Association of Equine Dentistry, IAED, which requires CE's. The Board members asked several questions and Ms. Burnside advised that she would refer a client to notify a veterinarian if she found any issues with the patient's teeth. She advised that Dr. Hyde from Virginia trained her in Colorado and there are several states including NJ, AZ, UT, CO, that they accept the IAED certification to be able to float teeth.

Mrs. Meadows moved to go into executive session to discuss disciplinary cases at 9:39 am; seconded **Dr. Sette**. So moved.

Mrs. Long moved to go out of executive session at 12:36 pm; seconded by **Dr Sette**. So moved.

IV. **Disciplinary Committee Report**

EXECUTED OR CONSENT AGREEMENTS OFFERED:

- a) Case No.1221B Dr. Mark Music
 - Consent Agreement effective September 7, 2022.
 - Attended the Board's CE seminar on the topic of medical record keeping held on September 23, 2022.
 - Within 90 days of attending the Board's CE seminar, submit a total of 5 patient medical records for cases in surgery. (December 23, 2022).
 - Within 3 months of Consent Agreement (December 7, 2022)

- Reimbursed administrative cost October 21, 2022.
 - The Board reviewed the patient medical records requested for insufficient details.
 - **Mrs. Long** moved that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Mrs. Patton**. So moved.
- b) Case No.0322C Dr. Hannah Combs
- Consent Agreement effective September 7, 2022.
 - Representative of the Board conduct an unannounced visit to Help for Animals Spay/Neuter Clinic. (April 18, 2023)
 - Attended the Board's CE seminar on the topic of medical record keeping held on September 23, 2022.
 - Within 90 days of attending the Board's CE seminar, submit a total of 5 patient medical records for cases in surgery. (December 23, 2022).
 - Within 3 months of Consent Agreement (December 15, 2022)
 - Reimbursed administrative cost October 31, 2022.
 - Within 6 months of Consent Agreement (March 7, 2023)
 - Completed 3 hours of CE on the subject of cardiopulmonary resuscitation (CPR).
 - The Board reviewed the patient medical records requested for insufficient details.
 - **Mrs. Patton** moved that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Piercy**. So moved.
- c) Case No.0622E Dr. Norman Wilt
- Consent Agreement effective November 28, 2022.
 - Within 6 months of Consent Agreement (May 28, 2023)
 - Completed 3 hours of Board approved CE on the subject of medical record keeping related to surgery.
 - Within 3 months of completing the CE, submit a total of five 5 patient medical records for cases in which surgery was performed. (May 23, 2023)
 - Completed 3 hours of Board approved CE on the subject of radiology.
 - Completed 3 hours of Board approved CE on the subject of orthopedics.
 - Such hours may NOT be counted as part of the CE requirement for the year 2022 or 2023.
 - Within 3 months of Consent Agreement (February 28, 2023)
 - Reimbursed administrative cost March 2, 2023.
 - The Board reviewed the patient medical records requested for insufficient details.
 - **Dr. Piercy** moved to send another letter to Dr. Wilt with the Board's findings of the insufficient details of the patient records and for a site visit to be done by Dr. Sette; seconded by **Dr. Sette**. So moved.
- d) Case No.0622A Dr. Julia Thomas
- 6-month letter sent 11/21/22.
 - Consent Agreement effective March 23, 2023.
 - Within 3 months of Consent Agreement (June 23, 2023).
 - Complete 3 hours of Board approved CE on the topic of medical record keeping.
 - Within 3 months of completing the CE, submit a total of 5 patient medical records for cases in surgery.
 - Within 3 months of Consent Agreement (June 23, 2023).
 - Reimbursed administrative cost
 - **Dr. Sette** moved to recommend Dr. Thomas to attend the Board's Record Keeping training on September 22, 2023; seconded by **Mrs. Meadows**. So moved.

- e) Case No.1122B
 - 6-month letter sent 5/19/23.
 - Pending Consent Agreement.
- f) Case No.0123B Dr. Patrick Masters
 - 6-month letter sent 7/17/23.
 - Consent Agreement effective August 1, 2023.
 - Within 3 months of Consent Agreement (November 1, 2023).
 - Completed 3 hours of Board approved CE on the subject of medical record keeping related to surgery.
 - Within 3 months of completing the CE, submit a total of five 5 patient medical records for cases in which surgery was performed.
 - Such hours may NOT be counted as part of the CE requirement for the year 2023.
 - Within 3 months of Consent Agreement (November 1, 2023).
 - Reimbursement of administrative cost.
- g) Case No.0323C
 - 6-month letter required 9/24/23.
 - Pending Consent Agreement
- h) Case No.1222A
 - 6-month letter sent 6/21/23.
 - Pending Consent Agreement.
- i) Case No.0323B
 - 6-month letter required 9/17/23.
 - Pending Consent Agreement.

CE AUDIT DISCIPLINARY

- Within 90 days of Consent Agreement and Order
 - Fine of \$100.00.
 - Reimbursement of administrative cost.
- Within 6 months of Consent Agreement and Order
 - Complete deficient CE during the calendar year 2023. Such hours may NOT be counted as part of the CE requirement for the year 2023.
 - Submit to a CE audit for calendar year 2024.
- j) Case No.BVMCE0523A Dr. Jessica Anderson
 - Consent Agreement and Order effective July 26, 2023.
 - Paid Fine 7/13/23.
- k) Case No.BVMCE0523B Dr. Allison Dascoli
 - Consent Agreement and Order effective May 17, 2023.
 - Paid Fine 5/16/23.
- l) Case No.BVMCE0523C Dr. Conrad McCoy
 - Consent Agreement and Order effective May 30, 2023.
 - Paid Fine 5/26/23.
- m) Case No.BVMCE0523D Dr. Linda Richards
 - Consent Agreement and Order effective June 1, 2023.
 - Paid Fine 6/2/23.
- n) Case No.BVMCE0523E Raschel Pecjak, RVT
 - Consent Agreement and Order effective June 7, 2023.
 - Paid Fine 6/5/23.

BOARD CONSIDERATION:

- o) Case No.0622B (Chewy Case) (Original complaint received 8/2/22)
 - 6-month letter sent 1/31/23.
 - 18-month letter required 2/2/24.
 - Joanne went over current civil litigation, and the Board will continue monitoring.
- p) Case No.0622D (Chewy Case) (Original complaint received 8/2/22)
 - 6-month letter sent 1/31/23.
 - 18-month letter required 2/2/24.
 - Joanne went over current civil litigation, and the Board will continue monitoring.
- q) Case No.0123A (Original complaint received 1/4/23)
 - 6-month letter sent 6/21/23
 - 18-month letter required 7/4/24
 - **Dr. Gilpin** moved to not find probable cause; seconded by **Mrs. Long**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
 - Joanne advised that the Board does not need to respond to any of the allegations directed towards the Board from the Complainant.
- r) Case No.0423A (Original complaint received 4/3/23)
 - 6-month letter required 10/3/23
 - **Mrs. Long** moved to not find probable cause; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- s) Case No.0423B (Original complaint received 4/25/23)
 - 6-month letter required 10/25/23
 - 18-month letter required 10/25/23
 - **Mrs. Patton** moved to not find probable cause; seconded by **Dr. Piercy**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- t) Case No.0423C (Original complaint received 4/26/23)
 - 6-month letter required 10/26/23
 - 18-month letter required 10/26/24
 - **Dr. Piercy** moved to further investigate; seconded by **Dr. Gilpin**. So moved. **Dr. Ayers** abstained from the vote because the Respondent works at a facility that he is part owner. The small animal complaint committee recused themselves and left the meeting during the vote.
- u) Case No.0523A (Original complaint received 5/3/23)
 - 6-month letter required 11/3/23
 - 18-month letter required 11/3/24
 - **Dr. Gilpin** moved to not find probable cause; seconded by **Mrs. Long**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- v) Case No.0523B (Original complaint received 5/15/23)
 - 6-month letter required 11/15/23
 - 18-month letter required 11/15/24
 - **Mrs. Long** moved to not find probable cause; seconded by **Mrs. Patton**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- w) Case No.0523C (Original Complaint received 5/18/23)
 - 6-month letter required 11/18/23
 - 18-month letter required 11/18/24
 - **Dr. Gilpin** moved to not find probable cause; seconded by **Dr. Piercy**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- x) Case No.0523D (Original Complaint received 5/31/23)
 - 6-month letter required 11/30/23
 - 18-month letter required 11/30/24
 - **Dr. Piercy** moved to not find probable cause; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.

- y) Case No.0623A (Original Complaint received 6/21/23)
 - 6-month letter required 12/21/23
 - 18-month letter required 12/21/24
 - **Mrs. Long** moved to not find probable cause; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote
- z) The Board discussed the email regarding exam requirements for vaccines and boosters and decided to withdraw the request for a Board initiated Complaint.
 - aa) The Board discussed that no disciplinary is needed for the other veterinarian(s) that also saw the animal for Case 1222A.
 - bb) The Board discussed that no disciplinary is needed for the other veterinarian(s) that also saw the animal for Case 0323B.

V. Approval of Minutes

- a) **Dr. Sette** moved to approve the April 28, 2023 minutes; seconded by **Mrs. Meadows**. So moved.
- b) **Mrs. Meadows** moved to approve the May 19, 2023 minutes; seconded by **Mr. Gilpin**. So moved. Dr. Ayers, Mrs. Patton and Mrs. Long abstained from the vote since they weren't at the meeting.

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** moved to approve the P-Card Charges April 17, 2023–July 16, 2023; seconded by **Dr. Gilpin**. So moved.
- c) The Complaint Committee meeting was held August 1, 2023.
- d) The Rule Making Committee meeting was held July 31, 2023.
- e) The Board reviewed the Purchasing Inspection report.
- f) The Board reviewed the facility inspection list from April 1 – June 30, 2023. The Board ratifies the application and renewals approved by the staff. The Board reviewed the applications approved by the Executive Director and statistics from April 1 – June 30, 2023.

VII. There were no Questions for the Board.

VIII. New Business

- a) The Board discussed the Practice Act changes and requested more research to be done for mid-level practitioners and requested to further discuss at the next Board meeting.
- b) **Mrs. Long** motioned that spay/neuter clinics shall follow current laws requiring a full physical exam along with documentation on the exam. Rabies only visits shall have a brief examination to determine if the animal is healthy enough to receive a vaccine along with a Rabies Only Visit Waiver. Immunization visits must be done at a WV registered veterinary facility and requires a full physical exam along with documentation of the exam. Immunization visits with a current VCPR can be done under general supervision of a WV licensed veterinarian with an examination to determine if the animal is healthy enough to receive a vaccine along with documentation of the exam. Seconded by **Dr. Sette**. So moved.
- c) **Dr. Piercy** moved to approve the Record Keeping Guidance Document; seconded by **Dr. Sette**. So moved.
- d) The Board discussed the upcoming CE Training on September 22, 2023. Dr. Berkeley agreed to present the Board's record keeping template.
- e) **Mrs. Long** moved that non-licensees can only do dental floating, meaning to file or rasp the teeth to reduce the sharp edges and make the surface smoother, wolf tooth removal, and an oral exam; if injectable sedation is required, it must be done by a WV licensed veterinarian or the owner/owner's agent of the patient; seconded by **Dr. Gilpin**. So moved.
- f) **Dr. Piercy** moved to allow VTNE testing prior to graduation; seconded by **Mrs. Long**. So moved.

- g) **Mrs. Long** moved to allow unlimited amount of attempted test for the NAVLE; seconded by **Dr. Sette**. So moved.
- h) The Board would like to discuss tele-triage on September 21, 2023, the day before the next board meeting. They also requested to research what other states allow for tele-triage.
- i) The Board discussed the possibility of a reciprocity/provisional license.
- j) **Mrs. Patton** moved to allow no time limit for the online jurisprudence exam; seconded by **Dr. Ayers**. So moved.
- k) The Board discussed the burden of veterinary staff to do paperwork now that Xylazine is a controlled substance in WV.
- l) The Complaint Committee will begin using the Disciplinary Point System and will revise the point system as needed.
- m) **Dr. Gilpin** motioned to approve Fatal Plus and Euthosol for CAET's; seconded by **Dr. Ayers**. So moved.
- n) Trish advised that the AAVSB Proposed Model Regulations will be discussed at the AAVSB conference and for the Board members to read them and email Trish with any concerns.
- o) Trish will be the delegate for the AAVSB Conference held September 28-September 30, 2023. The Board agreed to allow Dr. Meade, Investigator, to attend the conference.
- p) The Board discussed the strategy and goals for 2023.

IX. Next Board Meeting will be on September 20, 2023 at 2:00 pm and September 21, 2023 at 9:00 am at Stonewall Resort.

X. The Meeting was Adjourned at 2:50 pm.



Monica R. Patton, RVT
Secretary-Treasurer