



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
5509 Big Tyler Road, Suite 3
Cross Lanes, West Virginia 25313
Telephone: (304) 776-8032 Fax: (304) 776-8256

MINUTES
JANUARY 6, 2022 @ 9:00 AM
SULPHUR SPRINGS, WV

Members Present: Dr. John Wilson; Dr. Keith Berkeley; Mrs. Monica R. Patton;
Dr. Mark Ayers; Dr. Jesse Fallon; Mrs. Amy Meadows;
Dr. Shawn Sette; Mrs. Jo Long was present by Google Meet
Non-Members Present: Joanne Vella, Attorney General's Office; Mike Brown, RPH, Recovery
Network; Brandi Legg, Secretary
Minutes taken by: Trish Holstein

- I. The meeting was called to order at 9:00am.
- II. Dr. Wilson went over the Mission Statement.
- III. **Public Comment**
 - The Board spoke with Mike Brown, RPH regarding a Wellness Program (Recovery Network) like the WV Dental Board Wellness Program.

Mrs. Patton motioned to go into executive session to discuss disciplinary at 9:18 am; seconded by **Mrs. Meadows**. Motion carried.

Mrs. Meadows motioned to go out of executive session at 1:03 pm; seconded by **Dr. Sette**. Motion carried.

IV. **Disciplinary Committee Report**

EXECUTED OR CONSENT AGREEMENTS OFFERED:

- a) Case No.0220A Dr. Kevin Hennessy
 - Consent Agreement effective July 10, 2020.
 - Placed on Probation for a period of 12 months (July 10, 2021)
 - Professional behavior and conduct shall be observed by his office manager on a daily basis.
 - Visited by a Board-approved supervising veterinarian at least once per month and for the supervising veterinarian to submit a report to the Board
 - Within 14 days (July 24, 2020), and as a condition to his continuation in practice
 - Submit to a physical and mental examination by a Board-approved health care provider(s), at his own expense, and be deemed fit to perform the necessary duties and responsibilities of a licensed veterinarian and to practice in compliance with the Board's governing statutes and rules.
 - Should he fail such examination, his license shall immediately be suspended until he is later examined and deemed fit to practice.
 - Consideration of physical assessment performed on July 21, 2020.
 - Consideration of mental evaluation performed September 17, 2020.
 - Within 90 days (October 10, 2020), completed three 3 hours of Board-approved CE on medical recordkeeping on October 22, 2020.
 - Within six 6 months of completing the CE, submit a total of five 5 patient medical records completed and maintained by him in the course of his practice. Received medical records July 20, 2021.

- Within 6 months (January 10, 2021)
 - Completed three 3 hours of Board-approved CE on Ethics October 26, 2020.
 - Reimbursement of administrative cost on October 8, 2020.
- Supervising veterinary supervision and observation of the office manager began March 20, 2021 and end March 19, 2022.
- The Board reviewed the supervision and observation reports.
- b) Case No.0220B Dr. Kevin Hennessy
 - Consent Agreement effective July 10, 2020.
 - Placed on Probation for a period of 12 months (July 10, 2021)
 - Professional behavior and conduct shall be observed by his office manager on a daily basis.
 - Visited by a Board-approved supervising veterinarian at least once per month and for the supervising veterinarian to submit a report to the Board
 - Within 14 days (July 24, 2020), and as a condition to his continuation in practice
 - Submit to a physical and mental examination by a Board-approved health care provider(s), at his own expense, and be deemed fit to perform the necessary duties and responsibilities of a licensed veterinarian and to practice in compliance with the Board's governing statutes and rules.
 - Should he fail such examination, his license shall immediately be suspended until he is later examined and deemed fit to practice.
 - Consideration of physical assessment performed on July 21, 2020.
 - Consideration of mental evaluation performed September 17, 2020.
 - Within 90 days (October 10, 2020), completed three 3 hours of Board-approved CE on medical recordkeeping on October 22, 2020.
 - Within six 6 months of completing the CE, submit a total of five 5 patient medical records completed and maintained by him in the course of his practice. Received medical records July 20, 2021.
 - Within 6 months (January 10, 2021)
 - Completed three 3 hours of Board-approved CE on Ethics October 26, 2020.
 - Reimbursement of administrative cost on October 8, 2020.
- Supervising veterinary supervision and observation of the office manager began March 20, 2021 and end March 19, 2022.
- The Board reviewed the supervision and observation reports.
- c) Case No.0121A (Original complaint received 1/20/21 18 months – 7/20/22)
 - 6-month letter dated July 13, 2021
 - Pending Consent Agreement
- d) Case No.0321A Dr. Timothy Knotts
 - Consent Agreement effective September 15, 2021
 - Within 6 months of Consent Agreement and Order (March 15, 2022)
 - Reimbursement administrative cost October 25, 2021.
 - Completed 3 hours of Board-approved continuing education on the subject of clinical decision making or pharmacology.
 - Completed 3 hours of Board-approved continuing education on the subject of medical record keeping.
 - Within 90 days of completed three 3 hours of Board-approved CE on the subject of medical recordkeeping, submit a total of five 5 patient medical records.
 - The Board reviewed the submitted five 5 patient medical records.
 - **Dr. Berkeley** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Mrs. Meadows**. Motion carried.
- e) Case No.0421A Dr. Paige Stoehr
 - Consent Agreement effective September 28, 2021
 - Within 6 months of Consent Agreement and Order (March 28, 2022)
 - Reimbursed administrative cost November 30, 2021.
 - Completed 3 hours of Board-approved continuing education on the subject of kidney disease or renal disease.

- Completed 3 hours of Board-approved continuing education on the subject of medical record keeping.
 - Within 90 days of completed three 3 hours of Board-approved CE on the subject of medical recordkeeping submit a total of five 5 patient medical records.
 - **Mrs. Meadows** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Berkeley**. Motion carried.
- f) Case No.0421B Todd Shockey
- 6-month letter dated October 6, 2021
 - Consent Agreement effective November 1, 2021
 - Within 3 months of Consent Agreement and Order (February 1, 2022)
 - Reimbursed administrative cost December 1, 2021.
 - Complete 3 hours of Board-approved continuing education on the subject of medical record keeping.
 - Within 90 days of completed three 3 hours of Board-approved CE on the subject of medical recordkeeping, submit a total of five 5 patient medical records.
- g) Case No.0521B Cynthia Linner
- Consent Agreement effective November 11, 2021
 - Considering the following steps taken by Dr. Linner, there will be no requirement to undertake correction action.
 - Conducted additional research into Meloxicam and contacted a pathologist's opinion
 - Acknowledged that her mistake in prescribing an overdose of Meloxicam contributed to and may have caused the death of a dog.
 - Reimbursed the client for the hospitalization and surgery expenses they incurred.
 - Contacted the owners of other dogs on the 7.5 mg. Meloxicam tablets to make sure they were administering the medication properly.
 - Within 90 days of Consent Agreement and Order (February 11, 2022)
 - Reimbursement of administrative cost.
- h) Case No.0521D Sarah O'Donnell
- Consent Agreement effective November 5, 2021
 - Within 3 months of Consent Agreement and Order (February 5, 2022)
 - Reimbursed administrative cost December 27, 2021.
 - Within 6 months of Consent Agreement and Order (May 5, 2022)
 - Complete 3 hours of Board-approved continuing education on the subject of CPR.
 - Complete 3 hours of Board-approved continuing education on the subject of medical record keeping.
 - Within 90 days of completed three 3 hours of Board-approved CE on the subject of medical recordkeeping, submit a total of five 5 patient medical records.
- i) Case No. BVMCE0621A Dr. Alexandro Dias
- Consent Agreement and Order effective July 30, 2021.
 - Within 90 days of Consent Agreement and Order (October 30, 2021)
 - Received fine of \$100.00 July 26, 2021.
 - Reimbursed administrative cost August 23, 2021.
 - Within 6 months of Consent Agreement and Order (January 30, 2022)
 - Completed 3.5 deficient CE during the calendar year 2021. Such hours may NOT be counted as part of the CE requirement for the year 2021.
 - Submit to a CE audit for calendar year 2022.
- j) Case No. BVMCE0621B Dr. Caitlin Cosentino
- Consent Agreement and Order signed July 17, 2021.
 - Within 90 days of Consent Agreement and Order (October 17, 2021)
 - Received fine of \$100.00 July 13, 2021.
 - Reimbursed administrative cost August 31, 2021.

- Within 6 months of Consent Agreement and Order (January 17, 2022)
 - Complete the number and/or type of CE hours that are deficient. Such hours may NOT be counted as part of the CE requirement for the year 2021.
 - Submit to a CE audit for calendar year 2022.
- k) Case No. BVMCE0621C Karli Snyder, RVT
- Consent Agreement and Order signed August 31, 2021.
 - Within 90 days of Consent Agreement and Order (November 31, 2021)
 - Received fine of \$100.00 August 30, 2021.
 - Reimbursement of administrative cost October 19, 2021.
 - Within 6 months of Consent Agreement and Order (February 28, 2022)
 - Completed the number and/or type of CE hours that are deficient on September 21, 2021. Such hours may NOT be counted as part of the CE requirement for the year 2021.
 - Submit to a CE audit for calendar year 2022.
- l) Case No. BVMCE0621D Dr. William Selby
- Consent Agreement and Order signed August 30, 2021.
 - Within 90 days of Consent Agreement and Order (November 30, 2021)
 - Received fine of \$100.00 received August 18, 2021.
 - Reimbursed of administrative cost paid December 20, 2021.
 - Within 6 months of Consent Agreement and Order (February 28, 2022)
 - Complete the number and/or type of CE hours that are deficient. Such hours may NOT be counted as part of the CE requirement for the year 2021.
 - Submit to a CE audit for calendar year 2022.
- m) Case No. BVMCE0621E Dr. Megan Wagner
- Consent Agreement and Order signed August 5, 2021.
 - Within 90 days of Consent Agreement and Order (November 5, 2021)
 - Received fine of \$100.00 August 4, 2021.
 - Reimbursed administrative cost August 26, 2021.
 - Within 6 months of Consent Agreement and Order (February 5, 2022)
 - Complete the number and/or type of CE hours that are deficient. Such hours may NOT be counted as part of the CE requirement for the year 2021.
 - Submit to a CE audit for calendar year 2022.

BOARD CONSIDERATION:

- n) Case No.0821A (Original complaint received 8/02/21 18 months – 2/02/22)
- **Dr. Fallon** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Mrs. Patton**. Motion carried. The small animal complaint committee members recused themselves and left the meeting from the vote.
- o) Case No.0821B (Original complaint received 8/16/21 18 months – 2/16/22)
- **Dr. Fallon** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Mrs. Patton**. Motion carried. The small animal complaint committee members recused themselves and left the meeting from the vote.
- p) Case No.1021A (Original complaint received 10/7/21 18 months – 4/7/22)
- **Dr. Wilson** motioned to not find probable cause as to the allegations to the complaint but upon investigation and reviewing of the medical records, the Board has found probable cause for insufficient medical records; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee recused themselves and left the meeting from the vote.
- q) Case No.1021B (Original complaint received 10/7/21 18 months – 4/7/22)
- **Dr. Wilson** motioned to not find probable cause as to the allegations to the complaint but upon investigation and reviewing of the medical records, the Board has found probable cause for insufficient medical records; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee recused themselves and left the meeting from the vote.

- r) Case No.1021C (Original complaint received 10/18/21 18 months – 4/18/22)
 - **Dr. Berkeley** motioned to not find probable cause; seconded by **Dr. Fallon**. Motion carried. The small animal complaint committee recused themselves and left the meeting from the vote. Because **Dr. Sette** is the Respondent, he recused himself and left the meeting from the vote. The small animal complaint committee members recused themselves and left the meeting from the vote.
- s) Case No.1021D (Original complaint received 10/12/21 18 months – 4/12/22)
 - **Mrs. Patton** motioned to not find probable cause; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee recused themselves and left the meeting from the vote. Because **Dr. Fallon** is the Respondent, he recused himself and left the meeting from the vote. The small animal complaint committee members recused themselves and left the meeting from the vote.
- t) Case No.1021E (Original complaint received 10/12/21 18 months – 4/12/22)
 - **Mrs. Patton** motioned to not find probable cause; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee recused themselves and left the meeting from the vote. Because **Dr. Fallon** is part owner of the facility where the Respondent works, he recused himself and left the meeting from the vote. The small animal complaint committee members recused themselves and left the meeting from the vote.
- u) Case No.1021F (Original complaint received 10/25/21 18 months – 4/25/22)
 - **Dr. Berkeley** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Dr. Fallon**. Motion carried. The small animal complaint committee members recused themselves and left the meeting from the vote.
- v) Case No.1121A (Original complaint received 11/9/21 18 months – 5/9/22)
 - **Dr. Berkeley** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Mrs. Patton**. Motion carried. The small animal complaint committee members recused themselves and left the meeting from the vote.
- w) Case No.1121B (Original complaint received 11/9/21 18 months – 5/9/22)
 - **Mrs. Patton** motioned to not find probable cause as to the allegations to the complaint but upon investigation and reviewing of the medical records the Board has found probable cause for insufficient medical records; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee members recused themselves and left the meeting from the vote.
- x) Case No.1221A (Original complaint received 12/2/21 18 months – 6/2/22)
 - The Board will consider this case at the next Board meeting.
- y) Since Dr. Meade, Investigator, is still investigating the Chewy Complaint, it will be discussed at the next Board meeting.
- z) **Dr. Berkeley** motioned to approve the questionable veterinary and CAET applications; seconded by **Mrs. Patton**. Motion carried.

V. Approval of Minutes

- a) **Dr. Berkeley** motioned to approve the October 29, 2021 minutes; seconded by **Dr. Sette**. Motion carried.
- b) **Dr. Berkeley** motioned to approve the December 8, 2021 minutes; seconded by **Dr. Sette**. 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 October 17, 2021 – December 16, 2021; seconded by **Dr. Sette**. Motion carried.
- c) The Complaint Committee met on December 20, 2021.
- d) The Rule Making Committee met on January 5, 2022.
- e) Trish advised that she hasn't heard much from Thentia but there is a meeting set for January.
- f) There was no quarterly mobile clinic report for the Board to review.
- g) Executive Director Report Executive Director Report
 - The Board reviewed the facility inspection list from October 20-December 31, 2021.
 - The Board reviewed the applications approved by Executive Director and statistics from October 20-December 31, 2021.

VII. Questions for the Board


- **Question:** Once the patient is intubated, is everything after that considered surgery? Is it once the patient is sterile? Are we compromising sterility if we move a patient after being scrubbed?
- **Answer:** Final surgical scrub can be done in the surgery room.
- **Question:** Can a RVT euthanize at a veterinary facility?
 - **Answer:** **Dr. Berkeley** motioned that RVT can euthanize under veterinary general supervision at a veterinary facility; seconded by **Dr. Ayers**. Motion carried.

VIII. New Business

- a) The Board discussed the Rule Making Committee revision of the Telehealth Rule, and the Board requested a copy be sent to Dr. Babcock and the WV Veterinary Medical Association for their review and comments.
- b) Dr. Wilson discussed the status of the legislative Special Committee on Viability of WV Veterinary Medicine School. Dr. Wilson has attended meetings and toured Ohio State University.
- c) Application renewal questions have been tabled.
- d) **Dr. Berkeley** motioned that if an expired CAET wants to reactivate their CAET certification, the application should be reviewed by the Board to decide if they should attend the 3-day training; seconded by **Dr. Sette**. Motion carried.
- e) The Board discussed the topics for the Record Keeping Training being held on September 23, 2022. The Board also wants to offer the training virtually.
- f) The Board discussed the possibility of a Wellness Program (Recovery Network) like the WV Dental Board Wellness Program.
- g) The Board discussed facility inspections deficiencies.
- h) The Board discussed the possibility of a Sanctioning Points Manual similar to the VA Veterinary Board. Trish will send out an invite to the Board members and Joanne to attend the January 26, 2022 meeting with the consultant.
- i) The Board discussed the VA Medical Recordkeeping Guidance. Trish will work on a guidance sheet to be passed out at the Record Keeping training.
- j) Consideration of Canine Rehabilitation Technician has been tabled.
- k) **Dr. Berkeley** motioned to approve the Complaint Case Shredding Policy; seconded by **Mrs. Meadows**. Motion carried.
- l) **Dr. Fallon** motioned to approve the Revised Application/Renewal Policy; seconded by **Dr. Berkeley**. Motion carried.
- m) The Board discussed the reappointments and replacing of expired Board members. Mrs. Meadows is willing to be reappointed. Since Dr. Cary resigned from the Board and Dr. Wilson and Dr. Berkeley's terms have expired, the Board would like to recommend Dr. Gilpin Dr. Seiler, and Dr. Piercy. The Board would like to purchase a plaque for Dr. Cary to express their appreciation of Dr. Cary's service to the Board.
- n) The Board discussed Strategies and Goals 2022
 - Coordinate the Record Keeping CE training
 - Establish Complaint Sanctioning Points policy
 - Create a Record Keeping summary
 - Functional new database
- o) Trish advised that once the registration is open, she will register Dr. Sette for the AAVSB Basics & Beyond being held April 1- 2, 2022 Kansas City, MO.
- p) **Dr. Berkeley** motioned to hire Dr. Jay Tischendorf for the CAET CE Training for 2022; seconded by **Dr. Ayers**. Motioned care.
- q) Trish discussed that she would like to meet with the Record Keeping Committee to go over patient records.

IX. The Next Board Meeting will be in Morgantown on April 29, 2022.

X. The Meeting was Adjourned at 3:47pm


Monica R. Patton, RVT
Secretary-Treasurer