



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
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MINUTES
JULY 16, 2024 @ 9:00 AM
EMBASSY SUITES – CHARLESTON BOARD ROOM

Members Present: Dr. Keith Berkeley; Dr. Donna Piercy; Mrs. Monica R. Patton;
Dr. Mark Ayers; Dr. Jesse Fallon; Mrs. Jo Long (via Google Meet);
Dr. K.W. Gilpin; Mrs. Amy Meadows (via Google Meet); Dr. Shawn Sette

Non-Members Present: Kate Campbell, Attorney General's Office (via Google Meet); Brandi Legg, Secretary; Dr. Barbara Meade, Investigator; Jim Strawn

Minutes taken by: Trish Holstein

I. The meeting was called to order at 9:05 am. **Dr. Sette** moved to adopt the agenda; seconded by **Dr. Ayers**. So moved.

II. 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. Jim Strawn, moderator, shared to the Board his observations from the Equine Dental Care Stakeholders meeting held on July 15, 2024.

Dr. Ayers moved to go into executive session to discuss disciplinary cases at 9:08 am; seconded by **Dr. Sette**. So moved.

Dr. Sette moved to go out of executive session at 9:33 am to have public comment; seconded by **Dr. Ayers**. So moved.

Dr. Sette moved to go into executive session to discuss disciplinary cases at 10:04 am; seconded by **Dr. Ayers**. So moved.

Dr. Ayers moved to go out of executive session at 10:37 am; seconded by **Dr. Sette**. So moved.

IV. Disciplinary Committee Report

EXECUTED OR CONSENT AGREEMENTS OFFERED:

- a) Case No.1122B Gwendolyn Dluhosh
 - 6-month letter sent May 19, 2023.

- 18-month letter signed by Complainant May 7, 2024.
 - Respondent and attorney were scheduled to speak to the Board; however, the Respondent requested to reschedule due to illness. This will be rescheduled for the next Board meeting.
- b) Case No.1223A (Original complaint received December 6, 2023)
- 6-month letter sent June 3, 2024.
 - 18-month letter required June 6, 2025.
 - Consent Agreement deadline to respond within 30 days.
- c) Case No.1223C Laura Slack
- 6-month letter sent June 17, 2024.
 - Consent Agreement effective June 28, 2024.
 - Within 3 months of Consent Agreement (September 28, 2024).
 - Complete 3 hours of Board approved CE on the subject of surgical anesthesia and post-surgical monitoring.
 - Reimbursement of administrative cost.
- d) Case No.0323C Jacqueline Chevalier
- 6-month letter sent October 10, 2023.
 - Consent Agreement effective February 5, 2024.
 - Within 3 months of Consent Agreement (May 5, 2024).
 - Completed 3 hours of Board approved CE on the subject of Urinary System.
 - Reimbursement of administrative cost.
 - **Dr. Sette** moved that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Piercy**. So moved.
- e) Case No.0124B (Original complaint received January 9, 2024)
- 6-month letter sent July 9, 2024.
 - 18-month letter required July 9, 2025.
 - The Board reviewed 5 actual patient surgery records along with anesthesia monitoring reports and written CPR protocol requested by the Board.
 - **Dr. Fallon** moved to find no probable cause; seconded by **Dr. Piercy**. So moved.

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 2024.
- f) Case No.BVMCE0523A Dr. Jessica Anderson
- Consent Agreement and Order effective July 26, 2023.
 - Paid Fine July 13, 2023.
- g) Case No.BVMCE0324A Dr. Timothy Knotts
- Consent Agreement and Order effective May 21, 2024.
 - Paid Fine June 7, 2024.
- h) Case No.BVMCE0324B Dr. John Spiker

- Consent Agreement and Order effective March 19, 2024.
- Paid Fine March 19, 2024.
- i) Case No.BVMCE0324C Dr. David Williams
 - Consent Agreement and Order effective June 18, 2024.
 - Paid Fine June 18, 2024.
- j) Case No.BVMCE0324D Kaitlyn Rhodes, RVT
 - Consent Agreement and Order effective April 08, 2024.
 - Fine Pending.
- k) Case No.BVMCE0324E Heather Sager, RVT
 - Consent Agreement and Order effective April 03, 2024.
 - Paid Fine April 03, 2024.

BOARD CONSIDERATION:

- l) Case No.0424A (Original complaint received April 8, 2024)
 - 6-month letter required October 8, 2024.
 - 18-month letter required October 8, 2025
 - **Dr. Piercy** moved to find no probable cause; seconded by **Dr. Fallon**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- m) Case No.0424B (Original complaint received April 22, 2024)
 - 6-month letter required October 22, 2024.
 - 18-month letter required October 22, 2025.
 - **Dr. Piercy** moved to find no probable cause; seconded by **Mrs. Patton**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- n) Case No.0424C (Original complaint received April 29, 2024)
 - 6-month letter required October 29, 2024.
 - 18-month letter required October 29, 2025.
 - **Dr. Piercy** moved to find probable cause and to offer a Consent Agreement; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- o) Case No.0524A (Original complaint received May 3, 2024)
 - 6-month letter required November 3, 2024.
 - 18-month letter required November 3, 2025.
 - **Dr. Fallon** moved to find no probable cause because it falls outside the jurisdiction of the Board; seconded by **Dr. Piercy**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- p) Case No.0524B (Board Initiated Complaint April 24, 2024)
 - 6-month letter required October 24, 2024.
 - 18-month letter required October 24, 2025.
 - **Mrs. Patton** moved to find no probable cause; seconded by **Dr. Piercy**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- q) Case No.0524C (Original complaint received May 6, 2024)
 - 6-month letter required November 6, 2024.
 - 18-month letter required November 6, 2025.

- **Dr. Fallon** moved to find no probable cause for the complaint; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote
 - **Dr. Piercy** moved to issue a Board initiated complaint for insufficient medical records; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- r) Case No.0524D (Original complaint received May 10, 2024)
- 6-month letter required November 10, 2024.
 - 18-month letter required November 10, 2025.
 - **Mrs. Patton** moved to find no 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.0524E (Original complaint received May 22, 2024)
- 6-month letter required November 22, 2024.
 - 18-month letter required November 22, 2025.
 - **Dr. Fallon** moved to find no probable cause; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- t) Case No.0624A (Original complaint received June 3, 2024)
- 6-month letter required December 3, 2024.
 - 18-month letter required December 3, 2025.
 - Pending Respondent's response to additional documents received from the Complainant. This case will be discussed at the next Board meeting.
- u) Case No.0624B (Original complaint received June 24, 2024)
- 6-month letter required December 24, 2024.
 - 18-month letter required December 24, 2025.
 - Respondent's response due July 24, 2024. This case will be discussed at the next Board meeting.
- v) The Board discussed a response to a non-disclosure of an adverse action on a veterinarian's license renewal and took no action.
- w) The Board discussed a non-licensed veterinarian that practiced veterinary medicine in March 2023; however, is no longer practicing in WV. Since the veterinarian is no longer practicing in WV, there is a new veterinarian-in-charge, and a new facility owner, the Board took no action.
- x) An anonymous complaint was expected to be discussed; however, the Board did not receive it prior to the Board meeting.

V. Approval of Minutes

- a) **Dr. Gilpin** moved to approve the April 24, 2024 minutes; seconded by **Dr. Fallon**. So moved.

VI. Reports

- a) The Board accepted and reviewed the treasurer's report, itemized object codes, and OASIS monthly reconciliation, which will be filed for auditing.
- b) **Dr. Sette** moved to approve the P-Card Quarterly charges; seconded by **Dr. Gilpin**. So moved.
- April– June 2024

- c) The Equine Dental Care Stakeholders Meeting was held on July 15, 2024.
- d) The Complaint Committee Meeting was held July 16, 2024 at 8:00 am.
- e) Trish provided a CAET CE Cost Breakdown.
- f) Trish advised that "as usual" Thentia stalled for a while but started back up and we are still in the process of completing the database.
- g) The Board reviewed the quarterly facility inspection list. The Board ratifies the application and renewals approved by the staff. The Board reviewed the quarterly list of applications approved by the Executive Director and statistics.
 - April– June 2024

VII. The Board Responded to the Public Questions.

VIII. New Business

- a) The Board will review comments and suggestions given at the equine dental care stakeholders meeting, research the laws of other jurisdictions, and discuss it further at the next Board meeting.
- b) The Board discussed Chapter 30 practice act revisions and Trish will provide a final version at the next Board meeting. Kate, Attorney General Office, will confirm if the code allows the Board authority over non licensed persons.
- c) The Board discussed patient records received during a facility inspection and requested to send a non-compliance letter allowing 60 days to improve and to submit new patient records for 1 surgery, 1 sickness, and 1 wellness.
- d) The Board will review AAVSB regulatory policy changes. The Board members will let Trish know of any suggested changes.
- e) The Board discussed strategy and goals for 2024.

IX. The Next Board Meeting will be held on Friday, October 18, 2024 at Canaan Valley.

X. The Meet was Adjourned at 1:15pm.



Monica R. Patton, RVT
Secretary-Treasurer