



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
5509 Big Tyler Road, Suite 3
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MINUTES
SEPTEMBER 22, 2022 @ 9:00 AM
ROANOKE, WV

Members Present: Dr. Keith Berkeley; Mrs. Monica R. Patton; Dr. Mark Ayers; Dr. Jesse Fallon;
Dr. K.W. Gilpin; Dr. Donna Piercy; Mrs. Jo Long; Mrs. Amy Meadows
Members Absent: Dr. Shawn Sette
Non-Members Present: Brandi Legg, Secretary, Dr. Barbara Meade, Investigator
Minutes taken by: Trish Holstein

- I. The meeting was called to order at 9:01 am.
- II. Dr. Berkeley went over the Mission Statement.
- III. There was no Public Comment.

Mrs. Meadows motioned to go into executive session to discuss disciplinary cases at 9:02 am; seconded by Dr. Gilpin. Motion carried.

Mrs. Long motioned to go out of executive session at 10:32 am; seconded by Dr. Ayers. Motion carried.

IV. Disciplinary Committee Report

EXECUTED OR CONSENT AGREEMENTS OFFERED:

a) Case No.0821A & 0821B Dr. Thomas McMahon

- Consent Agreement effective April 1, 2022.
 - Placed on Probation for a period of 12 months (March 31, 2023)
 - Submit 4 medical records every month.
 - If during the probationary period, the medical records submitted continue to be insufficient, or if the Board receives 1 more complaint in which determines that probable cause exists to charge with one or more violations, the Board will consider more severe action.
 - Visited by a Board member or a person approved by the Board at least once a month, to assist with compliance with the Board's regulations.
 - Attend the Board's CE seminar on the topic of medical record keeping held on September 23, 2022. Such hours may NOT be counted as part of the CE requirement for the year 2022.
 - Within 6 months (October 1, 2022)
 - Complete 3 hours of Board-approved CE on the subject of anesthesia. Such hours may NOT be counted as part of the CE requirement for the year 2022.
 - Reimbursement of administrative cost.
- Dr. Meade discussed the August/September site visits. She will do another site visit with him in October to discuss his findings.

- b) Case No.1021A & 1021B Dr. Timothy Knotts
 - Consent Agreement effective March 22, 2022.
 - Attend the Board's CE seminar on the topic of medical record keeping held on September 23, 2022.
 - Within 3 months of Consent Agreement (September 22, 2022)
 - Reimbursed administrative cost June 14, 2022.
 - Within 90 days of attending the Board's CE seminar, submit a total of 5 patient medical records (December 23, 2022).
- c) Case No.1021F Dr. Laura Means
 - Consent Agreement effective April 29, 2022.
 - Within 6 months of the Consent Agreement (October 29, 2022)
 - Complete 3 hours of Board approved CE on the subject of medical record keeping.
 - Complete 3 hours of Board approved CE on the subject of dental surgery/extraction.
 - Complete 3 hours of Board approved CE on the subject of anesthesia.
 - Such hours may NOT be counted as part of the CE requirement for the year 2022.
 - Within 3 months of Consent Agreement (July 29, 2022)
 - Reimbursed administrative cost July 21, 2022.
 - Within 3 months of completing the CE, submit a total of five 5 patient medical records.
- d) Case No.1221B Dr. Mark Music
 - Consent Agreement effective September 7, 2022.
 - Attend 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)
 - Reimbursement of administrative cost
- e) Case No.0222A Dr. Jamie Totten
 - Consent Agreement effective September 15, 2022
 - Attend 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)
 - Reimbursement of administrative cost
- f) Case No.0322C Dr. Hannah Combs
 - Consent Agreement effective September 7, 2022
 - Attend 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)
 - Reimbursement of administrative cost
 - Within 6 months of Consent Agreement (March 7, 2023)
 - Complete 3 hours of CE on the subject of cardiopulmonary resuscitation (CPR)

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 2022. Such hours may NOT be counted as part of the CE requirement for the year 2022.
 - Submit to a CE audit for calendar year 2023.

- g) Case No.BVMCE0522A Dr. Amy Chronister
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/16/22.
- h) Case No.BVMCE0522B
 - Case dismissed since CE certificate was provided.
- i) Case No.BVMCE0522C Dr. Sierra Guynn
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/10/22.
- j) Case No.BVMCE0522D Dr. Rick Jenkins
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/10/22.
- k) Case No.BVMCE0522E Dr. Thomas Overbay
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/4/22.
- l) Case No.BVMCE0522F Dr. Justine Saville
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/18/22.
- m) Case No.BVMCE0522G Dr. Alan Sharpton
 - Consent Agreement and Order effective September 7, 2022
 - Paid Fine 8/19/22.
- n) Case No.BVMCE0522H Dr. Laura Slack
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/4/22.
- o) Case No.BVMCE0522I Dr. Susan Smith
 - Consent Agreement and Order effective August 16, 2022.
 - Paid Fine 8/11/22.
- p) Case No.BVMCE0522J
 - Case dismissed since CE certificate was provided.
- q) Case No.BVMCE0522K Olivia Nelson, RVT
 - Consent Agreement and Order effective September 7, 2022.
 - Paid Fine 9/1/22.
- r) Case No.BVMCE0522L Kristin Snider, RVT
 - Consent Agreement and Order effective September 15, 2022.
 - Paid Fine 9/9/22.

BOARD CONSIDERATION:

- s) Case No.0622A (Original complaint received 6/3/22)
 - 6-month letter required 12/3/22
 - 18-month letter required 12/3/23
 - Pending 3rd Response from Respondent
- t) Case No.0622B (Chewy Case) (Original complaint received 8/2/22)
 - 6-month letter required 2/2/23
 - 18-month letter required 2/2/24
 - **Mrs. Patton** motioned for Joanne, Attorney, to further investigate; seconded by **Mrs. Long**. Motion carried.
- u) Case No.0622C (Original complaint received 6/16/22)
 - 6-month letter required 12/16/22
 - 18-month letter required 12/16/23
 - **Mrs. Patton** motioned to not find probable cause; seconded by **Mrs. Long**. Motion carried. The small animal complaint committee recused themselves and left the meeting during the vote.
- v) Case No.0622D (Chewy Case) (Original complaint received 8/2/22)
 - 6-month letter required 2/2/23
 - 18-month letter required 2/2/24
 - **Mrs. Patton** motioned for Joanne, Attorney, to further investigate; seconded by **Mrs. Long**. Motion carried.

- w) Case No.0622E (Original complaint received 6/21/22)
 - 6-month letter required 12/21/22
 - 18-month letter required 12/21/23
 - **Mrs. Patton** motioned to find probable cause and to offer a Consent Agreement; seconded by **Mrs. Long**. Motion carried. The small animal complaint committee recused themselves and left the meeting during the vote.
- x) Case No.0722A (Original complaint received 7/21/22)
 - 6-month letter required 1/21/23
 - 18-month letter required 1/21/24
 - **Mrs. Long** motioned to not find probable cause; seconded by **Mrs. Patton** Motion carried. The small animal complaint committee recused themselves and left the meeting during the vote.
- y) Case No.0722B (Original complaint received 7/29/22)
 - 6-month letter required 1/29/23
 - 18-month letter required 1/29/24
 - **Mrs. Patton** motioned to not find probable cause; seconded by **Dr. Fallon**. Motion carried. The small animal complaint committee recused themselves and left the meeting during the vote.
- z) **Mrs. Long** motioned to initiate a Board complaint from information received from an anonymous complaint; seconded by **Dr. Piercy**. Motion carried.

V. Approval of Minutes

- a) **Dr. Ayers** motioned to approve the July 15, 2022 minutes; seconded by **Mrs. Meadows**. Motion carried.
- b) **Mrs. Long** motioned to approve the September 7, 2022 minutes; seconded by **Mrs. Meadows**. 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 June 17, 2021 –September 16, 2022; seconded by **Dr. Ayers**. Motion carried.
- c) The Complaint Committee met on September 22, 2022.
- d) Trish and Mrs. Patton went over the hot topics from the AAVSB Annual Meeting September 14-17, 2022.
- e) Trish advised that there has been no movement with Thentia's database.
- f) Executive Director Report
 - The Board reviewed the facility inspection list from July 1 – August 31, 2022.
 - The Board reviewed the applications approved by Executive Director and statistics from July 1 – August 31, 2022.

VII. The Board Responded to Public Questions.

VIII. New Business

- a) **Dr. Ayers** motioned to request stake holders' comments for Chapter 30 Revision; seconded by **Dr. Gilpin**. Motion carried.
- b) **Dr. Fallon** motioned to get public comment for Series 2 Revision; seconded by **Mrs. Long**. Motion carried.
- c) **Dr. Ayers** motioned to approve Trish to attend the FARB training held January 26 – 28, 2022; seconded by **Mrs. Patton**.
- d) **Dr. Ayers** motioned to approve the revised Disciplinary Policy as amended; seconded by **Mrs. Long**. Motion carried.
- e) Dr. Berkeley went over the Powers and Duties of Board Members from an Auditor's Seminar 2015 presentation and the Voting Provisions of the Ethics Act.
- f) **Dr. Ayers** motioned to approve the Revised Application/Renewal Policy as amended; seconded by **Mrs. Long**. Motion carried.
- g) The Board discussed Strategy and Goals for 2022 and requested to add CPR to the list of CE's for the Board to provide.
- h) **Dr. Ayers** motioned to approve primary source verifications; seconded by **Dr. Piercy**. Motion carried.
- i) The Board tabled vaccine clinic exam requirements.
- j) Mrs. Patton, Dr. Sette, and Dr. Fallon volunteered to be on a committee for the Record Keeping Guidance.

- k) The Board discussed the option of scheduling facility inspections. The Board agreed as a courtesy to give facilities an estimated inspection date but understands that because of unexpected delays, it's not practical to schedule facility inspections.
- l) **Mrs. Long** motioned to approve the purchase of Survey Monkey Advantage Plan; seconded by **Dr. Fallon**. Motion carried.
- m) **Dr. Piercy** motioned to approve the purchase of Boardable; seconded by **Dr. Ayers**. Motion carried.
- n) **Dr. Ayers** motioned to approve the purchase of Text Software; seconded by **Dr. Gilpin**. Motion carried.
- o) Dr. Fallon and Mrs. Long agreed to be reappointed for a second term Board member.
- p) The Board agreed that a size of a Run should be large enough, for the largest animals that you treat, to move around comfortably.
- q) Dr. Berkeley, Trish, and Brandi will be attending the State Licensing Board Auditor's Training on November 1, 2022. Dr. Gilpin will get back with Trish if he's able to attend the training.

IX. **The next Board Meeting will be at the Greenbrier on January 5, 2023.**

X. **The Meeting was Adjourned at 2:33 pm.**



Monica R. Patton, RVT
Secretary-Treasurer