



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
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MINUTES
JANUARY 4, 2024 @ 9:00 AM
GREENBRIER RESORT – HAYES ROOM

Members Present: Dr. Keith Berkeley; Mrs. Monica R. Patton; Dr. Mark Ayers; Dr. Jesse Fallon;
Dr. K.W. Gilpin; Mrs. Jo Long; Mrs. Amy Meadows; Dr. Donna Piercy; Dr. Shawn Sette
Non-Members Present: Joanne Vella, Attorney General's Office; Brandi Legg, Secretary, Dr. Danny Montgomery,
WVMA; Dr. George Seiler, WVMA; Abbie Dunn, representing Dr. George Seiler
Non-Members Present via
Google Meet: Dr. Barbara Meade, Investigator; Amanda Compton, RVT; Hollie Burnside
Minutes taken by: Trish Holstein

I. The meeting was called to order at 9:15 am. **Dr. Ayers** moved to adopt the agenda; seconded by **Dr. Gilpin**. So moved.

I. 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.

II. Public Comment

- Dr. Montgomery, Dr. Seiler, and Amanda Compton, expressed their stance against non-licensees performing teeth floating.
- Hollie Burnside and Amanda Compton explained their education and training in equine dentistry.
- Abbie Dunn noted the Board's law and obligation to investigate non-licensed practice of veterinary medicine.

Mrs. Meadows moved to go into executive session to discuss disciplinary cases at 10:45 am; seconded by **Dr. Sette**. So moved.

Dr. Ayers moved to go out of executive session at 2:10 pm; seconded by **Dr. Sette**. So moved.

IV. Disciplinary Committee Report

EXECUTED OR CONSENT AGREEMENTS OFFERED:

- a) 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 April 13, 2023.
 - Attended the Board's Record Keeping Training September 23, 2023.
 - **Mrs. Long** moved to send a letter noting the patient record deficiencies within the records that were submitted; seconded by **Dr. Fallon**. So moved.
- b) 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).
 - 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 (November 1, 2023).
 - Reimbursed administrative cost September 18, 2023.
 - **Dr. Gilpin** moved that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Ayers**. So moved.
- c) Case No.1222A and Case 0323B Dr. Kevin Hennessy
 - 6-month letter for case 1221A sent 6/21/23.
 - 6-month letter for case 0323B sent 9/17/23.
 - Consent Agreement effective September 6, 2023.
 - Placed on Probation for a period of 2 years (September 5, 2025).
 - During the probationary period, if the medical records continue to be insufficient, or if the Board receives one more complaint in which it determines that probable cause exists to charge with one or more violations of the Board's governing statutes and rules, the Board will consider more severe action.
 - Submit 4 patient medical records every month.
 - Professional behavior and conduct shall be observed by his office manager on a daily basis and be responsible for coordinating with the office manager to have a monthly report submitted to the Board.
 - Visited by a Board member or an approved person by the Board at least once per month.
 - Supervised by a Board approved supervising veterinarian and be responsible for coordinating with the supervising veterinarian to submit a report to the Board after each visit, including copies of patient records reviewed and verification of such review.
 - Within 6 months (March 6, 2024)
 - Complete 6 hours of Board-approved CE on veterinary pharmacy.
 - Complete 3 hours of Board-approved CE on gastrointestinal surgery.
 - Reimbursement of administrative cost.
 - Summary Suspension effective January 4, 2024.
 - Hearing Date March 27, 2024.
- d) Case No.1023B Dr. Kevin Hennessy (Original complaint received 10/31/23)
 - 6-month letter required 4/13/24.
 - 18-month letter required 4/13/25.
 - Summary Suspension effective January 4, 2024.
 - Hearing Date March 27, 2024.

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.
- e) Case No.BVMCE0523A Dr. Jessica Anderson
- Consent Agreement and Order effective July 26, 2023.
 - Paid Fine 7/13/23.
- f) Case No.BVMCE0523B Dr. Allison Dascoli
- Consent Agreement and Order effective May 17, 2023.
 - Paid Fine 5/16/23.
- g) Case No.BVMCE0523C Dr. Conrad McCoy
- Consent Agreement and Order effective May 30, 2023.
 - Paid Fine 5/26/23.
- h) Case No.BVMCE0523D Dr. Linda Richards
- Consent Agreement and Order effective June 1, 2023.
 - Paid Fine 6/2/23.
- i) Case No.BVMCE0523E Raschel Pecjak, RVT
- Consent Agreement and Order effective June 7, 2023.
 - Paid Fine 6/5/23.

BOARD CONSIDERATION:

- j) 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.
 - **Mrs. Long** moved that since this case is still in civil litigation to close the case and for the Board to continue monitoring. Seconded by **Dr. Sette**. So moved.
- k) 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.
 - **Mrs. Long** moved that since this case is still in civil litigation to close the case and for the Board to continue monitoring. Seconded by **Dr. Sette**. So moved.
- l) Case No.1122B (Original complaint received 11/21/22)
- 6-month letter sent 5/19/23.
 - 18-month letter required 5/19/24.
 - **Dr. Piercy** moved to subpoena more records; seconded by **Mrs. Long**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- m) Case No.0323C (Original complaint received 3/24/23)
- 6-month letter sent 10/10/23.
 - 18-month letter required 9/24/24.
 - **Mrs. Patton** moved to hold a hearing if the Consent Agreement hasn't been signed by February 4, 2024; seconded by **Dr. Fallon**. So moved.

- n) Case No.0823D (Original complaint received 8/24/23)
 - 6-month letter required 2/24/24.
 - 18-month letter required 2/24/25.
 - **Mrs. Long** moved to not find probable cause; seconded by **Dr. Fallon**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- o) Case No.0823E (Original complaint received 8/28/23)
 - 6-month letter required 2/28/24.
 - 18-month letter required 2/28/25.
 - **Dr. Piercy** 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.
- p) Case No.0923A (Original complaint received 9/19/23)
 - 6-month letter required 3/19/24.
 - 18-month letter required 3/19/25.
 - **Dr. Piercy** 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.
- q) Case No.0923B (Original complaint received 9/19/23)
 - 6-month letter required 3/19/24.
 - 18-month letter required 3/19/25.
 - **Mrs. Long** 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.
- r) Case No.1023A (Original complaint received 10/30/23)
 - 6-month letter required 4/30/24.
 - 18-month letter required 4/30/25.
 - **Dr. Fallon** moved to further investigate and to request all lab results; seconded by **Dr. Piercy**. 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.
- s) Case No.1223A (Original complaint received 12/6/23)
 - 6-month letter required 6/6/24.
 - 18-month letter required 6/6/25.
 - **Mrs. Patton** moved to find probable cause and to offer a Consent Agreement; seconded by **Dr. Fallon**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
 - **Dr. Fallon** moved to initiate a Board complaint to the Veterinarian In Charge for history of substandard anesthesia monitoring and poor CPR procedures; seconded by **Dr. Gilpin**. So moved. The small animal complaint committee recused themselves and left the meeting during the vote.
- t) Case No.1223B (Original complaint received 12/6/23)
 - 6-month letter required 6/6/24.
 - 18-month letter required 6/6/25.
 - Tabled for the next Board meeting since Respondent's response is still pending.

V. Approval of Minutes

- a) **Dr. Gilpin** moved to approve the September 21, 2023 minutes; seconded by **Dr. Piercy**. So moved.
- b) **Dr. Gilpin** moved to approve the December 4, 2023 minutes; seconded by **Dr. Piercy**. So moved.

VI. Reports

- a) The Board accepted and reviewed the treasurer's report and itemized object codes which will be filed for auditing.
- a) **Mrs. Long** moved to approve the P-Card quarterly charges; seconded by **Dr. Gilpin** So moved.
 - July - September 2023
 - October - December 2023

- b) Dr. Piercy, Dr. Berkeley, and Trish provided a summary of the Auditor Conference held November 2, 2023.
- c) Trish advised that per diem has increased to \$200.00.
- d) The 2023 CAET certification and CE cost breakdown was discussed.
- e) CAET CE will be held at Stonewall Resort on April 25, 2024.
- f) Complaint Committee met on January 4, 2024 at 8:00 am.
- g) Wvsvm.gov website is now live. Anyone that enters wvsvm.org will be automatically directed to the .gov website.
- h) 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.
 - July – September 2023
 - October – December 2023

VII. The Board Responded to the Public Questions.

VIII. New Business

- a) The Board discussed practice act revisions and would like to get it entered into legislation in 2025.
- b) **Mrs. Meadows** moved to rescind the Board's stance on non-licensees providing teeth floating pursuant to §26-4.2.4 and to form a committee, including stakeholders, to review the current state of equine dentistry and the current WV code; seconded by **Mrs. Patton**. So moved.
- c) The Board discussed unlicensed practice of small animal dentistry.
- d) **Dr. Fallon** moved to approve the revised Disciplinary Procedures that if a complaint is found to be no probable, but the Board has found patient records deficiencies, the Board will initiate a Board complaint against the Respondent for the deficient patient records; seconded by **Dr. Piercy**. So moved.
- e) The Board discussed inspection of patient records during the facility inspections. Dr. Sette and Mrs. Patton will be on a committee to work on a checklist and policy for the guidelines of inspection of patient records.
- f) The Board discussed the strategy and goals for 2024 and modified the CE for licensees to be toward record keeping and legal aspects.
- g) The Board discussed Board Basics and Beyond training being held April 12-13, 2024.
- h) The Board does not wish to provide a CE Conference this year.
- i) The Board discussed the online program in Shelter Medicine from the University of Florida provided by Dr. Cathy Anderson.
- j) Trish provided a letter that was submitted to Thentia for breach of contract and advised that Thentia has taken the letter seriously and has been working diligently on getting the database up and running.

IX. The Next Board Meeting will be April 24, 2024 at Stonewall Resort.

X. The Meeting was Adjourned at 4:07 pm



Monica R. Patton, RVT
Secretary-Treasurer