



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  
JULY 30, 2021 @ 9:00 AM  
ROANOKE, WV

Members Present or by Meet: Dr. John Wilson; Dr. Keith Berkeley; Mrs. Monica R. Patton; Dr. Mark Ayers;  
Dr. Frank Cary; Dr. Jesse Fallen; Dr. Shawn Sette; Mrs. Jo Long;  
Mrs. Amy Meadows  
Non-Members Present or by Skype: Joanne Vella, Attorney General's Office  
Minutes taken by: Trish Holstein

- I. The meeting was called to order at 9:05 am.
- II. Dr. Wilson went over the Mission Statement.
- III. Dr. Russell Ansanelli spoke to the Board via telephone in regard to his foreign education and not completing the ECFVG Certification.

Dr. Berkeley motioned to go into executive session to discuss disciplinary at 9:11 am; seconded by Dr. Cary. Motion carried.

Mrs. Long motioned to go out of executive session at 11:15 am; seconded by Dr. Sette. Motion carried.

Dr. Ayers motioned to go into executive session to discuss employee evaluation and salary at 2:30 pm; seconded by Dr. Cary. Motion carried.

Dr. Ayers motioned to go out of executive session at 2:47 pm; seconded by Dr. Cary. Motion carried.

IV. **Disciplinary Committee Report**

- 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.
    - Received 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 veterinary supervisor and office manager monthly reports.
  - **Mrs. Patton** motioned that the Board reviewed and approved the patient records; seconded by **Dr. Berkeley**. Since **Dr. Ayers** is a shareholder where the Respondent works, he abstained from the vote.
- 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.
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    - 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.
      - Received Reimbursement of administrative cost on October 8, 2020.
  - Supervising veterinary supervisor and observation of the office manager began March 20, 2021 and end March 19, 2022.
    - The Board reviewed the veterinary supervisory and office manager monthly reports.
  - **Mrs. Patton** motioned that the Board reviewed and approved the patient records; seconded by **Dr. Berkeley**. Since **Dr. Ayers** is a shareholder where the Respondent works, he abstained from the vote.
- c) Case No.0620A Dr. John Spiker
  - Consent Agreement effective December 14, 2020.
  - Submit 3 patient medical records from each of the next 3 spay/neuter clinics.
    - The Board did not accept the initial medical records.
  - The Board did not have any medical records to review. Dr. Spiker will submit the medical records from his next clinic.
- d) Case No.0820C Dr. Julia Thomas
  - Consent Agreement effective December 2, 2020.
  - Within 6 months of Consent Agreement and Order (June 2, 2021)
    - Reimbursement of administrative cost paid January 4, 2021.
    - Completed 3 hours of internal medicine Board-approved continuing education on July 20, 2021.
    - Completed 3 hours of client communication Board-approved continuing education on July 20, 2021.
  - **Dr. Cary** motioned that since all requirements for the Consent Agreement have been met, the case is now closed; seconded by **Dr. Berkeley**. Motion carried.



- e) Case No.1020B (Original complaint received 10/14/20 18 months – 4/14/22)
  - 6-month letter submitted April 14, 2021.
  - **Dr. Fallon** motioned to further investigate; seconded by **Dr. Berkeley**. Motion carried.
- f) Case No.0121A (Original complaint received 1/20/21 18 months – 7/20/22)
  - **Dr. Berkeley** 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 and to offer a Consent Agreement and Order; seconded by **Dr. Cary**. The small animal complaint committee left the room and recused themselves from the vote.
- g) Case No.0321A (Original complaint received 3/10/21 18 months – 9/10/22)
  - **Dr. Berkeley** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Dr. Cary**. The small animal complaint committee left the room and recused themselves from the vote.
- h) Case No.0421A (Original complaint received 4/13/21 18 months – 10/13/22)
  - **Dr. Berkeley** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Dr. Fallon**. The small animal complaint committee left the room and recused themselves from the vote.
- i) Case No.0421B (Original complaint received 4/13/21 18 months – 10/13/22)
  - **Dr. Berkeley** 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 and to offer a Consent Agreement and Order; seconded by **Dr. Cary**. The small animal complaint committee left the room and recused themselves from the vote.
- j) Case No.0521A (Original complaint received 5/07/21 18 months – 11/07/22)
  - **Dr. Fallon** motioned to not find probable cause; seconded by **Dr. Cary**. Motion carried. The small animal complaint committee left the room and recused themselves from the vote.
- k) Case No.0521B (Original complaint received 5/07/21 18 months – 11/07/22)
  - **Mrs. Long** motioned to find probable cause and to offer a Consent Agreement and Order; seconded by **Mrs. Patton**. The small animal complaint committee left the room and recused themselves from the vote.
- l) Case No.0521C (Original complaint received 5/19/21 18 months – 11/19/22)
  - **Dr. Berkeley** motioned to not find probable cause; seconded by **Dr. Cary**. Motion carried. The small animal complaint committee left the room and recused themselves from the vote.
- m) Case No.0521D (Original complaint received 5/20/21 18 months – 11/20/22)
  - **Dr. Fallon** motioned to find probable cause and to offer a Consent Agreement; seconded by **Dr. Cary**. The small animal complaint committee left the room and recused themselves from the vote.
- n) Case No.0521E (Original complaint received 5/27/21 18 months – 11/27/22)
  - **Dr. Berkeley** motioned to not find probable cause; seconded by **Dr. Cary**. Motion carried. Because **Dr. Fallon** is part owner of the facility where the Respondent works, he recused himself and left the meeting during the vote. The small animal complaint committee left the room and recused themselves from the vote.
- o) Case No.0621A (Original complaint received 6/14/21 18 months – 12/14/22)
  - **Dr. Cary** motioned to not find probable cause; seconded by **Mrs. Patton**. Motion carried. The small animal complaint committee left the room and recused themselves from the vote.
- p) Case No.0621B (Original complaint received 6/16/21 18 months – 12/16/22)
  - **Dr. Cary** motioned to not find probable cause; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee left the room and recused themselves from the vote.
- q) Case No.0621C (Original complaint received 6/16/21 18 months – 12/16/22)
  - **Dr. Berkeley** 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 and to offer a Consent Agreement and Order; seconded by **Dr. Cary**. The small animal complaint committee left the room and recused themselves from the vote.
- r) Case No. BVMCE0621A Dr. Alexandro Dias
  - Consent Agreement and Order signed July 30, 2021.
    - Within 90 days of Consent Agreement and Order (October 30, 2021)
      - Pay fine of \$100.00 received July 26, 2021.
      - Reimbursement of administrative cost
    - Within 6 months of Consent Agreement and Order



- 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.
- s) 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).
      - Pay fine of \$100.00 received July 13, 2021.
      - Reimbursement of administrative cost
    - Within 6 months of Consent Agreement and Order
      - Completed deficient CE hours 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.
- t) Case No. BVMCE0621C
  - Pending Consent Agreement and Order
- u) Case No. BVMCE0621D
  - Pending Consent Agreement and Order
- v) Case No. BVMCE0621E
  - Pending Consent Agreement and Order
- w) The Pharmacy Board is still investigating the Chewy complaint.

#### V. Approval of Minutes

- a) **Dr. Berkeley** motioned to approve the April 26, 2021 revised minutes; seconded by **Dr. Sette** Motion carried.
- b) **Dr. Cary** motioned to approve the June 3, 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) **Dr. Sette** motioned to approve the P-Card charges for April 17, 2021 – July 16, 2021; seconded by **Mrs. Meadows**. Motion carried.
- c) Dr. Sette joined the Complaint Committee prior to this Board meeting. The Complaint Committee members met with Dr. Meade, Investigator, on July 28, 2021.
- d) Trish advised that the Board staff met with Thentia for their kickoff meeting. It will be a couple of weeks until Thentia starts collecting data.
- e) The Board discussed the evaluation report and breakdown of cost for the CAET CE held June 4, 2021.
- f) The Board discussed the DEA inventory requirements which will be discussed in the newsletter.
- g) The Board discussed the recent Purchasing Audit that was graded "A".
- h) There was no quarterly mobile clinic report for the Board to review.
- i) Executive Director Report
  - Trish advised the Board of fraudulent UC claims for Doreen Colbert and Dawn Karnes.
  - The Board reviewed the 1<sup>st</sup> & 2<sup>nd</sup> quarter facility inspection list.
  - The Board reviewed the applications approved by Executive Director and statistics from January 1 – June 2021.

#### VII. Questions for the Board

**Question:** I am trying to get two of my neighbor's pets taken care of only to find out that Fix Charleston doesn't have a vet that can do it, The Fix Em Clinic is so booked it can't take any more and Help For Animals is booked out several months. Surely there are retired vets willing to step up or some way to fill this void. Praying for a solution and for the pups and kittens.


**Answer:** The WV Board of Veterinary Medicine is aware of this shortage and they understand your frustration. The Board is always looking for a better way to serve the public and is currently looking for a solution.

**VIII. New Business**

- a) The Board discussed Trish Holstein's employee evaluation for 2020. **Dr. Ayers** motioned to approve a salary increase from \$78,230.00 to \$82,142.00 per year for Trish Holstein effective August 13, 2021; seconded by **Dr. Cary**. Motion carried.
- b) The Board discussed the Brim coverage and the option of euthanizing cats for CAET initial training.
- c) Trish advised that Dr. Fallon has volunteered to teach at the next CAET training.
- d) The Board discussed the concern of CAET's using heart sticks on cats for euthanizing. **Mrs. Meadows** motioned to send a letter to each CAET's notifying them an alternative technique for euthanizing a cat is the intraperitoneal injection that is stated in the CAET training manual and that the Board will continue teaching this method in the annual CAET initial training program; seconded by **Dr. Berkeley**. Motion carried.
- e) The Board discussed issues that shelters are having with CAET expired drugs.
- f) The Board discussed an email from Dr. Austin requesting the Board to consideration changing the education for RVT registration requirements. The Board feels that the current requirements are sufficient.
- g) The Board discussed the revised euthanasia facility inspection form.
- h) The Board discussed that since there is no stationary facility in Tucker County, the county appointed Bailey Falls, Director of Tucker County Animal Shelter to administer rabies vaccination. The Board requested a letter to be sent to Tucker County Animal Shelter that the services should be limited to rabies vaccination.
- i) The Board discussed ICVA species specific exam for licensees that are disciplined.
- j) The Board discussed the newsletter topics and requested Trish to send the final revision to them for any comments prior to getting it printed.
- k) The Board discussed strategy and goals for 2021. Monica has setup a Facebook account for the Board.
- l) **Dr. Sette** motioned to approve the AVMA specialties; seconded by **Dr. Ayers**. Motion carried.
- m) The Governor's office has given permission for fully vaccinated individuals to attend the AAVSB annual meeting September 30-October 2, 2021. Trish will be attending as delegate and her travel is paid because she is on the AAVSB conference committee. Dr. Wilson be attending and his travel is paid because he is on the RACE committee. Dr. Berkeley and Dr. Cary are considering attending and will notify Trish if they decide to attend.
- n) The Board discussed the option of the AAVSB Legal Counsel Program Funding.
- o) **Dr. Sette** motioned that after much discussion and review of the laws and because the candidate does not have the required education requirements to have a ECFVG certification, the candidate is not qualified to apply for a WV veterinary license; seconded by **Dr. Cary**. Motion carried.
- p) The Board discussed and will be addressing in the newsletter the topic of coronavirus protocols for veterinary facilities.
- q) **Dr. Cary** motioned to do a letter to Petco regarding to their facility deficiencies and for them not to operate until the deficiencies are corrected; seconded by **Dr. Sette**. Motion carried.
- r) **Ms. Meadows** motioned to elect Dr. Wilson as Chairman; Dr. Berkeley as President Elect; Mrs. Patton as Secretary-Treasurer. Dr. Ayers, Dr. Sette, and Mrs. Meadows will be on the Small Animal Complaint Committee; Dr. Berkeley will remain on the Large Animal Complaint Committee and the CE Approval Committee. Dr. Wilson, Dr. Berkeley, Dr. Sette, and Mrs. Patton will be on the Rule Making Committee. Dr. Fallon will be the CAET educator; seconded by **Dr. Cary**. Motioned carried.
- s) The Board discussed meeting with legislatures regarding legislation concerning the Board's laws.
- t) The Rule Making Committee will meet prior to the January Board meeting. The Board requested that Joanne Vella, new attorney, to attend.

**IX. The next Board Meeting will be in Charleston on October 29, 2021.**

**X. The Meeting was Adjourned at 4:03 pm.**

  
Monica R. Patton, RVT  
Secretary-Treasurer