



WEST VIRGINIA BOARD OF VETERINARY MEDICINE
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MINUTES

Monday, April 18, 2016 @ 9:00 AM
Stonewall Resort, Roanoke, WV

Member Present: Dr. John Wilson; Ms. Betty Burkett; Dr. Keith B. Berkeley; Ms. Virginia Lee Hastings; Dr. Barbara Jean Meade; Dr. D. James Moore; Ms. Monica R. Patton; Dr. Mark A. Ayers; Dr. Ronald Lee Smith
Non-Members Present: Kate Campbell; Attorney General's Office
Minutes taken by: Trish Holstein

I. Dr. Wilson called the meeting to order at 9:10 am.

II. There was no one present for public comment.

Dr. Smith motioned to go into Executive Session at 9:10 am to discuss disciplinary; seconded by Ms. Hastings. Motioned carried. **Dr. Berkeley** motioned to go out of Executive Session at 10:14 am seconded by **Dr. Smith**. Motioned carried.

III. Disciplinary Committee Report

a) Case No. 0415A Dr. John Fabish (Original complaint received 04/28/15, 18 months- 10/28/16)

- Consent Agreement signed February 19, 2016.
- Respondent shall be placed on probation for a period of one (1) year effective upon the entered date of this Agreement. During this probationary period the Respondent shall adhere to the following restrictions:
 - Shall not be permitted to perform any spay procedures until such time he successfully completes and passes the course as noted above entitled "Veterinary Training Program" and offered by the Humane Alliance.
 - Shall be subject to random inspections of his veterinary practice including, review of medical records and observation of any medical procedures. Respondent shall bear the cost of these random inspections by the Board which shall be payable to the Board within one (1) month of the inspection
- Complete three (3) hours each of Board approved continuing education in the area of Pharmacology, Anesthesia, and Medical Record keeping.
- Complete the entire course offered by Human Alliance entitled "Veterinary Training Program."
- Any or all of the continuing education hours that the Respondent is required may be counted towards the eighteen hours (18) hours of continuing education hours required for a renewal cycle of the year that the continuing education hours are completed.
- All of the required continuing education hours shall be successfully completed no later than September 1, 2016.
- Reimburse the Board the costs of this proceeding, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case. Payment shall be made no later than September 1, 2016.

b) Case No. 0915A Dr. Karen Davenport (Original complaint received 09/03/15, 18 months- 3/09/17)

- Consent Agreement signed February 3, 2016.
- On probation for a period of six (6) months effective upon the entered date of this Agreement hereto. During this probationary period, shall complete the following:
 - Shall submit medical records to the Board for review of one out-patient and one in-patient client every month for the duration of the probationary period. Should any deficiencies be found in the medical record keeping the Board shall have the right to extend the probationary period and/or

- require additional continuing education hours be completed by the Respondent in medical record keeping.
 - Shall be subject to random inspections of her veterinary practice including review of medical records and observation of any medical procedures. Respondent shall bear the cost of these random inspections by the Board which shall be payable to the Board within one (1) month of the inspection.
 - Complete three (3) hours of Board approved continuing education hours in Medical Record keeping.
 - Complete six (6) hours of Board approved continuing education hours in Endocrinology, specifically in diabetes care and treatment.
 - All of the required continuing education hours shall be successfully completed by the end of the probationary period.
 - Reimburse the Board the costs of this proceeding, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case by the end of the probationary period.
- c) Case No. 0915B (Original complaint received 09/30/15, 18 months- 03/30/17)
- Dr. Moore motioned to submit a revised Consent Agreement and a Supervision Agreement; seconded by Ms. Patton with 1 opposed. The small animal complaint committee abstained from the vote. Motion carried.
 - Hearing is scheduled for July 8, 2016 should the Consent Agreement not be signed.
- d) Case No. 1015A Dr. Daniel Cain (Original complaint received 10/16/15, 18 months- 04/16/17)
- Consent Agreement Signed January 16, 2016.
 - Complete three (3) hours of Board approved continuing education hours in Medical Record keeping by June 30, 2016.
 - Reimburse the Board the costs of this proceeding, including but not limited to, the administrative and legal expenses incurred by the Board in the investigation and disposition of this case no later than June 30, 2016.
- e) Case No. 1215A (Original complaint received 12/04/15, 18 months- 06/04/17)
- **Dr. Berkeley** motioned to table for further review; seconded by **Ms. Patton**. Motion carried.
- f) Case No. 0116A (Original complaint received 01/28/16, 18 months- 07/28/17)
- **Dr. Berkeley** motioned that no probable cause was found; seconded by **Dr. Moore**. The small animal complaint committee abstained from the vote. Motion carried.
- g) Case No. 0316A (Original complaint received 03/04/16, 18 months- 09/04/17)
- **Dr. Berkeley** motioned that no probable cause was found; seconded by **Dr. Smith**. The small animal complaint committee abstained from the vote. **Dr. Moore** recused himself and left the room during discussion and motion. Motion carried.
- h) Case No. 0316B (Original complaint received 03/31/16, 18 months- 09/30/17)
- **Dr. Berkeley** tabled for the next meeting; seconded by **Dr. Smith**. Motioned carried.
- i) The Board was advised of a questionable CAET. There was no action taken.

IV. Approval of Minutes

- a) **Dr. Berkeley** motioned to approve the January 11, 2016 minutes; seconded by **Dr. Meade**. **Dr. Ayers** and **Dr. Smith** abstained from motion since they were not present for the January 11, 2016 meeting. Motion carried.
- b) **Dr. Berkeley** motioned to approve the January 26, 2016 minutes; seconded by **Dr. Meade**. **Dr. Ayers** abstained from motion since he was not present for the January 26, 2016 meeting. Motion carried.

V. There were no questions for the Board's consideration.

VI. There was no unfinished business.

VII. Reports

- a) Big Picture was finally approved into OASIS and we have received the majority of our database and website functions.
- b) Verifications and online jurisprudence exam was approved by OASIS. We currently do not have an expected date.
- c) The Board discussed the 2016 legislation.
- d) OASIS payroll go live is May 14, 2016.
- e) The Board discussed the CAET CE program that was done on April 1, 2016.
- f) The CAET certification training is scheduled for June 10-12, 2016 in Morgantown.
- g) The 1st quarter to date facility inspection reports were reviewed.

VIII. New Business

- a) The Board discussed suggested Rules changes for Series 4.
- b) The board discussed that they would still like to have binders for the board meetings

Dr. Berkeley motioned to go into executive session at 11:58 am to discuss the CE audit results; seconded by **Ms. Patton**. Motion carried. **Dr. Berkeley** motioned to go out of executive session at 12:06 pm; seconded by **Ms. Patton**. Motion carried.

- c) Consideration of CE Audit Results
 - **Dr. Berkeley** motioned to do a board initiated complaint for the CE audit that was not submitted; seconded by **Ms. Patton**. Motion passed.
- d) **Dr. Berkeley** motioned to approve the revised CE audit procedure; seconded by **Dr. Meade**. Motion carried.
- e) **Dr. Berkeley** motioned to approve the disciplinary process procedure; seconded by **Dr. Smith**. Motion carried.
- f) **Dr. Smith** motioned to approve the revised signature authority policy; seconded by **Dr. Berkeley**. Motion carried.
- g) **Dr. Meade** discussed the Army Special Forces Medics being trained to care for their working dogs and to offer spays and neuters. The Board agreed they should not be operating on non-client animals.
- h) **Dr. Meade** motioned to approve the 2017 budget; seconded by **Dr. Smith**. Motion carried.
- i) **Dr. Berkeley** motioned to continue to review the situation of equine dental technicians; seconded by **Ms. Patton**. Motion carried.
- j) Trish advised that rosters are considered FOIA and we cannot charge for them.
- k) The Board approved the newsletter to be sent out via email, website and mail.
- l) **Dr. Berkeley** motioned to sponsor Doreen to AAVSB conference from September 22-24; seconded by **Dr. Smith**. Motion carried.
 - Trish will be the delegate that is paid by AAVSB. Dr. Wilson confirmed that he would be attending and the other Board members will notify Trish if they plan to attend.
- m) The Board accepted and reviewed the treasurer's report and it will be filed for auditing purposes.
- n) **Dr. Smith** motioned to approve the P-Card Charges for January – March 2016; seconded by **Dr. Berkeley**. Motion carried.
- o) The Board will invite the AG's representative to our next meeting to discuss the options they have for substance abuse education.
- p) The Board discussed cleaning up the language to clarify the euthanasia facility registration requirements.

IX. The next board meeting is June 6, 2016.

X. The meeting was adjourned at 2:40pm.

Approved by:


Ms. Virginia Lee Hastings, Secretary-Treasurer