

WV Board of Veterinary Medicine – Board Meeting – June 2, 2014,
Charleston Marriott Town Center, Charleston, WV

The meeting of the West Virginia Board of Veterinary Medicine was called to order at 11:10 AM by Board Chairman, Dr. John R. Wilson on Monday, June 2, 2014.

Members of the board present were: Dr. Keith B. Berkeley, Dr. D. James Moore, Dr. Ronald Smith, Dr. Barbara Jean Meade, Monica Patton, RVT, Dr. Mark A. Ayres, and Ms. Betty Burkett (Ms. Burkett arrived at 11:15 AM). Ms. Virginia Lee Hastings was not present due to illness. Ms. Carey Fleming, Executive Director was present, Kate Campbell, Esquire was present for part of the meeting, from 11:15 until 12:30 and Ms. Linda Lyter, Executive Director, and Massage Therapy Board was a guest for part of the meeting.

MOTION made by Dr. Smith to make a correction to the minutes of the April 24, 2014 Board Meeting. In the second sentence of the first paragraph of the minutes, the month is incorrectly stated as "May", it should read "April". In addition, the attendee list erroneously left out one attendee, Dr. Ronald Smith. Motion Second by Dr. Moore, motion carried.

Dr. Wilson brought up the topic of setting the Standard of Care. Ms. Campbell cited the language in the Practice Act and rules and brought up the fact that it should be fluid. The issue of whether veterinarians were obligated to fax scripts to PetMeds was discussed. Ms. Campbell stated that this type of issue is more of a practice management issue as opposed to an issue on standard of care. She noted that if it took the practice an unreasonable amount of time to get the script out it actually could be a standard of care issue.

MOTION made to go into Executive Session at 11:25 AM by Dr. Moore, second by Dr. Berkeley, motion carried.

MOTION made to come out of Executive Session at 12:15 by Dr. Smith, second by Dr. Moore, motion carried.

MOTION made on Case 0113A by Dr. Moore that the Board put the veterinarian on probation for a year, during which time, unannounced inspections will occur to check on the clinical condition of patients staying at the facility. In addition the Board will require 3 hours of C.E. in orthopedics, 3 hours of C.E. in pharmacology, 3 hours of C.E. in recordkeeping. The C.E. will be taken within one year of signing the Consent Agreement and is in addition to regular 18 hours of C.E. required for renewal of veterinary license. Also, the veterinarian will pay a fine of \$1,000

and will pay all expenses of the Board in this case. Motion Second by Dr. Berkeley, motion carried.

MOTION made on Case 0414A by Dr. Moore that the Board reprimand the veterinarian and require that 6 hours of C.E. be taken in Cardiology. This C.E. is in addition to the regular 18 hours of C.E. required for license renewal. The 6 hours of C.E. is to be completed within 6 months of signing Consent Agreement. The veterinarian is responsible for all costs to the Board for the case. Motion Second by Dr. Smith, motion carried.

MOTION made by Monica Patton, RVT, on Cases 0414B that the Board put veterinarian on probation for a year and to require 3 hours of C.E. in recordkeeping. The C.E. is to be completed within one year of signing Consent Agreement. Veterinarian is responsible for all costs associated with the case. Motion Second by Dr. Smith, motion carried.

MOTION made by Dr. Moore on case 0414C that the Board put the veterinarian on probation for a year to run concurrently with probation required in Case 0414B and require 3 hours of C.E. in recordkeeping. The C.E. is to be completed within one year of signing Consent Agreement. Veterinarian is responsible for all costs associated with the case. Motion Second by Dr. Smith, motion carried.

Linda Lyter joined the meeting at 1PM. The Board discussed the issues that are being brought up more and more often regarding equine massage therapy, acupuncture, chiropractic medicine, etc. Discussed options for regulation. The Board decided that it would be preferable for the practitioners be licensed by other Licensing Boards as opposed to the WVBVM creating new categories of licensees to regulate. The Board would have to identify criteria/educational requirements for these practitioners to be able to work on animals. Ms. Lyter and Ms. Fleming will look into the policies of bordering states and report back to the Board.

Ms. Fleming discussed the award of contract to Albertson Consulting and the tentative schedule for implementation of the new database and website.

Treasurers Report filed for audit.

Facility Inspection Report Review by Board.

P-Card Report Review by Board

Dr. Wilson led a discussion on the importance of developing a mission statement for the WVBVM. The Board asked that Ms. Fleming work on some language and report back at the next Board meeting.

The Annual AAVSB Conference was discussed; Ms. Fleming suggested that this year a Board member attend. She stated that last year, the majority of attendees were Board members and that the content of the presentations was extremely valuable and interesting. The Board discussed who would attend. Dr. Moore and Monica Patton both expressed interest in attending.

MOTION made by Dr. Berkeley for the Board to send Ms. Fleming and one Board member to AAVSB Annual Conference in September. Motion Second by Dr. Smith, motion carried.

The Board discussed developing a job description for the hiring of a new Inspector. Ms. Fleming discussed the way that the position is currently set up and suggested that the inspector be reimbursed for mileage and for lodging when an overnight stay was required. The alternative would be to set up the position as a consultant, which would allow for expenses to be written off against income. Ms. Fleming will have a conversation with Human Resources to determine what the best option would be for the Board. She will also look into liability issues with the inspector driving and the Board reimbursing mileage.

MOTION made by Dr. Berkeley to approve the hiring of a new inspector at a rate of \$18,000 plus expenses a year. Terms of employment status to be determined. Motion Second by Dr. Smith, motion carried.

The discussion continued with the Board considering how the entire process of inspections currently works and how it might change in the future. Dr. Smith, Dr. Meade, and Monica Patton volunteered to help review the inspection form and suggest changes.

The Board heard about a situation where a veterinarian was taking shelter animals and using them as blood donors for his practice and then returning the animals to the shelter. This was reported through FOHO however no one had the name of the practice or the veterinarian. Ms. Burkett brought this issue to the attention of the Board and posed the question regarding the legal and ethical issues that it brought to light. Ms. Fleming provided a copy of the state law, §19-20-23 Article 20, which pertains to the use of shelter animals and specifically addresses this issue, it is illegal in WV. There was a discussion regarding the implications of using a shelter animal with an unknown past medical history, for blood donation.

MOTION made by Dr. Smith to re-elect Dr. Wilson as Board Chair and to re-elect Virginia Lee Hastings as Secretary-Treasurer. Motion Second by Dr. Moore, motion carried.


The Board discussed possible dates and locations for the Fall Board meeting. It was agreed that the meeting would be held in Morgantown, WV sometime in September or October.

Ms. Fleming left the meeting at 2:15 so that the Board could conduct her annual evaluation. Dr. Moore left the meeting shortly after Ms. Fleming and did not participate in the job performance evaluation for Ms. Fleming

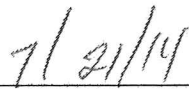
MOTION made by Dr. Smith for the Board to approve a rating of "Exceeds Expectations" for Ms. Fleming's job performance rating for the FY 2014. In addition, for the Board to approve Ms. Fleming's performance evaluation of Doreen Colbert, giving her a rating of "Exceeds Expectations" for the FY2014. Motion Second by Dr. Berkeley, motion carried.

Having concluded all business of this meeting, it was adjourned by common consent at 2:30 PM.

Respectfully submitted;



Monica Patton, RVT Pro Tem



Date