



WEST VIRGINIA BOARD OF VETERINARY MEDICINE  
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AMENDED MINUTES  
Thursday, April 12, 2018 @ 9:00 AM  
White Sulphur Springs, WV

Members Present: Dr. John Wilson; Ms. Monica R. Patton; Dr. Mark Ayers, Dr. Keith Berkeley; Ms. Jo Long; Ms. Amy Meadows; Dr. D. James Moore; Dr. Barbara Jean Meade; Dr. William Peery;  
Non-Members Present: Doreen Colbert, Secretary; Dr. Fleer and Thomas Kerr, VIP Pet Care; Kelli Talbott, Attorney General's Office; Michael Goff, Acting Executive Director, WV Board of Pharmacy; Dr. Scott Moore; Dr. George Seiler  
Minutes taken by: Trish Holstein

I. The meeting was called to order at 9:03 am.

II. Dr. Wilson went over the WV Board of Veterinary Medicine's Mission Statement

III. Public Comment

- a) Dr. Fleer and Thomas Kerr went over their facility inspection requirements for VIP PetCare.
- b) Michael Goff with the WV Board of Pharmacy discussed the WV Board of Pharmacy's controlled substance monitoring requirements.

Dr. Berkeley motioned to go into executive session to discuss disciplinary at 9:42 am; seconded by Dr. Meade. Motion carried.

Ms. Long motioned to go out of executive session at 11:38 am; seconded by Dr. Berkeley. Motion carried.

IV. Disciplinary Committee Report

- a) Consideration of Dr. Gregory Eaton, Case 0915B, Consent and Supervisory Agreement Terms
  - Supervisory agreements were signed 12/1/16 and supervisory reports are due quarterly.
  - Probation until May 31, 2018
  - The Board reviewed the submitted supervisory reports and patient records.
  - Dr. Berkeley motioned to send a letter that the Board finds the record keeping has improved. However, after reviewing the submitted patient records, the Board finds the records need to include drug concentrations and dosage and the abnormal findings should be explained; seconded by Dr. Ayers.
- b) Case No.1016B Dr. Jane Doyle (Original complaint received 10/27/16- 18 months- 04/27/18)
  - Consent Agreement and Order signed August 26, 2017.
  - Probation for 6 months until February 26, 2018.
  - Within 6 months of Consent Agreement and Order (February 26, 2017)
    - Completed 2 hours of Board approved CE's in medical record keeping on November 21, 2017.
  - Dr. Moore motioned to approve 5 medical records and the complaint case is now closed; seconded by Dr. Peery. Motion carried.
- c) Case No.0517A (Original complaint received 5/25/17 18 months- 11/25/18)
  - Because of attorney turnovers from the Attorney General's office, the hearing date is pending until the Board receives appointed counsel.
  - The Board advised Ms. Talbott that it is important for the hearing to be set for this case ASAP. Ms. Talbott will check with Anthony Eates to get back with Trish for setting up a hearing date.

- d) Case No.0817A – Dr. Amy Keith (Original complaint received 8/07/17 18 months- 2/07/19)
  - Consent Agreement and Order signed December 7, 2017.
  - Completed the terms of Consent Agreement and Order; so the disciplinary complaint file closed March 8, 2018.
- e) Case No.0817B (Original complaint received 8/25/17 18 months- 2/25/19)
  - Statement of Charges were signed April 10, 2018.
- f) Case No.1117B Dr. Thomas McMahon (Original complaint received 11/28/17 18 months- 5/28/19)
  - Consent Agreement went into effect April 11, 2018.
- g) Case No.1217A (Original complaint received 12/07/17 18 months- 6/07/19)
  - **Dr. Berkeley** motioned that probable cause was found and to submit a Statement of Charges and Consent Agreement; seconded by **Ms. Long**. Motion carried. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- h) Case No.1217B (Original complaint received 12/07/17 18 months- 6/07/19)
  - **Dr. Berkeley** motioned that probable cause was found and to submit a Statement of Charges and Consent Agreement; seconded by **Ms. Long**. Motion carried. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- i) Case No.1217C (Original complaint received 12/07/17 18 months- 6/07/19)
  - **Dr. Berkeley** motioned that probable cause was found and to submit a Statement of Charges and Consent Agreement; seconded by **Ms. Long**. Motion carried. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- j) Case No.1217D (Original complaint received 12/07/17 18 months- 6/07/19)
  - **Dr. Berkeley** motioned that probable cause was found and to submit a Statement of Charges and Consent Agreement; seconded by **Ms. Long**. Motion carried. Because the Respondent is an employee of **Dr. Meade**, **Dr. Meade** recused herself and left the room during discussion and motion. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- k) Case No.1217E (Original complaint received 12/26/17 18 months- 6/26/19)
  - **Dr. Moore** motioned that probable cause was found and to submit a Statement of Charges and Consent Agreement; seconded by **Dr. Berkeley**. Motion carried. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- l) Case No.0218A (Original complaint received 02/08/2018 18 months- 8/08/19)
  - **Dr. Berkeley** motioned that probable cause was found and to submit a Statement of Charges and Consent Agreement; seconded by **Dr. Moore**. Because the Respondent is an employee of **Dr. Peery**, **Dr. Peery** recused herself and left the room during discussion and motion. The small animal complaint committee left the room and recused themselves from the vote.
- m) Case No.0318A (Original complaint received 03/08/2018 18 months- 9/08/19)
  - **Dr. Berkeley** motioned that no probable cause was found; seconded by **Dr. Moore**. Motion carried. The small animal complaint committee left the room and recused themselves from the vote. Motion carried.
- n) Consideration of Questionable CAET Applicant
  - **Dr. Berkley** motioned to approve the questionable CAET applicant; seconded by **Ms. Long**. Motion carried.

## V. Approval of Minutes

- a) **Dr. Moore** motioned to approve the January 4, 2018 minutes; seconded **Ms. Meadows**. Motion passed.
- b) **Dr. Moore** motioned to approve the January 30, 2018 minutes; seconded **Ms. Meadows**. Motion passed.

## VI. Reports

- a) The board accepted and reviewed the treasurer's report and itemized object codes which will be filed for auditing purposes.
- b) **Dr. Berkeley** motioned to approve the P-Card charges for January – March 2018; seconded by **Ms. Meadows**. Motion passed.
- c) The board reviewed 4<sup>th</sup> quarter 2017 – 1<sup>st</sup> Quarter 2018 to date facility inspection reports.
- d) The Board discussed the Governor's employee across the board raises for Trish and Doreen that will be effective July 1, 2018.
- e) Trish discussed Big Picture enhancements to date for the database and website
  - Inspection form
  - Facility application, renewal, and registration listing services
- f) Disciplinary Committee met April 12, 2018 at 8:00 am.
- g) Rule Making Committee met April 11, 2018 at 2:00 pm.
- h) Trish and Doreen will be attending the Cash Handling Conference on April 24 - 26, 2018.
- i) Trish discussed topics from the FARB Training that she attended January 25 - 28, 2018.
- j) Trish went over the January 10 - March 10, 2018 Legislation session.
- k) Ms. Long will be attending the AAVSB Board Basics & Beyond April 20-21, 2018.
- l) Dr. Moore went over the CAET training done April 6 - 8, 2018 in Morgantown.
- m) The CAET CE will be April 20, 2018 at Stonewall Resort.
- n) The Board reviewed the mobile quarterly reports.
- o) Executive Director Report
  - The Board reviewed the applications and renewals approved by Executive Director from January 1 – March 31, 2018.
  - Ambulatory facility registration postcards will be mailed out the week of April 16.
  - Tug Valley Veterinary Clinic's inspection deficiency -Dr. Koch deceased and facility closed.
  - Did not renew our Carbonite backup since we are being backed up by the Office of Technology.
  - Sam Suiter with the Lincoln County Health Department advised that the feed store is closing and he would like to find a veterinarian to do clinics.

## VII. Questions for the Board

- **Dr. Berkeley** motioned to do a reply that an option for veterinarians would be for a portable oxygen prescription to a home medical care company and regarding the question of having a 24-hour emergency care facility in their area is outside the scope of the Board's legal perimeter. Seconded by **Dr. Meade**. Motion carried.

## VIII. New Business

- a) **Ms. Long** motioned to make July 1, 2018 the effective date for the Series 1, 5, and 6 revised Rules; seconded by **Dr. Berkeley**. Motion carried.
- b) Consideration of revised Animal Euthanasia Manual was tabled to discuss at the next Board meeting.
- c) **Dr. Berkeley** motioned to only file the Series 3 rule revision for criminal background check since we have legislation authority to promulgate these rules. If the Rules are not approved by the SOS, we will table the rules for next year; seconded by **Ms. Meadows**. Motion carried.
- d) **Dr. Berkeley** motioned at this time, we will not proceed with the PLLC Rule Series 7 Revisions; seconded by **Ms. Meadows**. Motion carried.
- e) **Dr. Berkeley** motioned that since there were no fee changes for Series 3 Rules, RVT, we will not be making any Rule revisions to Series 6, Fees, seconded by **Ms. Meadows**. Motion carried.
- f) **Dr. Berkeley** motioned for the inspector to be able to do VIP PetCare inspections during the week and not be required to do it during the clinic hours; seconded by **Ms. Long**. Motion carried.
- g) **Ms. Patton** motioned to approve the revised ambulatory policy; seconded by **Dr. Moore**. Motion carried.
- h) Dr. Wilson, Dr. Berkeley, and Dr. Meade will be on a committee for the patient record inspection requirements.

- i) Dr. Berkeley will be attending facility inspections with the inspector the 2<sup>nd</sup> quarter of 2018 and Dr. Moore will be attending the 3<sup>rd</sup> quarter of 2018.
- j) The Board discussed strategy and goals that were set January 4, 2018.
- k) **Dr. Peery** motioned to approve the requested CAET CE hardship allowing a telephone conference call for the required CE training; seconded by **Dr. Meade**. Motion carried.
- l) 2017 CE Audit Results
  - 64 Veterinarians
    - 1 non-compliant
  - 18 RVT's
    - 100% compliant
  - **Dr. Berkeley** motioned to offer a Consent Agreement for the licensee that was non-compliant accepting 2018 CEs but they will not be counted towards 2018 CE's. Also, they will be audited next year and a pay a fine of \$300.00; seconded by **Ms. Meadows**. Motion carried.
- m) The Board agreed to continue using the tracking form for the proof of breakdown of CE's.
- n) **Dr. Berkeley** motioned to approve the \$4,000 quote of 40 hours of Big Picture enhancements and to allow Trish to get the additional enhancements required from the 2018 legislation changes; seconded by **Ms. Patton**. Motion carried.
  - Quote 40 hours \$4,000
    - Roster online
    - Renewal date for Euthanasia facilities from October 1 – December 31 to April 1- June 30
    - Expiration date for Euthanasia facilities from December 31 to June 30
- o) **Dr. Berkeley** motioned to approve Trish and any board member interested to attend the CLEAR NCIT Specialized Training; seconded by **Dr. Meade**. Motion carried.
- p) **Dr. Berkeley** motioned to approve Trish, Doreen, any other board members interested to attend the AAVSB Conference September 13-15, 2018. Trish will decide the delegate and alternate delegate; seconded by **Ms. Patton** seconded. Motion carried.
- q) No board member will be reviewing the NAVLE exam.
- r) **Dr. Berkeley** motioned to notify the facilities with past due inspections that they must be in compliance by May 31, 2018 or the Board will take disciplinary actions; seconded by **Dr. Moore**. Motion passed.
- s) **Dr. Berkeley** motioned to notify the licensee with the CE extension that is past due to have their certificate by May 31, 2018 or the Board will take disciplinary action; seconded by **Ms. Meadows**. Motion carried.
- t) **Dr. Meade** motioned to approve the newsletter pending language from the Pharmacy Board; seconded by **Ms. Meadows**. Motion carried.
- u) **Dr. Berkeley** motioned to accept the request from a RVT applicant for special accommodations for extra time and having a reader for the jurisprudence exam. It can be done at the Board office or be proctored at the school; seconded by **Ms. Meadows**. Motion carried.

IX. Next board meeting will be at Oglebay in Wheeling on June 8 at 9:00am.

X. The Meeting was adjournment at 4:00pm.

Approved by:



Monica R. Patton, RVT  
Secretary-Treasurer