



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
JANUARY 7, 2021@ 9:00 AM
SKYPE/TELECONFERENCE

Members Present by Skype: Dr. John Wilson; Dr. Keith Berkeley; Dr. Mark Ayers (left at 10:15 am); Dr. Frank Cary; Dr. Jesse Fallen; Dr. Shawn Sette; Mrs. Jo Long; Mrs. Amy Meadows; Mrs. Monica R. Patton
Non-Members Present by Skype: Keith Fisher, Attorney General's Office
Minutes taken by: Trish Holstein

- I. The meeting was called to order at 9:10 am.
- II. Dr. Wilson went over the Mission Statement.
- III. There was no Public Comment.

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

Mrs. Long motioned to go out of Executive session at 10:37 am; seconded by **Mrs. Patton**. Motion carried. **Dr. Ayers** was not present for the vote.

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.
 - 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.
- 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.
 - 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.
 - 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.
- c) Case No.0520B Dr. Jennifer Stout
- Consent Agreement effective October 2, 2020.
 - Within 90 days of Consent Agreement and Order (January 2, 2021)
 - Reimbursement of administrative cost.
 - Complete 3 hours of recordkeeping Board-approved continuing education.
 - Within 90 days of completing the record keeping CE, submit to the Board for its review a total of 5 patient medical records.
- d) Case No. BVMCE0620 Dr. Michael Jacobs
- Consent Agreement effective October 6, 2020.
 - The Board accepts the 3 CE hours that was completed January 5, 2020 in lieu of the deficient CE's.
 - CE hours to be audited for calendar year 2020.
 - Within 90 days of Consent Agreement and Order (January 6, 2021)
 - Paid \$100.00 October 5, 2020.
 - Reimbursement of administrative cost.
- e) 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.
- f) 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.
 - Complete 3 hours of internal medicine Board-approved continuing education.
 - Complete 3 hours of client communication Board-approved continuing education.
- g) Case No.0820D (Original complaint received 08/26/20 18 months – 2/26/22)
- **Mrs. Patton** motioned to dismiss the case; seconded by **Dr. Berkeley**. Motion carried.
- h) Case No.0920A (Original complaint received 9/21/20 18 months – 3/21/22)
- **Dr. Cary** motioned to not find probable cause; seconded by **Mrs. Patton**. Motion carried. Because **Dr. Sette** was another veterinarian that seen this animal, he recused himself and left the meeting from the vote; the small animal complaint committees recused themselves during the vote. **Dr. Ayers** was not present for the vote. Motion carried.
- i) Case No.1020A (Original complaint received 10/8/20 18 months – 4/8/22)
- **Dr. Berkeley** motioned to not find probable cause; seconded by **Mrs. Long** Motion carried. The small animal complaint committees recused themselves during the vote. **Dr. Ayers** was not present for the vote. Motion carried.
- j) Case No.1020B (Original complaint received 10/14/20 18 months – 4/14/22)
- **Mrs. Long** motioned to further investigate; seconded by **Dr. Cary**. **Dr. Ayers** was not present for the vote. Motion carried.
- k) Case No.1020C (Original complaint received 10/14/20 18 months – 4/14/22)
- **Mrs. Long** motioned to not find probable cause; seconded by **Dr. Cary**. The small animal complaint committees recused themselves during the vote. **Dr. Ayers** was not present for the vote. Motion carried.
- l) Case No.1120A (Original complaint received 12/1/20 18 months – 6/1/22)
- **Dr. Berkley** motioned to not find probable cause but to further investigate the 2nd veterinarian; seconded by **Mrs. Patton** Motion carried. The small animal complaint committees recused themselves during the vote. **Dr. Ayers** was not present for the vote. Motion carried.

- m) **Mrs. Long** motioned to gather more information regarding the RVT Applicant with a felony; seconded by **Mrs. Patton**. **Dr. Ayers** was not present for the vote. Motion carried.
- n) **Mrs. Long** motioned to further investigate non-licensees performing veterinary medicine; seconded by **Dr. Berkeley**. **Dr. Ayers** was not present for the vote. Motion carried.
- o) The Board reviewed the veterinarian with an adverse action; but the Board took no action.

V. Approval of Minutes

- a) **Dr. Cary** motioned to approve the October 2, 2020 minutes; seconded by **Dr. Berkeley**. **Dr. Ayers** was not present for the vote. Motion carried.
- b) **Dr. Cary** motioned to approve the November 18, 2020 minutes; seconded by **Dr. Berkeley**. **Dr. Ayers** was not present for the vote. 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) The Board approved the P-Card Charges September 17, 2020 - December 16, 2020.
- c) The complaint committee met January 5, 2021.
- d) Trish advised that InLumon has still not completed the database and there were a lot of glitches during the renewal. Rosters still cannot be created, and licensee's status must be updated manually.
- e) The Board reviewed AAVSB topics.
- f) There were no quarterly mobile clinic reports.
- g) Trish advised that due to continuing medical issues, Summar has still not started the temporary Secretary position; however, we do have another temporary in the meantime.
- h) The Board welcomed the new Board members. Dr. Sette replaced Dr. Moore and Dr. Fallen replaced Dr. Meade.

VII. There were no Questions for the Board.

VIII. New Business

- a) **Dr. Berkeley** motioned to approve Dr. Meade as investigator at the rate of \$60.00 per hour with hotel expenses covered by the Board; seconded by **Mrs. Patton**. **Dr. Ayers** was not present for the vote. Motion carried.
- b) The Board discussed the American Academy of Veterinary Acupuncture recommendations.
- c) **Dr. Berkeley** motioned to give Logan Animal Hospital a 1-year extension to correct their facility inspection deficiencies or to move into another building. The facility will need to be re-inspected with no charge; seconded by **Dr. Sette**. **Dr. Ayers** was not present for the vote. Motion carried. **Dr. Cary** motioned to void the ambulatory facility registration if Dr. Reiswig does not show up for the inspection; seconded by **Mrs. Patton**. **Dr. Ayers** was not present for the vote. Motion carried.
- d) **Mrs. Long** motioned to not approve the RVT CE extension request and to place the registration in expired status; seconded by **Dr. Cary**. **Mrs. Patton** recused herself because she knows the individual. **Dr. Ayers** was not present for the vote. Motion carried. **Mrs. Meadows** motioned to approve the CE extension request for Dr. Sullivan; seconded by **Dr. Berkeley**. **Dr. Ayers** was not present for the vote. Motion carried.
- e) The Board discussed facility inspection questions that were submitted from Dawn, Inspector, and Trish.
- f) Trish discussed that a letter was sent to the Governor requesting clarification of where the veterinary professionals are for the COVID vaccinations. The Board requested a mass email be sent to the licensees and to request them to contact their county health department.
- g) **Mrs. Meadows** motioned to approve the purchase of inspection shirts, jackets, and name tags; seconded by **Dr. Berkeley**. **Dr. Ayers** was not present for the vote. The motion carried.
- h) The Board discussed of Strategy and Goals for 2021 and requested to add "resolving database issues".

IX. The next Board Meeting will be Monday, April 26, 2021 in Morgantown.

X. The Meeting was Adjourned at 12:40pm.

Approved by:



Monica R. Patton, RVT
Secretary-Treasurer