

TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS
BOARD MEETING MINUTES
April 10, 2018

The Texas Board of Veterinary Medical Examiners met for a scheduled meeting on Tuesday, April 10, 2018, at 9:00 a.m. in Room #2-225 of the William P. Hobby, Jr. Building, 333 Guadalupe, Austin, Travis County, Texas.

Agenda Item 1. Full Board Call to Order, Roll Call.

Jessica Quillivan, DVM, Board President, called the meeting to order at 9:00 a.m. Board Members present were: Carlos Chacon, Lynn Criner, DVM, Secretary; Samantha Mixon, DVM; Keith Pardue, Vice-President; and Michael White, DVM. Randy Skaggs, DVM was absent. Board Staff present were: Executive Director, John Helenberg, Michelle Griffin, General Counsel; Executive Assistant, Patricia Prentice; Chief Financial Officer, Arlethia Middleton; Investigator Kandace Van Vlerah; and Legal Secretary Valerie Mitchell.

Agenda Item 2. Consideration and Approval of the January 16, 2018 Minutes.

Dr. Quillivan noted a wording correction for item #6 and proposed that item #7 be carried over into further board meetings as needed. Dr. Pardue moved, Dr. White seconded, and the motion passed unanimously to approve the January 16, 2018 minutes.

Agenda Item 3. Executive Director's Report.

Mr. Helenberg reported on staff changes, additions and continued hiring process; budget overview; and changes to the enforcement procedures.

Agenda Item 4. Report from and discussion with Britany Lash, Director of Professional Recovery Network, regarding the Board's peer assistance program.

Ms. Lash gave a background on the Professional Recovery Network and discussed with the Board possible contracts for the future.

Agenda Item 5. Discussion of Strategic Planning Meetings. Mr. Helenberg presented information from the last 3 strategic planning meetings held in Addison, Tomball, and Boerne throughout late February and March. Future meetings are in the early stages of planning and will be held in El Paso & Amarillo. These meetings will be coordinated with the local VMA to try and plan them around their next meetings. Dr. Mixon suggested more notice ahead of time and a later start time in hopes of meetings having higher attendance.

Agenda Item 6. Discussion, recommendation and possible action regarding proposed rule changes to be published in the Texas Register. Ms. Griffin introduced proposed rule changes to the following rules:

- a. 575.30 Contested Case Hearing at SOAH (Amendment)
- b. 577.5 Committees of the Board (Amendment)
- c. 573.70 Reporting of Criminal Activity (Amendment)
- d. 571.15 Temporary Veterinary License (Repeal of Existing Rule)
- e. 571.15 Temporary Veterinary License (New Rule)
- f. 571.61 Inactive License Status (Amendment)
- g. 573.12 Responsibility for Licensure of Licensed Persons (Amendment)
- h. 573.43 Controlled Substances Registration (Amendment)
- i. 571.13 Temporary Veterinary Licensure During Declared State of Disaster (Amendment)

j. 573.67 Monitoring Licensee Compliance (Repeal)

Mr. Chacon made a motion that the Board approve the above rule changes to be published to the Texas Register, Dr. Criner seconded the motion, and the motion was unanimously approved.

Agenda Item 7. Discussion, recommendation and possible action regarding adoption of proposed rule changes to be published in the Texas Register.

Ms. Griffin introduced proposed rule changes to the following rules:

- a. 575.27 Complaints—Receipt (Repeal of Existing Rule)
- b. 575.27 Complaints (New Rule)
- c. 575.28 Complaints—Investigations (Repeal of Existing Rule)
- d. 575.28 Investigations (New Rule)
- e. 575.29 Informal Conferences (Repeal of Existing Rule)
- f. 575.29 Informal Conferences (New Rule)
- g. 575.40 Cease and Desist Procedures (Repeal of Existing Rule)

A public comment was submitted referencing the 4-year limitation to be able to submit a complaint in rule 575.27. The public comment suggested that the Board reduce the time allowed to submit a complaint down to 2 years. Mr. Chacon made a motion that the Board approve the above rule adoptions with the modification of changing 575.27 from a 4-year limitation to a 2-year limitation, Dr. White seconded the motion, and the motion was unanimously approved.

Agenda Item 8. Discussion, recommendation and direction regarding local outreach to equine and large animal veterinarians. No recommendations were made regarding this item.

Agenda Item 9. Discussion of Public Practice Education Directive. Board members discussed the importance of one health concept is important in the veterinarian world.

The board took a recess from 9:48am until 9:55 am.

Agenda Item 10. Consideration and Approval of Agreed Orders.

<u>Docket #</u>	<u>Case #</u>	<u>Name</u>	<u>License #</u>	<u>Practice City</u>
DK2017-159	CP16-480	Robert Tiller	4002	Waskom
DK2017-164	CP17-059	James Cox	5254	Sugar Land
DK2017-223	CP17-116	Mitchell Jager	2622	Robinson
DK2017-160	CP17-023	Kristin Hummel	13859	Conroe
DK2018-001	CP17-039	Jennifer Wight	10235	Fort Worth
DK2017-097	CP16-482	Kim Percival-Leland	7988	Austin
DK2017-218	CP16-481	Nancy Adams	9178	Seabrook
DK2017-186	CP17-070	Angilene Brewer	LVT-1204	Waller
DK2018-020	CP17-142	Cody Bullock	10986	Denton
DK2017-010	CP16-016	Kelli Taylor	7460	N/A

Dr. White made a motion that the Board approve the above orders, Dr. Pardue seconded the motion, and the motion was unanimously approved.

Agenda Item 11. Consideration and approval of cases recommended for dismissal.

<u>Case #</u>	<u>Name</u>	<u>License #</u>	<u>Practice City</u>
CP17-317	David Schumacher	5136	Dallas
CP18-007	Angel Heath Jimenez	N/A	N/A
CP16-492	Scylla Tomlinson	N/A	N/A
CP17-288	Amber Valinski	11671	McAllen
CP17-319	Sarah Richey	13223	Keller
CP17-330	Michael Sealock	5898	Rockwall
CP17-345	Elizabeth McSween	10953	The Colony
CP16-476	Gary Gosney	2608	Temple
CP17-124	Alessandro Lorenzo	N/A	N/A
CP17-129	Daniel Gomez	N/A	N/A
CP17-131	Daniel Gomez	N/A	N/A
CP17-226	Alred Restivo	N/A	N/A
CP17-386	Canine Courtyard	N/A	N/A
CP17-309	Andrea Yakel	13088	Leonard
CP17-358	Christine Stephenson	13333	Montgomery
CP17-371	Gail Funk	7742	Houston
CP17-285	Nancy Eliff	N/A	N/A
CP17-374	Forever Pets Discount Center	N/A	N/A
CP16-150	Stephen Kirkland	N/A	N/A

Case CP18-007 pulled for executive session. Mr. Chacon made a motion that the Board approve the above dismissals, Dr. White seconded the motion, and the motion was unanimously approved.

Agenda Item 12. Citizen Comments. Wayne Needham, Vice President of Equine Dental Practitioners commented that EDP students are unable to practice in the state of Texas.

Dr. Mixon stated that she will follow up on certifications in Texas and her findings will be discussed during the next board meeting.

Agenda Item 13. Discussion of possible agenda items for future Board Meetings. The Board members discussed the next board meeting date will be July 31, 2018 and will be the last for the fiscal year. The first meeting of FY19 will be held in October, the exact date will be discussed further at the July 31st meeting. Dr. Mixon will research equine dentistry certifications in Texas. Dr. Criner made a motion that the Board approve the above possible agenda items for future board meetings, Dr. White seconded the motion, and the motion was unanimously approved.

The board entered closed executive session at 10:15am.

Agenda Item 14. Executive Session to discuss pending or contemplated litigation, discussion of case number CP18-007. No action was taken on this item.

The board returned to open session at 10:25am.

Agenda Item 15. Return from Executive Session to report or discuss further actions to be taken following Executive Session. Possible action on items discussed in Executive Session.

The Board approved case number CP18-007.

Mr. Chacon made a motion that case CP18-007 be approved, Dr. White Seconded the motion and the motion was unanimously approved.

Agenda Item 16. Adjourn. The Board adjourned at 10:27 a.m.

Mr. Chacon made a motion to adjourn the April 10, 2018 board meeting, Dr. Mixon seconded the motion and the motion was unanimously approved.