

**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**BOARD MEETING MINUTES**  
**January 16, 2018**

The Texas Board of Veterinary Medical Examiners met for a scheduled meeting on Tuesday, January 16, 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 9:02 a.m. Board Members present were: Carlos Chacon, Lynn Criner, DVM, Secretary; Samantha Mixon, DVM; and Keith Pardue, Vice-President. Michael White, DVM and Randy Skaggs, DVM were absent. Board Staff present were: Executive Director, John Helenberg, Michelle Griffin, General Counsel; and Director of Operations, Candice Simon

**Agenda Item 2. Consideration and Approval of the December 5, 2017 Minutes.**

Dr. Criner proposed spelling corrections for item #6 and noted that she was recused from voting on an agreed order for Dr. Axtell. Mr. Chacon moved, Dr. Criner seconded and the motion passed unanimously to approve the December 5, 2017 minutes with any reference to recusals by Dr. Criner removed.

**Agenda Item 3. Executive Director's Report.**

Mr. Helenberg reported on future strategic planning meetings; staff openings and hiring process; budget overview; TVMA meeting; and changes to the compliance inspection process/training.

**Agenda Item 4. 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. 575.27 Complaints— (New Rule)
- b. 575.28 Complaints—Investigations (Repeal of Existing Rule)
- c. 575.28 Investigations (New Rule)
- d. 575.29 Informal Conferences (Repeal of Existing Rule)
- e. 575.29 Informal conferences (New Rule)
- f. 575.40 Cease and Desist Procedures (Repeal of Existing Rule)
- g. 575.27 Complaints—Receipt (Repeal of Existing Rule)

Dr. Chacon made a motion to publish the proposed rule changes. Dr. Mixon seconded the motion and the motion passed unanimously.

**The Board took a recess from 9:42 a.m. and resumed at 9:53 a.m.**

**Agenda Item 5. Discussion, and direction to staff regarding medical review process in complaint investigations.** Ms. Griffin presented and explained a statutory change requiring modifications to the medical review process. Staff recommended transitioning to a single medical reviewer and possibly using outside reviews in the future. Medical review for cases from fiscal year 2018 and later will rotate between Dr. Mixon, Dr. White and Dr. Skaggs until sources for outside reviewers can be developed.

**Agenda Item 6. Discussion, recommendation and possible action regarding permissible uses of titles and letters for veterinary assistants.** Board members discussed licensure requirements for LVTs and the use of titles such as “registered veterinary assistant.” Public comment was received from David Sessum, L.V.T., regarding licensure requirements, educational and enforcement options.

**Agenda Item 7. Discussion, recommendation and possible action regarding training on compliance with controlled substance statutes and rules, including possible continuing education requirements.** After discussion, Board members suggested that staff may prepare a training presentation.

**Agenda Item 8. Discussion and recommendation regarding potential creation of rules committee.** No recommendations were made regarding this item.

**The Board took a recess from 10:54 a.m. and resumed at 11:06 a.m.**

**Agenda Item 9. Discussion and recommendation regarding agency management of disaster and emergency relief responses.** Board members discussed how the Board may be able to help coordination and planning efforts for future disasters.

**Agenda Item 10. Discussion, recommendation and possible action regarding future Board Meeting dates.** No action was taken regarding this item.

**Agenda Item 11. Discussion of possible items for future Board meetings.** Board members stated they would like to hear a report on stakeholder meetings and have additional discussions on how to best utilize advisory committees.

**Agenda Item 12. Consideration and approval of Agreed Orders.**

<u>Docket #</u>	<u>Name</u>	<u>License</u>	<u>Practice City</u>	<u>Case #</u>
DK2017-012	Stacy Smitherman	8418	Centerville	CP16-319
DK2017-101	Stefanie Mosley	12527	Dallas	CP16-369
DK2017-199	Mark Borah	6969	Lindale	CP16-477

Mr. Chacon made a motion that the Board approve the above orders, Dr. Mixon seconded the motion, and the motion was unanimously approved.

**Agenda Item 13. Citizen Comments.** David Sessum, L.V.T., commented that he would like to hold more L.V.T. Advisory Committee Meetings.

**Agenda Item 14. Executive Session to discuss pending or contemplated litigation, settlement offers, and personnel issues, pursuant to sections 551.074 and .071 of the Texas Government Code, Open Meetings Act.** No action was taken on this item.

**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.**

No action was taken on this item.

**Agenda Item 16. Adjourn.** The Board adjourned at 11:35 a.m.