

**TEXAS BOARD OF VETERINARY MEDICAL EXAMINERS**  
**BOARD MEETING MINUTES**  
**December 5, 2017**

The Texas Board of Veterinary Medical Examiners met for a scheduled meeting on Tuesday, December 5, 2017, at 8:00 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 8:02 a.m. Board Members present were: Carlos Chacon, Lynn Criner, DVM, Secretary; Samantha Mixon, DVM; Keith Pardue, Vice-President; Randy Skaggs, DVM; and Michael White, DVM. Board Staff present were: Executive Director, John Helenberg, Michelle Griffin, General Counsel; Director of Operations, Candice Simon, Chief Financial Officer, Arlethia Middleton, Matthew West, Director of Enforcement; Wanda Bennett, Licensing Program Supervisor, Elaine Crease, Legal Administrative Assistant; and Teresa Long, Accountant.

**Agenda Item 2. Consideration and Approval of the October 10, 2017 Minutes.**

Dr. Criner pointed out the error whereby she was listed as having recused herself from several cases, which she had not. Mr. Pardue moved, Dr. Criner seconded and the motion passed unanimously to approve the October 10, 2017 minutes with any reference to recusals by Dr. Criner removed.

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

**a. Announcement of personnel changes.** Mr. Helenberg reported that Blake Roach, the agency's contact with the Governor's Office, would be moving to the Governor's Appointments Office, and that Seth Christianson would be temporarily replacing Mr. Roach. He also introduced Ms. Simon, the new Director of Operations, and Ms. Middleton, the new Chief Financial Officer, and reported that Wanda Bennett had been promoted to Licensing Program Supervisor.

**b. Guidance on methods of communication with Board Members.** Mr. Helenberg described the Agency Executive Summary document that he has begun to send to staff on a weekly basis, noting upcoming events and other agency-wide issues. The Board expressed that they would like to receive this document on a weekly basis also.

**b. Pending Litigation Update.** Dr. Criner moved, Mr. Pardue seconded and the motion passed unanimously to go into Executive Session at 8:15 a.m. for private consultation and advice of counsel concerning pending or contemplated litigation, including administrative proceedings, or settlement offers and/or possible disciplinary action under the authority of the Open Meetings Act, GOVERNMENT CODE, §551.071; OCCUPATIONS CODE §801.407(d) and Attorney General's Opinion No. H-484. Open session resumed at 8:32 a.m. and it was announced that no action was taken. A certified agenda was made.

**c. Finance Department Report.** There were no questions from the Board Members regarding the Budget Report and Revenue Reports provided to them prior to the meeting.

**Agenda Item 4. Consideration and approval of Agreed Orders.**

Dr. Criner made a motion to pull the following cases to be discussed in Executive Session: 2017-018; 2017-148; 2017-183; and 2017-194. Dr. Skaggs seconded the motion, and the motion passed unanimously to go into Executive Session at 8:36 a.m. for private consultation and advice of counsel concerning pending or contemplated litigation, including administrative proceedings, or settlement offers and/or possible disciplinary action under the authority of the Open Meetings Act, GOVERNMENT CODE, §551.071; OCCUPATIONS CODE §801.407(d) and Attorney General's Opinion No. H-484. Open session resumed at 8:52 a.m. and it was announced that no action was taken. A certified agenda was made.

**After discussion, Dr. Skaggs moved that the Board Orders listed on Agenda Item #4 be approved as written. Dr. Criner seconded, and the motion passed unanimously. The Board Orders approved are as follows, with recusals noted.**

<u>Docket #</u>	<u>Name</u>	<u>Case #</u>
2017-102	<i>Claudia Orso-Sims, DVM</i>	CP16-421
<b>Recusals: Quillivan, Pardue</b>		
2017-157	<i>Lauri Jehl, DVM</i>	CP16-397
<b>Recusals: Quillivan, Pardue</b>		
2016-183	<i>Douglas Lange, DVM</i>	CP16-185
<b>Recusals: Quillivan, Pardue</b>		
2017-193	<i>Steven Susaneck, DVM</i>	CP16-306
<b>Recusals: Quillivan, Pardue</b>		
2017-194	<i>Paul Axtell, DVM</i>	CP16-415

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<u>Docket #</u>	<u>Name</u>	<u>Case #</u>
<b>Recusals: Quillivan, Criner, Pardue</b>		
2017-018	Bethany Butler, DVM	CP16-295
<b>Recusals: Quillivan, Pardue</b>		
2017-111	Carl Bello, DVM	CP17-067

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**Agenda Item 5. Discussion, recommendation and possible action regarding adoption of proposed Board Rule amendment.**

**a. 577.15 Fees (Amendment)**

Ms. Griffin presented a proposed rule change that was ready to be adopted after the proposal had been published in the *Texas Register* for public comment on November 3, 2017. This amendment consisted of an increase in fees that the agency assesses for various licensing actions, and was presented with no changes to the proposed version. After discussion, **Mr. Chacon moved to file the adopted amendment to §577.15 and its preamble with the *Texas Register*, in accordance with the Administrative Procedure Act. Dr. Criner seconded the motion, and it passed unanimously.**

**Agenda Item 6. Committee Appointments.**

**a. Executive Committee.** Dr. Criner, Dr. Quillivan, and Mr. Pardue were appointed.

**b. Enforcement Committee.** Dr. Criner and Dr. Quillivan were appointed. Mr. Chacon and Mr. Pardue will rotate as Public Members, and Dr. Skaggs was appointed to be a veterinarian alternate.

**c. Licensing Committee.** Dr. White and Mr. Pardue were appointed.

**d. Finance Committee.** Dr. Criner, Dr. Mixon, and Mr. Chacon were appointed.

**e. Advisory Committees**

**1. Equine Dental Provider Advisory Committee.** No new appointments. Larry Kimberlin, DVM, Doug Smith, DVM, and Carl Mitz, EDP will continue their appointments.

**2. Licensed Veterinary Technician Advisory Committee.** David Sessum, LVT, Cindy Dittmar, LVT, Michael White, DVM, Eden Myers, DVM, Steven Golla, DVM, and Mr. Carlos Chacon were appointed.

**Agenda Item 7. Discussion, recommendation and possible action regarding future board meeting dates.** After discussion, it was agreed that the next three regular board meeting dates would be January 16, April 10, and July 31, 2018.

**Agenda Item 8. Discussion of possible agenda items for future board meeting dates.**

- a. Discussion of possible Rules Committee.
- b. Update on cases past the 180-day mark.
- c. Agency emergency/disaster preparedness relief/management.

**Agenda Item 9. Citizens Comments.**

Judy Santerre presented comments on behalf of herself related to a complaint she had filed against a licensee.

Jodi Ware presented comments on behalf of herself related to a complaint she had filed against a licensee.

**Agenda Item 10. Adjourn.**

There being no further business, the meeting adjourned at 9:20 a.m.