

TENNESSEE BOARD OF VETERINARY MEDICAL EXAMINERS

MINUTES

Date: December 13, 2023

Time: 9:00 a.m., CST

Location: Office of Health-Related Boards
Iris Room
665 Mainstream Dr
Nashville, TN 37243

Board Members Present: Leslie Wereszczak, LVMT, Board Chair
Montgomery McInturff, DVM, Vice Chair
Cathryn Youmans, DVM, Secretary
Mark Garrett, DVM
Sarah Spidel, DVM
Samantha Beaty, DVM, State Veterinarian, ex officio member

Board Members Absent: Angela Zinkus, DVM

Staff Present: Kimberly Wallace, Regulatory Board Administrative Director II
Lyndsey Boone, Regulatory Board Administrative Director I
Tim Peters, Senior Associate Counsel
Ronda Webb-Steward, Senior Associate Counsel

Call to Order

Ms. Wereszczak called the meeting to order at 9:14 AM CST. A roll call of the Board Members and Board staff present was initiated by Ms. Boone, Unit 3 Director I.

Discuss and consider approval of Meeting Minutes, August 8, 2023, Board Meeting

Dr. McInturff made a motion to approve the Board meeting Minutes from August 8, 2023, with a second by Dr. Spidel. There was no discussion.

The motion passed unanimously.

Receive Reports and/or Requests from the Office of Investigations

Dorsey Luther, Complaint Coordinator from the Office of Investigations gave the investigative report to the Board. There was no discussion on the report.

PERIOD: 2023 Calendar Year To-Date

COMPLAINTS

New Complaints	Veterinarian	Vet Tech	Euthanasia Tech	Facility	CACA
Substance Abuse	1	0	0	0	0
Action In Another State	2	0	0	0	0
Malpractice/Negligence	17	0	0	0	0
Unlicensed Practice	10	1	0	1	0
Unprofessional Conduct	58	0	0	7	3
Outside of INV scope	2	0	0	0	1
Medical Records Request	1	0	0	0	0
Lapsed License	1	2	0	5	1
CE Violation	5	1	0	0	0
Criminal Conviction	0	1	0	0	0
Drug Diversion	0	1	0		
Total # New Complaints	97	6	0	13	5
Closed Complaints	-	-	-	-	-
Closed - Insufficient	27	1	0	5	4
Complaint Closed BIV	23	3	1	5	1
Complaint Closed	24	0	0	6	1
Closed – Letter of Concern	5	0	0	1	0
Closed – Warning Letter	6	0	0	2	1
Total # Closed Complaints	85	4	1	19	7

Total # Currently Open Complaints	33	2	0	1	1
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Receive Reports and/or Requests from the Division of Health Licensure and Regulation

No action to be taken.

Discuss and take action as necessary regarding Legislation

Emily Godwin, Fiscal Director, gave the following report to the Board:

Description	FY2023	FY2022	FY2021
Payroll Expenditures (701-702)	\$ 203,323.37	\$ 216,898.68	\$ 180,351.06
Total Other Expenditures (703-725)	\$ 151,683.28	\$ 125,227.85	\$ 114,500.17
Total Allocated Expenditures	\$ 277,424.92	\$ 299,189.70	\$ 258,407.22
Total Expenditures	\$ 632,431.57	\$ 641,316.23	\$ 553,258.45
Board Fee Revenue	\$ 798,870.08	\$ 794,181.64	\$ 786,904.38
Current Year Net	\$ 166,438.51	\$ 152,865.41	\$ 233,645.93
Total Technology Improvements	\$ 12,737.63	\$ 13,847.48	\$ 12,452.60
Cumulative Carryover	\$ 1,682,110.87	\$ 1,528,409.99	\$ 1,389,392.06

Ms. Godwin also informed the Board that they should expect increased costs in FY2024 due to salary adjustments and licensure system upgrades. There were not questions from the Board.

Receive Reports and/or Requests from the Board Administrative Office

Ms. Boone presented the Administrator’s report, as follows:

PERIOD: Active Licensees as of December 5, 2023:

Total # Veterinarians	3,156
Total # Veterinary Technicians	1,203

Total # Veterinary Facilities	830
Certified Animal Euthanasia Technician	305
Certified Animal Control Agencies	66
Certified Animal Chemical Capture Technicians	1
Animal Chemical Capture Certification	1

LICENSE STATUS

PERIOD: August 2, 2023 – December 5, 2023

	DVM	LVMT	Vet Facility	CAET	CACA	CCT
New Licenses/Certificated Issued	166	63	21	17	3	0
Renewals - Total	477	151	111	36	9	0
<i>Number of Paper Renewals</i>	138	24	96	15	9	0
<i>Number of Online Electronic Renewals</i>	339	127	15	21	0	0
Reinstated Licenses	14	9	0	5	0	0
Retired Licenses	12	5	0	0	0	0
Expired	27	33	23	15	2	0
Facilities Closed	N/A	N/A	9	N/A	0	N/A

This report covers the number of inspections from January 1, 2023 – November 16, 2023

	East	Middle	West
Initial	49	65	14
Renewal	126	110	52
Total	175	175	66
Grand Total	416		

Ms. Boone also presented the upcoming Board Meeting dates, as follows:

- April 10, 2024
- April 11, 2024
- August 14, 2024
- August 15, 2024
- December 4, 2024
- December 5, 2024

Ms. Boone confirmed that the large number of facilities owned by Tractor Supply that recently had to submit new premises permit applications, most are now completed, with just a few stragglers remaining at this time. There was no further discussion on the report.

Receive Reports and/or Requests from the Office of General Counsel

Ronda Webb-Stewart introduced herself as the advisory attorney who will be providing service to this Board, and provided the OGC report, as follows:

Conflict of Interest Statement

If you have a personal or financial interest in the outcome of any issue or matter before this board which may suggest a bias on your part, you are asked to state that interest on the record so that a determination can be made as to whether there exists a need for recusal. You are reminded that it is the duty of this board to protect the health, safety, and welfare of the citizens of Tennessee and that the administration of this solemn responsibility is dependent upon avoiding even the appearance of impropriety.

Litigation:

There are twenty-two (22) open cases with the OGC.

Rules:

Currently, OCG is completing its internal review of the pending Veterinary rules. Additionally, Rules 1730-03-.03 and 1730-04-.02 require a vote to be repealed.

Office of General Counsel: Summary of Currently Monitored Providers November 2023 Disciplinary Report for the Board of Veterinary

Summary: This report provides the total number of licensees currently being monitored for discipline.

The total number of Veterinarians being monitored for discipline is 12.

The total number of Veterinarians on reprimand is 1 with terms. \$0.00 fines and fees

The total number on probation is 7 with terms. \$0.00 fines and fees.

The total number on suspension is 0.

The total number revoked/surrendered is 4. \$51,687.53 fines and fees.

The total number of Vet. Techs being monitored for discipline is 0.

The total number of CAET's being monitored for discipline is 0.

The total number of Veterinarian Facilities being monitored for discipline is 5.

The total number of Veterinarian Facilities on reprimand is 5 with terms. \$9,685.71 fines and fees.

Presentation of Orders, Agreed Citations, and Other Disciplinary Items

Consent Orders

Hilrey Randolph, DVM #1229

Respondent has been at all times pertinent hereto licensed by the Board as a veterinarian in the State of Tennessee, having been granted license number 1229 on 07/01/1970, which currently has an expiration date of 06/30/2024.

At all times pertinent hereto Respondent was a licensed veterinarian and was working as a veterinarian in Knoxville, Tennessee.

On or about October 24, 2022, Department of Health, Office of Investigations investigators ("Investigator") went to Crossroads Animal Care located at 7426 Maynardville Highway, Knoxville, Tennessee. Inside they found Respondent's former employee

("C.P.") in the building. The inside of the building was set up as a functioning veterinary clinic and Investigators found an unlocked metal cabinet with numerous controlled medications inside. C.P. explained that Respondent left the controlled medications at the clinic when Respondent retired. C.P. also admitted that he would administer distemper, parvo and kennel cough vaccinations to patients, but denied that he administered rabies vaccinations.

Respondent operated Crossroads Animal Clinic located at 7426 Maynardville Highway, Knoxville, Tennessee for more than 10 years. In March/April of 2022, C.P. started paying rent and the utilities at Respondent's clinic location. Respondent agreed with C.P. that he would not perform any veterinary care without your permission. Respondent gave C.P. permission to give distemper, rabies, hepatitis, corona and the feline series vaccinations if someone came in and needed those vaccinations in Respondent's absence. Respondent also gave C.P. permission to treat skin issues. If an established patient of Crossroads Animal Clinic came in for a grooming appointment and C.P. saw a skin issue, C.P. would call Respondent and describe the problem and Respondent would tell C.P. what to treat the animal with. If a patient came in with diarrhea, Respondent allowed C.P. to treat the patient with Flagyl or another antidiarrheal medication. Respondent also allowed C.P. to perform fecal and heartworm tests. Respondent let C.P. sell what was left of the prescription flea medication Respondent had, but only to those patients that had been tested for heartworms. Respondent also gave C.P. permission to euthanize pets without Respondent's presence at the clinic. Finally, Respondent allowed C.P. to renew tramadol and gabapentin prescriptions for established patients, but Respondent would not let him call in tramadol or gabapentin for new clients. Respondent admitted that he would not allow C.P. to administer IV fluids without Respondent being present at the clinic. Respondent admitted that he left controlled substances at his old clinic, but explained they were locked in a cabinet.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following: Respondent agrees to the VOLUNTARY SURRENDER of Respondent's license to practice as a veterinarian, license number 1229, to be effective immediately upon ratification of this Order. Respondent understands that a voluntary surrender has the same effect as a revocation.

Respondent understands the ratification of this Consent Order is a formal disciplinary action and will be reported to the National Practitioner Data Bank (N.P.D.B.) and/or similar agency as a Voluntary Surrender. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Dr. Garrett made a motion to accept the Consent order, with a second from Dr. Youmans. There was no discussion.

The motion passed unanimously.

Order of Compliance

Natasha Jones, DVM #6131

Amber Johnson, employed by the State of Tennessee as the Disciplinary Coordinator of the Office of General Counsel for Health-Related Boards within the Tennessee Department of Health, submitted an affidavit stating the following:

The routine business function of the Office of General Counsel to receive, investigate, and process complaints, received against health care professionals who are regulated under Title 63 of the Tennessee Code Annotated, as well as to coordinate and monitor any disciplinary action terms ordered by any health-related board and/or committee/council for compliance.

As the Disciplinary Coordinator of the Office of General Counsel, I am responsible for the monitoring of disciplined health care practitioners for compliance on a day-to-day basis which includes the following: collection of any fees/costs due; coordination and review of reports from peer assistance programs and/or treatment facilities/practitioners; tracking of continuing education requirements and coordinating their approval, as necessary; collecting and reviewing supervisor/preceptor reports; coordinating medical records approvals; and ensuring proper reporting to national databases.

Pursuant to the Order, entered by the Tennessee Board of Veterinary Medical Examiners on August 7th, 2019, Natasha A. Jones, DVM, license number 6131, has been monitored by this office in accordance with the Board's Order and the standard business practices of this Office. As such, I hereby certify that the named practitioner is in compliance with the terms and conditions of said Consent Order.

Dr. McInturff made a motion to accept the Consent order, with a second from Dr. Youmans. There was no discussion.

The motion passed unanimously.

Agreed Citation

Andrea Anderson, DVM #5204

Dr. Anderson was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twenty (20) hours for calendar year 2020 and twenty (20) hours for calendar year 2021. This deficiency resulted in a civil penalty in the

amount of two thousand dollars (\$2000.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Dr. Andrena Anderson #5204, as written, with a second by Dr. Garrett. There was no discussion on this motion.

The motion passed unanimously.

Laura Cannon, DVM #6934

Dr. Cannon was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twelve (12) hours for calendar year 2021 and fifteen (15) hours for calendar year 2022. This deficiency resulted in a civil penalty in the amount of one thousand three hundred and fifty dollars (\$1350.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Youmans, to approve the Agreed Citation for Dr. Laura Cannon #6934, as written, with a second by Dr. Spidel. There was no discussion on this motion.

The motion passed unanimously.

Michael Corwin, DVM #2874

Dr. Corwin was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short one (1) hour for calendar year 2021 and (3.75) hours for calendar year 2022. This deficiency resulted in a civil penalty in the amount of one hundred eighty-seven dollars and fifty cents (\$187.50) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Dr. Michael Corwin #2874, as written, with a second by Dr. Youmans. There was no discussion on this motion.

The motion passed unanimously.

Katlyn Currie, DVM #6927

Dr. Currie was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short one (1) hour for calendar year 2020 and fourteen (14) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of seven hundred and fifty dollars (\$750.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Dr. Katlyn Currie #6927, as written, with a second by Dr. Youmans. There was no discussion on this motion.

The motion passed unanimously.

Kaitlyn Eubanks, DVM #7048

Dr. Eubanks was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short thirteen (13) hours for calendar year 2020. This deficiency resulted in a civil penalty in the amount of six hundred and fifty dollars (\$650.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Garrett, to approve the Agreed Citation for Dr. Kaitlyn Eubanks #7048, as written, with a second by Dr. Spidel. There was no discussion on this motion.

The motion passed unanimously.

Brad Fly, DVM #2241

Dr. Fly was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twenty (20) hours for calendar year 2021 and short twenty (20) hours for calendar year 2022. This deficiency resulted in a civil penalty in the amount of two thousand dollars (\$2,000.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Dr. Brad Fly #2241, as written, with a second by Dr. Garrett. There was no discussion on this motion.

The motion passed unanimously.

Chinyere McKoy-Nwachukwu, DVM #6893

Dr. McKoy-Nwachukwu was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twenty (20) hours for calendar year 2021 and short twenty (20) hours for calendar year 2022. This deficiency resulted in a civil penalty in the amount of two thousand dollars (\$2,000.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Dr. Chinyere McKoy-Nwachukwu #6893, as written, with a second by Dr. Youmans. There was no discussion on this motion.

The motion passed unanimously.

Kathryn McPherson, DVM #4247

Dr. McPherson was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twenty (20) hours for calendar year 2021 and twenty (20) hours for calendar year 2022. This deficiency resulted in a civil penalty in the amount of two thousand dollars (\$2,000.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Dr. Kathryn McPherson #4247, as written, with a second by Dr. Youmans.

The motion passed unanimously.

Taylor McSwain, LVMT #1888

Ms. McSwain was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short twelve (12) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of six hundred dollars (\$600.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Ms. Taylor McSwain #1888, as written, with a second by Dr. Youmans. There was no discussion on this motion.

The motion passed unanimously.

Mary Short, LVMT #1896

Ms. Short was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short six (6) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of three hundred dollars (\$300.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Spidel, to approve the Agreed Citation for Ms. Mary Short #1896, as written, with a second by Dr. Garrett. There was no discussion on this motion.

The motion passed unanimously.

Krista Wells, DVM #7205

Dr. Wells was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short five (5) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of two hundred and fifty dollars (\$250.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Garrett, to approve the Agreed Citation for Dr. Krista Wells #7205, as written, with a second by Dr. Spidel. There was no discussion on this motion.

The motion passed unanimously.

Applicant Interviews/File Reviews/Waivers & Other Requests

Kari Jenkins Bechler, DVM – Applicant Interview

Dr. Bechler was present to speak to the Board in person regarding her application.

Mr. Peters introduced the application file, noting that Dr. Bechler filed an application June of 2023, and we became aware that she had been practicing without a license for quite a while in Tennessee. The application was missing information regarding that employment for the last two years. In addition, she responded positively to an application question regarding her DEA licensure having been surrendered. She had been practicing in TN since last 2021 through current. The Office of Investigations conducted a conversation with Dr. Bechler.

Mr. Peters stated that he could assist the Board in asking questions of Dr. Bechler as they reviewed her application and make a licensing decision.

Dr. Garrett asked for clarification as to if Dr. Bechler has been practicing in TN since 2021. Mr. Peters noted that the Administrative Office could not simply approve the application, it had to be presented to the Board due to the lacking information and affirmative answer to a disciplinary action question on the application.

Dr. Bechler came before the Board to give a brief statement, she noted she was licensed in GA which expired at the end of 2022. Dr. Bechler said she believed she was licensed in TN, but she was not. She has submitted an application but states she didn't know she was practicing in TN without a license until she had to surrender her DEA license. Dr. Bechler then stated there were days when her relief vets didn't show up and she did practice veterinary medicine in TN at times since December 2022. When clients suddenly had trouble getting medications filled and then she

realized she wasn't licensed in TN and continued to state that a non-client has been making social media posts about her working without a TN license. Dr. Bechler went back and forth between GA and TN since 2021.

Ms. Boone confirmed that the TN Board did not receive any documents or an application from Dr. Bechler until the application was received in September 2023. Dr. Bechler bought a practice in Crossville. The facility permit is expired. Dr. Bechler confirmed that she did not receive a license to practice in TN nor have a premises permit for her new facility.

Mr. Peters confirmed Dr. Bechler moved to TN in 2021 and bought an existing practice in Crossville. She later moved the building a quarter mile up the street and moved to a new location. The original permit has nothing to do with the current location and she has had no inspection at the new location. Her x-ray equipment was inspected. She said she believed she had filed an application in 2021 but she had no documents to confirm it, nor any cancelled check for payment of the application fee, and stated her check never cleared. She has a missing check number from 2021 but that is it. She claims that she paid for records to be sent in 2021 and paid by credit card. She was asked by the investigator in October to provide proof of filing an application in 2021 but was unable to do so. The investigator told her to stop practicing. She did not obtain proof of documentation from 2021 since then. Stated she had copies of things she submitted but had a flood in a storage unit in December 2021 and lost documentation copies. She had not received a license and did not contact the TN Board and claims she didn't think of it. When she started the new practice in January 2021, she did not comply with the law that requires her to display the permit and license on the wall. Stated in GA she doesn't recall the laws and said she had reviewed the TN laws but doesn't know them by memory.

Dr. Garrett asked how she obtained drugs in TN since 2021 without a TN license. Dr. Bechler ordered drugs in GA and transferred them over to TN without a TN license.

Dr. Bechler had practiced in GA since around 2013 and she told TN investigator that she has done up to 500 surgeries in TN. When performing these surgeries, she obtained supplies/prescription drugs via her GA license from a FL company and had them shipped to GA and didn't disclose to the company she was transferring them to TN. The drugs/supplies were being delivered to her previous residence where a friend and coworker lives, who is not a licensed veterinarian. Dr. Bechler is then picking them up and driving them an 8-hour drive to TN. Mr. Peter's states that if she had a TN license, she could have them sent to her TN practice address. Dr. Bechler confirmed she knew how to look up a TN license online, but never looked to see if she had a valid TN license. She did this for a year and a half.

Mr. Peters noted this is an unusual circumstance; the application had the deficiencies as well as how the practice was being conducted without a license. Based upon the investigation, the Dept. of Health has learned information that is relevant to the Board's understanding for making a

licensure decision on the application. The Board's role is to work within the Sunshine laws to learn the information regarding the application and discuss it publicly.

Dr. McInturff stated the job of the Veterinary Board is to protect the public against unscrupulous and illegal activities. He stated, and Dr. Bechler agreed, that many of the things coming out today is illegal. He believes it would be appropriate to make to motion to not approve the license application. He knows that animals in Crossville need good veterinary care, but they can determine that Dr. Bechler's actions have not been appropriate.

A motion was made by Dr. McInturff, to deny the license application, with a second made by Dr. Youmans

Dr. Garrett confirmed, and Dr. Bechler agreed, that throughout 2023 Dr. Bechler did not have a license anywhere and does not have a DEA license and has no premise permit for her facility and no inspection was conducted since she did not apply for a premise permit. The facility moved at the end of 2022. She inquired about not having a license in June 2023 and applied in September 2023. She brought in relief vets but practiced herself when they were not available.

The motion passed unanimously by voice vote.

Dr. Bechler asked when she could re-apply. Mr. Peters stated there's nothing preventing her from re-applying whenever she wants to.

Ms. Webb-Stewart asked the Board for clarification on the reason for application denial. If the grounds as confirmed by the board for the denial are:

To have the reasons for denial as Rule 1730-01-.04(2)(b) and Rule 1730-01-.05(2)(a) as grounds for the denial of the application from Dr. Bechler.

A motion was made by Dr. Youmans with a second made by Dr. Garrett. The discussion is as follows: Dr. Garrett asked, and Ms. Boones confirmed, that the denial will be reported as a disciplinary action. Whatever grounds the Board notes are what will be reported as the reason for the denial. Dr Garret beliees there should be additional reasons added.

The motion failed unanimously by voice vote.

Dr. McInturff believes the moral character provision should be sufficient at this time, as the other legal implications would potentially be on her record should there be other charges on her record in the future.

Ms. Webb-Stewart noted that the Board cannot discuss anything that is outside the scope of the current application considerations and the moral character and practice without a license have been discussed in this meeting and do provide grounds for denial.

A motion was then made by Dr. Garrett to have the reasons for denial as T.C.A. 63-12-124 (a) (1),(3),(4),(10), (11), (12), and (13) as grounds for the denial of the application from Dr. Bechler. With a second made by Dr. Spidel

The motion passed unanimously by voice vote.

Sarah Driscoll, LVMT – Applicant Interview

The applicant appeared in person to discuss their application with the Board.

The applicant's criminal background check reported multiple criminal convictions. On her application, she did not disclose that she had convictions. The application stated she misread the question and thought she only had to disclose if she had a felony offense, and her convictions were misdemeanors. She is currently employed at a practice in Chattanooga as a veterinary assistant. She confirmed that she could obtain letters of reference from her employers. She also confirmed she has not had any additional criminal actions since.

A motion was made by Dr. McInturff to approve the application administratively, contingent upon the receipt of a letter of good standing and reference from her employer, with a second made by Dr. Garrett

The motion passed unanimously by voice vote.

Brandon Dutton, DVM – Applicant Interview

The applicant was present in person to discuss their application with the Board.

The applicant had a disciplinary action from the TX Board in 2021 and did not disclose the past discipline on his TN application. He stated that in 2016 he signed an Agreed Order with the TX Vet Board, regarding their prescription drug logs being out-of-date. He believed the TX action was an informal reprimand. He has renewed his TX license and DEA license several times, not realizing the action was on his TX license. His DEA license did not reflect the action.

A motion was made by Dr. McInturff, to approve the license, with a second made by Dr. Spidel

The motion passed unanimously by voice vote.

Rebecca Freetage, LVMT – Applicant Interview

The applicant was present in person to discuss their application with the Board.

The file was presented to the Board due to a history of multiple criminal convictions. She stated that she has done everything the courts have asked her to for the prior convictions and has had no issues since 2011. The clinic manager was present to provide a reference to the Board. Shara Schultz, Clinic Manager, spoke to the Board, stating that she has been employed for about three (3) years, passed her exams on the first attempt, is reliable, looks for patient safety as number one priority, and is not seen to be a risk to the health and welfare of the patients. The facility has rigid DEA controls in place.

A motion was made by Dr. Garrett, to approve the license, with a second made by Dr. Spidel

The motion passed unanimously by voice vote.

Christopher George, LVMT – Applicant Interview

The applicant was present in person to discuss their application with the Board.

The applicant's criminal background check reports two indications from 2016 resulting from inebriation. He served his time in prison and probation with early release due to good behavior. He is currently employed in Knoxville as a veterinary assistant since May 2023. He stated he could obtain letters of reference from his employer.

A motion was made by Dr. McInturff, to approve the application administratively, contingent upon the receipt of a letter of good standing and reference from her employer, with a second made by Dr. Spidel

The motion passed unanimously by voice vote.

Michael Kirkpatrick, DVM – Waiver Request

The applicant was present in person to discuss their application with the Board.

The applicant sought a waiver of the active practice requirement for license reinstatement. He has been with his previous employer approximately 10 years. That employer did not require an active license for that position, so he voluntarily retired his TN license in May 2014. His new role requires him to hold an active TN license. He does not plan to practice privately.

Dr. Beaty noted that this applicant worked for her in the State Dept. of Ag. office. She recused herself from offering an opinion; she is a non-voting ex officio officer of the Board.

A motion was made by Dr. McInturff, to approve the license, with a second made by Dr. Youmans. Discussion is as follows: Dr. Garret noted that he has seen people return to practice after a long period of retirement and it has not gone well.

The motion passed unanimously by voice vote.

Trey Morrison, DVM – Applicant Interview

The applicant was present by phone to discuss their application with the Board.

The application was presented to the Board regarding prior disciplinary action by the GA Vet Board from 2017 for unlicensed practice from 01/01/2015 – 01/09/2017. The applicant received a receipt for a license renewal, but it was not actually completed, due to a clerical issue with a document. Upon learning it was not active, he renewed/reinstated and has maintained the license since that time in good standing. Stated he has also been actively licensed in other states since that time.

A motion was made by Dr. McInturff, to approve the license, with a second made by Dr. Garrett

The motion passed unanimously by voice vote.

Angela Wright, DVM – Applicant Interview

The applicant was present by phone to discuss their application with the Board.

The reinstatement application was presented to the Board regarding a 2011 disciplinary action by the GA Board via Board Order as a Private Reprimand. The applicant reviewed the scenario that led to the Board Order. She stated that she left that employer and served doing relief work most recently, although she starts a new position on Monday outside of TN. Her family's plans have changed since she originally applied in TN and she may remain in GA but would still like to have her TN license reinstated. She believes she has much more experience and professional intuition than she did when the disciplinary action occurred. Dr. McInturff encouraged the applicant to take personal responsibility for her actions. The applicant stated that she is not laying blame on others.

A motion was made by Dr. McInturff, to approve the license, with a second made by Dr. Dr. Spidel Discussion is as follows: Dr. Garrett noted that the use of a heating pad on an animal is never acceptable.

The motion passed unanimously by voice vote.

Jane Owens, DVM – Waiver Request

The applicant was present in person to discuss their reciprocity application with the Board.

The applicant sought a waiver of the active practice requirement for license reinstatement. Been licensed in KY since 1989 and also licensed in IN since 2003. She has been employed in a role that did not require an active license, and in relocating to TN she wishes to have an active TN license to care for her family's own animals and order medications for them. She has horses, dogs, cats, and goats. She does not intend to go into private practice. He has kept up-to-date in CE. Dr. McInturff noted that having an active license allows her to practice outside of her own personal animals.

A motion was made by Dr. McInturff, to approve the license, with a second made by Dr. Youmans

The motion passed unanimously by voice vote.

Ashley Manos (Linton), DVM – Waiver Request

Dr. Manos submitted a request for waiver of CE for calendar year 2020. The licensee was audited for CE and found deficient of 20 hours of CE for calendar year 2020.

A motion was made by Dr. McInturff, to require the licensee to submit documentation showing proof attendance for completing the 2020 CE via certificates of completion and the citation will be rescinded, otherwise, the citation will stand as issued, with a second made by Dr. Youmans

The motion passed unanimously by voice vote.

Ratification of Licensure Files

Ms. Boone informed the Board that the files presented on the Ratification List have been reviewed and found complete and in good order according to the rules for new licensure, reinstatement of license, facility premises permits and the closure of incomplete files.

Dr. McInturff made a motion to approve the Ratification List for new licenses, reinstated licenses, and closed/withdrawn files, as written, with a second made by Dr. Spidel. There was no discussion on the motion.

The motion passed unanimously.

See appendix A.

Receive Reports and take action as needed regarding Taskforce/Committee Reports

CSMD Report

Dr. McInturff had to report to present.

Review and consider Continuing Education and Other Course Requests, and Continuing

The following requests for approval of continuing education hours were reviewed:

A request from Ariel Clark, PharmD for approval of four (4) continuing education hours for the discussion topic “Interprofessional Summit on mental health, recovery, and suicide prevention for health care providers”

A request from Zoetis, Lauren Cramer for approval of nine (9) continuing education hours for the discussion topic “2023 Vet Tech Boot Camp”

A request Boehrigner Ingelheim, Jennifer Allen for approval of one (2) continuing education hour for the discussion topic “Updates on feline diabetes management”

A request from Jerri O’Rourke, LVMT for approval of nineteen and a half (19.5) continuing education hours for the discussion topic “Laboratory Animal Welfare Training Exchange Biannual Conference.”

A request from Jerri O’Rourke, LVMT for approval of twenty two (22) continuing education hours for the discussion topic “The Wilds by The Association of Zoos and Aquariums”

A request BluePearl Pet Hospital for approval of two (2) continuing education hours a piece, for the discussion topics “Canine Lameness: Beyond the Cruciate; Hemoabdomen’s, a surgical emergency; Seizures: Etiologies and Management; What on Earth is a Movement Disorder?; and Common systemic fungal diseases found in the mid-south.”

A motion was made by Dr. McInturff to approve the CE course requests as presented, with a second made by Dr. Garrett. Dr. Garrett noted the timeliness of courses presented for approval, with some courses occurring both before and after the date of the Board meeting, due to the Board’s meeting schedule.

The motion passed unanimously by voice vote.

Tejaswi Veligalta, DVM – CE Waiver Request

Requested to complete 2023 hours all in an online format, due to medical reasons.

A motion was made by Dr. Youmans, to approve the request to allow all 2023 CE hours to be obtained in an online format., with a second made by Dr. Spidel

The motion passed unanimously by voice vote.

Sydney Malmo, DVM – CE Waiver Request

A motion was made by Dr. McInturff, to complete 6 hours of 2023 CE by May 2024 to meet her 2023 requirements, due to medical issues, with a second made by Dr. Garrett

The motion passed unanimously by voice vote.

Euthanasia Technician Course Amendment Request & Xylazine clarification for CAET's from Dr. Debrina Dills, ACCAT Instructor

Dr. Clark, TVMA, former TN Vet Board Consultant, spoke at Dr. McInturff's request, to the Board regarding the federal scheduling of Xylazine and plans to allow it to be used by veterinarians. He is not aware of a bill going before TN legislature in 2024 at this time for veterinarians. There are some considerations for a bill on this drug as related to mental health for 2024, which may have an effect on veterinary medicine. There are only two companies that produce this drug for veterinary practice in the US at this time, but one does not produce controlled substances, so a scheduling of this nature would result in only one company making the drug for the US market. There appear to be rumor about availability.

A motion was made by Dr. McInturff. to accept Dr. Dills' CAET course slide #73 change and request no change in the use of the three substances that animal control offices and CAET's can use at this time, with a second made by Dr. Garrett

The motion passed unanimously by voice vote.

CSMD Meeting

Dr. Spidel attended the last CSMD meeting, and there were no issues that have a direct effect on veterinary medicine.

Discuss and take action as necessary regarding Rulemaking, Rulemaking Hearings, Rule Amendments, and Policies

Rulemaking Amendment on Rules 1730-03-.03 and 1730-04-.02

Ms. Webb-Stewart noted the based on the retrospective rule review, the request is made by the OGC that Rule 1730-03-.03 is duplicative of statute and should be repealed. If the rule states exactly what the law states, it is not needed because it's already statutorily required. Rules do not exist simply to re-state the laws.

Ms. Wereszczak noted that TN is a state that requires veterinary technicians to be licensed and she is concerned that it could be mistakenly interpreted that licensure for vet techs will no longer be needed.

Dr. Garrett stated that it can't hurt to have information presented in more than one place, as that makes it more likely to be found and understood.

Ms. Wereszczak asked what the motivation is to remove this rule. Ms. Webb-Stewart noted that it is to streamline the rules and that practitioners should be looking at the statutes as well as the rules, with the rules providing support to the statutes. If the Board states they do not want it repealed, Ms. Webb-Stewart would have to report that back to the OGC. Dr. Beaty noted that redundancies can cause confusion and that practitioners should look at the statutes then the rules. Ms. Wereszczak noted that the rule is supportive of the statute and does no harm remaining as is.

A motion was made by Dr. Garrett, to leave Rule 1730-03-.03 intact as is, with no change, with a second made by Dr. McInturff.

The motion passed unanimously by voice vote.

The rationale of the Board for not repealing this rule is that repealing it could cause public confusion and that redundancy in this rule is supportive of the statute.

Ms. Webb-Stewart noted the based on the retrospective rule review, the request is made by the OGC that Rule 1730-03-.02 is duplicative of statute and should be repealed.

A motion was made by Dr. McInturff, to leave Rule 1730-03-.02 intact as is, with no change, with a second made by Dr. Garrett. Discussion is as follows: Dr. Garrett believes it should remain in rule to ensure it is viewed and identified as a requirement.

The motion passed unanimously by voice vote.

Discuss New/Old Board Business

New Business - Military License Portability

OGC Staff are in the process of developing a formal set of rules and procedures for use across the HRB in meeting the requirements of the new Federal Servicemembers Civil Relief Act (SCRA) for servicemembers and their spouses. This is for information purposes only, with no action for the Board to take at this time.

Ms. Webb-Stewart noted that an active license in another state will be honored in TN under this provision. This is applicable only for active licensees in each profession in another state wishing to practice in TN under that other state license.

New Business Request:

Dr. Youmans wanted to request the Board to have a discussion at the next meeting to review the rules for CE requirements to better define “in-person” requirements. Ms. Boone will make a request via the AAVSB to distribute a query across other state boards to research what other states are requiring regarding online vs. in-person requirements.

Old Business:

Dr. Garrett asked for follow-up from Mr. Peters regarding the ability to issue exemptions for vaccination clinics. Dr. Garrett noted that Dr. Clark told him that the Shelbyville Dept. of Health is an authorized health agency, and he didn’t understand why they requestor sought guidance from the Board. Mr. Peters stated that nothing has changed, and it can be removed from further action by the Board.

Conference/Event Reports and Upcoming Events

Ms. Wereszczak attended the September AAVSB Annual Meeting in Kansas City. She attended an all-day session regarding board ethics and various scenarios that boards may encounter in an ever-changing world. Other sessions included scope of practice across states and the challenges that presents to licensing for veterinary technicians, and limitations and challenges to access to care in underserved areas. Another focused on the impact of racism in veterinary medicine.

Ms. Boone asked about any new Board Members who may want to attend the AAVSB Board Basics and Beyond in April 2024, which the Board had provided a standing approval for new board member attendance.

Ms. Boone will send information to the new board members.

Review of Correspondence and Notices

Rule Clarification from Dr. William Conley

The Board discussed the request from Dr. Conley for clarification on Rule 1730-01-.18 on the release of client records.

Dr. Walter Clark, past long-time Board Consultant for 12 years was present, and the Board asked him to address the Board on this item. Dr. Clark noted that any investigation on this matter would be reviewed on a case-by-case basis to determine what was reasonable as a timely manner. Most of the time when a complaint of this nature would come into the Office of Investigations, it was a matter of an extremely lengthy time, of weeks or months for a request to be fulfilled, not just a few hours or days. Because every case is so different, it could be difficult to draft a policy that defines “timely manner” because there are so many case-by-case variables. Reasonable is subjective. Dr. McInturff agrees that it should remain as is and reviewed on a case-by-case basis if/when a complaint is investigated. Dr. Clark added that releasing the records to a third-party requires written consent from the animal owner and that can also take time.

A motion was made by Dr. Garrett, to reply to Dr. Conley that the Board is taking no action at this time. Complaints will be reviewed on a case-by-case basis, with a second made by Dr. Youmans

The motion passed unanimously by voice vote.

Letter from NAVTA

The NAVTA is looking for the ability for veterinary technician candidates to have the ability to sit for the VTNE prior to graduation, as veterinary candidates do for the NAVLE, to avoid delays in the ability to obtain licensure after graduation. Their second item regards on-the-job trained individuals to sit for the VTNE, which is not applicable to TN. There is no specific action for the Board to take on this item at this time, it is informational only.

Ms. Webb-Stewart noted that the letter came from an association, and they are looking for information and support of certain issues and she does not believe it is something the Board should state specifically that they are or are not in agreement with.

A follow-up letter is to be sent to let the NAVTA know that the Board reviewed and the letter in their meeting on 12/13/2023, and that TN does not allow for any alternate routes for licensure.


Call for Public Comment

Ms. Boone provided notice of one additional opportunity for the submission of public comments, noting the requirement of signing in on the in-room registry prior to addressing the Board. She reminded the public that while they may present any question or comment they wish to bring to the Board's attention; the Board may only take action on items that were published on the agenda for this meeting. The Board has the option request to add an item to a future meeting agenda regarding any new topic introduced by way of a public comment, if they believe action may need to be taken on that particular subject. As always, public comments may also be submitted in writing and sent by mail to The TN Veterinary Board, 665 Mainstream Drive, Nashville, TN 37243 or sent via email to Veterinary.Health@tn.gov.

Adjournment

There being no further business to be heard, Dr. McInturff made a motion for adjournment with a second made by Dr. Youmans. There was no discussion on the motion. The motion passed unanimously. The Veterinary board meeting adjourned at 1:09PM CST.

These Minutes were ratified by the Board on April 10, 2024.



Board Chair



Date