TENNESSEE BOARD OF VETERINARY MEDICAL EXAMINERS

MINUTES

Date:	April 10, 2024
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 Angela Zinkus, DVM Marissa Lee, CPA, Consumer Member
Board Members Absent:	Sarah Spidel, DVM Samantha Beaty, DVM, State Veterinarian, ex officio member
Staff Present:	Kimberly Wallace, Regulatory Board Administrative Director II Lyndsey Boone, Regulatory Board Administrative Director I Ronda Webb-Stewart, Senior Associate Counsel Ellen Gose, Senior Associate Counsel

Call to Order

Ms. Wereszczak called the meeting to order at 9:15 AM CST. A roll call of the Board Members and Board staff present was initiated by Ms. Boone, Unit 3 Director I.

Ms. Boone welcomed new Board Member Marissa Lee into the Consumer Member position that has been vacant.

Discuss and consider approval of Meeting Minutes, December 13, 2023, Board Meeting

Dr. McInturff made a motion to approve the Board meeting Minutes from December 13, 2023, with a second by Dr. Youmans. 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

COMPLAINTS

New Complaints	**Veterinarian**	**Vet Tech**	**Euthanasia Tech**	**Facility**	**CACA**
Substance Abuse	1	0	0	0	0
Action In Another State	3	0	0	0	0
Malpractice/Negligence	19	0	0	0	0
Unlicensed Practice	12	1	0	1	0
Unprofessional Conduct	63	2	0	12	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	0	0
Total # New Complaints	**107**	**8**	**0**	**18**	**5**
Closed Complaints	**-**	**-**	**-**	**-**	**-**
Closed - Insufficient	27	1	0	5	4
Complaint Closed BIV	23	3	1	5	1
Complaint Closed	25	0	0	6	1
Closed – Letter of Concern	5	0	0	1	0

Closed – Warning Letter	6	0	0	2	1
Total # Closed Complaints	**86**	**4**	**1**	**19**	**7**
Total # Currently Open Complaints	**57**	**4**	**0**	**17**	**2**

PERIOD: 2024 Calendar Year To-Date

COMPLAINTS

New Complaints	**Veterinarian**	**Vet Tech**	**Euthanasia Tech**	**Facility**	**CACA**
Substance Abuse	0	0	0	0	0
Action In Another State	0	0	0	0	0
Malpractice/Negligence	4	0	0	1	0
Unlicensed Practice	0	0	0	1	0
Unprofessional Conduct	10	0	0	2	1
Outside of INV scope	1	0	0	2	0
Medical Records Request	0	0	0	0	0
Lapsed License	0	0	0	5	0
CE Violation	0	0	0	0	0
Criminal Conviction	0	0	0	0	0
Drug Diversion	0	0	0	0	0
Total # New Complaints	**15**	**0**	**0**	**11**	**1**
Closed Complaints	**-**	**-**	**-**	**-**	**-**
Closed - Insufficient	0	0	0	1	0
Complaint Closed BIV	1	1	0	5	0
Complaint Closed	19	0	0	0	0

Closed – Letter of Concern	1	0	0	0	0
Closed – Warning Letter	3	0	0	0	0
Total # Closed Complaints	**24**	**1**	**0**	**6**	**0**
Total # Currently Open Complaints	**33**	**3**	**0**	**11**	**2**

Discuss and take action as necessary regarding Legislation

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

Acct. Code	Description	FY2024 YTD Actual	FY2023	FY2022
701	Salaries & Wages	$ 99,415.12	$ 153,234.03	$ 158,060.51
702	Employee Benefits	$ 29,869.79	$ 50,089.34	$ 58,838.17
Payroll Expenditures (701-702)		$ 129,284.91	$ 203,323.37	$ 216,898.68
703	Travel	$ 3,491.17	$ 4,141.47	$ 3,501.91
704	Printing & Duplicating	$ -	$ -	$ -
705	Utilities & Fuel	$ -	$ -	$ -
706	Communications	$ 2,993.12	$ 5,791.21	$ 5,807.69
707	Maintenance & Repairs	$ -	$ -	$ -
708	Prof. Svc. & Dues	$ 40,039.24	$ 123,015.87	$ 93,728.63
709	Supplies & Materials	$ 208.62	$ 2,730.10	$ 404.37
710	Rentals & Insurance	$ -	$ -	$ -
711	Motor Vehicle Ops.	$ -	$ -	$ -
712	Awards & Indemnities	$ -	$ -	$ -
713	Grants & Subsidies	$ -	$ -	$ -
714	Unclassified	$ -	$ -	$ -
715	Stores for Resale	$ -	$ -	$ -
716	Equipment	$ -	$ -	$ -
717	Land	$ -	$ -	$ -
718	Buildings	$ -	$ -	$ -
721	Training of State Employees	$ 460.00	$ 250.00	$ 1,425.00
722	Computer Related Items	$ 209.80	$ 319.06	$ 1,068.31
725	State Prof. Svcs.	$ 13,065.78	$ 15,435.57	$ 19,291.94
Total Other Expenditures (703-725)		$ 60,467.73	$ 151,683.28	$ 125,227.85
Total Direct Expenditures		$ 189,752.64	$ 355,006.65	$ 342,126.53
Allocated Expenditures				
	Administration	$ 55,079.71	$ 101,328.00	$ 114,851.42
	Investigations	$ 126,484.52	$ 130,029.30	$ 123,459.80
	Legal	$ 39,806.87	$ 45,280.08	$ 59,685.40
	Cash Office	$ 1,556.73	$ 787.55	$ 1,193.09
Total Allocated Expenditures		$ 222,927.82	$ 277,424.92	$ 299,189.70
Total Expenditures		$ 412,680.46	$ 632,431.57	$ 641,316.23
Board Fee Revenue		$ 428,512.75	$ 798,870.08	$ 794,181.64
Current Year Net		$ 15,832.29	$ 166,438.51	$ 152,865.41
Technology Improvements				
	LARS Improvements	$ 2,748.72	$ 12,733.20	$ 13,572.93
	Visual Investigator	$ 0.37	$ 4.43	$ 274.55
Total Technology Improvements		$ 2,749.09	$ 12,737.63	$ 13,847.48
				$ -
Cumulative Carryover		$ 1,695,194.06	$ 1,682,110.87	$ 1,528,409.99

Ms. Godwin recommended the Board wait to discuss fee changes until after additional financial reports are available that will provide additional details regarding technological expenses to be allocated to the Board.

Ms. Wallace recommended the Board consider splitting the fee decrease rule change off of the full rule package currently in motion, for future consideration after the additional technological costs have been determined and presented, thus, allowing the remainder of the rule package to proceed without having to wait for the additional fee discussions.

Ms. Webb-Stewart noted the current rulemaking package is aged and the Board could potentially vote to move the fee change into a separate package.

Ms. Godwin stated that the allocation of costs have not been confirmed and with the excess cumulative carryover amount the Board currently shows, the fee changes as presented could cause a significant decrease to the cumulative carryover that may naturally erode it without the need for a fee decrease, dependent upon where the fees come in.

Dr. McInturff inquired and Ms. Godwin confirmed, that implementing a fee decrease could potentially erode the cumulative carryover faster than originally anticipated, which could then require a subsequent fee increase subsequent to the fee decrease, depending on where the technological costs do come in, once determined.

Dr. McInturff made a motion to approve staying a fee change in the Rules until a future date. Dr. Youmans made a second, the motion passed unanimously.

Receive Reports and take action as needed regarding CSMD Committee Reports

Dr. Pete Philips, CSMD Director, presented an overview of the CSMD Database. The CSMD team is available to provide virtual training for licensees. A history of the CSMD was presented, in addition to information regarding data collection, electronic file uploads, manual entry, registration, patient records requests, patient reporting within the CSMD, examples of common controlled substances used by veterinarians, benefits of the Gateway service, and the EHR/PMS access to the CSMD.

It was confirmed that a data collection account can be established for multiple prescribers, but each prescriber must later register with Bamboo.

Dr. Garrett inquired about how the 5-day prescription works and its impact on veterinary medicine. Dr. Phillips noted that the prescription the call of the prescriber with reasonable directions documented.

The CSMD is a clinical tool for veterinary practice.

Dr. Phillips stated that virtual training and a downloadable manual will be made available from the CSMD website or by Teams meetings. The Board recommended having it distributed through the TVMA.

Dr. McInturff noted that the Vet Board does have a representative on the CSMD Committee. Dr. Phillips stated that the CSMD posts an annual report on their website with the annual statistics and reports of the effects of their efforts. They have seen significant improvements across the state.

Receive Reports and/or Requests from the Division of Health Licensure and Regulation
No action to be taken.

Receive Reports and/or Requests from the Board Administrative Office

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

PERIOD: Active Licensees as of April 1, 2024:

Total # Veterinarians	3,155
Total # Veterinary Technicians	1,219
Total # Veterinary Facilities	848

Certified Animal Euthanasia Technician	298
Certified Animal Control Agencies	65
Certified Animal Chemical Capture Technicians	1
Animal Chemical Capture Certification	1

LICENSE STATUS

PERIOD: December 5, 2023 – April 1, 2024

	DVM	**LVMT**	**Vet Facility**	**CAET**	**CACA**	**CCT**
New Licenses/Certificated Issued	45	40	31	19	0	0
Renewals - Total	506	176	79	27	10	1
Number of Paper Renewals	114	25	72	6	10	1
Number of Online Electronic Renewals	392	151	7	21	0	0
Reinstated Licenses	10	6	0	0	0	0
Retired Licenses	13	3	0	0	0	0
Expired	41	26	9	25	0	0
Facilities Closed	N/A	N/A	7	N/A	1	N/A
Closed Application	9	4	0	3	0	0

This report covers the number of inspections from November 16, 2023 – March 12, 2024

	East	Middle	West
Initial	12	15	6
Renewal	46	41	21
Total	58	56	27
Grand Total	141		

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

- August 14, 2024
- August 15, 2024
- December 4, 2024
- December 5, 2024

Ms. Boone has given the Student Outreach Licensure Presentations across the state to the accredited veterinary technician and veterinary programs to assist with their application process. There was no further discussion on the report.

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

Ronda Webb-Stewart introduced Ellen Gose and Kertyssa Smalls as two of the enforcement attorneys, in addition to Timothy Peters, who will be providing service to this Board. Dr. Youmans ask what the difference between the enforcement attorneys and Ms. Webb-Stewart, and Ms. Webb-Stewart stated that enforcement handles all disciplinary items. Ms. Webb-Stewart then 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 thirty-five (35) open cases with the OGC.

Rules:
Currently, OCG is completing its internal review of the Fee Increase Rules # 1730-01-.06; 1730-02-.06; 1730-03-.06; 1730-04-.06; 1730-05-.06; 1730-06-.06. Additionally, Rules # 1730-05-.03 Qualifications for Certification; 1730-05-.08 Renewal Application and Reinstatement/Reactivation of Expired or Retired Certificate.

Office of General Counsel: Summary of Currently Monitored Providers
April 2024 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 **11.**
The total number of Veterinarians on reprimand is **1** with terms. **$0.00** fines and fees
The total number on probation is **6** with terms. **$0.00** fines and fees.
The total number on suspension is **0**.
The total number revoked/surrendered is **4. $51,487.53** 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.

Public Comment
Any Public Comment should be submitted to the Administrative Office at least 10 days prior the Board Meeting, and it must be on a topic that is listed on the agenda.

Presentation of Orders, Agreed Citations, and Other Disciplinary Items

Consent Orders

Hailey Litchfield, LVMT #1800

Attorney, Ellen Gose, presented the following Consent Order:

Respondent has been at all times pertinent hereto licensed by the Board as a Veterinary Technician in the State of Tennessee, having been granted license number 1800 on 06/26/2018, which currently has an expiration date of 09/30/2023.

At all times pertinent hereto Respondent was working as a veterinary technician in Franklin, Tennessee.

On or about November 11, 2023, Respondent was employed and working as a veterinary technician in Franklin, Tennessee at a veterinary facility ("clinic"). Her employer found that they were missing controlled substances including buprenorphine and hydrocodone. Respondent admitted that she had stolen controlled substances from her employer. On November 11, 2023, Respondent explained to members of her staff that she had taken syringes and needles and returned to the staff a syringe containing an unknown liquid inside. The Respondent admitted to a Tennessee Department of Health, Office of Investigations investigator ("Investigators") that she had stolen medications while working at the clinic, she had used the drugs she had stolen from her employer, and she had used some of the stolen drugs while on duty and working at the clinic. She also admitted that in 2021 she had stolen controlled substances from a different prior employer that practiced veterinary medicine where she was employed as a veterinary technician, and she was terminated for diversion in 2021 by that different employer. Finally, she told Investigators that she had been addicted to drugs since about 2020, and she is currently in a drugs addiction program.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following:

Respondent's license to practice as a veterinary technician (license #1800P shall be SUSPENDED upon the ratification of this Consent Order by the Board.

Respondent may undergo an evaluation approved by the Tennessee Professional Assistance Program ("TnPAP"). If the results of the TnPAP approved evaluation recommend a return to practice with monitoring, then Respondent may sign a TnPAP monitoring agreement and obtain the advocacy of TnPAP.

Upon receipt by the Board of notification from TnPAP that Respondent has received a recommendation of return to practice and signed a monitoring agreement immediately prior to or during the period of suspension, the suspension shall be STAYED and the Respondent shall be immediately placed on PROBATION for a minimum of three (3) years on the following terms and conditions:

Respondent shall maintain 100% compliance with the terms of any and all monitoring agreements and contracts (and any amendments thereto) signed and entered into with the TnPAP. Respondent is responsible for any costs associated with any monitoring agreements, contracts or any amendments thereto.

Respondents' failure to maintain 100% compliance with the terms of the monitoring agreement and the advocacy of TnPAP until the completion of the monitoring agreement and any amendments thereto will be a violation of probation and shall result in the immediate lifting of the stay of suspension of Respondent's license. If thereafter Respondent wishes to have the license reinstated, Respondent shall appear before the Board and demonstrate Respondent's present ability to engage in the safe practice of veterinary medicine, as a veterinary technician, which shall include, at minimum, a demonstration of documented, continuous sobriety.

This period of probation of Respondent's registration is a minimum of three (3) years and shall run concurrent to the Respondent's monitoring agreement with TnPAP. Should Respondent's monitoring agreement with TnPAP be extended, the term of probation of Respondent's registration shall be extended to run concurrent with the new term of the TnPAP monitoring agreement.

At the conclusion of Respondent's monitoring agreement, and after receipt of written notification from the TnPAP stating such, Respondent's license as a veterinary technician in the State of Tennessee shall return to an unencumbered status.

The TnPAP may report the status of Respondent's compliance at any time, upon request from the Board or its executive director.

The Respondent shall completely abstain from the consumption of alcohol or any drugs, except Respondent shall be able to consume legend drugs or controlled substances prescribed by the Respondent's primary physician. Upon ratification of this order, the Respondent shall immediately notify the Board, in writing, of the name of Respondent's primary care physician.

The Respondent shall immediately notify the Board, in writing, of the name of the Respondent's primary physician each time that the Respondent changes primary physicians.

The Respondent shall not obtain or attempt to obtain any prescriptions in the Respondent's name of any legend drugs, controlled substances or devices containing same from a physician other than the Respondent's primary physician or from any other health care provider, including a nurse practitioner, physician's assistant or psychiatrist.

The Respondent shall report to the Board, in writing, the ingestion of any and all legend drugs or controlled substances (a copy of the prescription will satisfy the requirement).

Respondent must pay, pursuant to Tenn. Code. Ann. §63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board of the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and filed by counsel for the State. The maximum amount for the assessment of costs shall be one thousand dollars ($1,000.00).

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

Suspension. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Discussion: Dr. Michael Baron, Tennessee Medical Foundation (TMF) was present and the Board asked to confirm his participation in the consent order, and he had stated he had no knowledge of this incident. Ms. Wereszczak noted that the order states TnPAP and not TMF. Dr. Baron asked the Board to consider a formal contractual relationship with TMF Physician's Health Program in the future.

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

The motion passed unanimously.

Laura Christian, DVM #4293

Attorney, Ellen Gose, presented the following Consent Order:

Respondent has been at all times pertinent hereto license by the Board as a veterinarian in the State of Tennessee, having been granted license number 4293 on 06/02/2003, which has an expiration date of 12/31/2025.

At all times pertinent hereto Respondent was working as a veterinarian in Seymour, Tennessee.

On or about December 31, 2021, Respondent's license to practice as a veterinarian in Tennessee expired. On or about July 17, 2023, Respondent filed an application to reinstate their veterinarian license. Between December 31, 2021 and July 17, 2024, Respondent was employed as a veterinarian in Seymour, Tennessee where Respondent's job duties included performing patient exams. Records from Respondent's employer show that Respondent was conducting patient exams during the time Respondent's license was expired. Additionally, Respondent admitted in a written statement that they continued to practice even though Respondent knew their veterinarian license had expired.

Now therefore, for the purpose of avoiding further administrative action with respect to this cause, Respondent agrees to the following:

Respondent's license number 4293 is hereby Reprimanded.

Respondent agrees to pay a civil penalty in the amount of one thousand two hundred dollars ($1.200.00), which represents one hundred dollars ($100.00) for each of the eighteen (18) months that Respondent engaged in the practice of veterinary medicine with an expired license, beyond the six (6) month grace period.

Respondent must pay, pursuant to Tenn. Code Ann. §63-1-144, the actual and reasonable costs of prosecuting this case to the extent allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established by an Assessment of Costs prepared and file by counsel for the State. The maximum amount for the assessment of costs shall be one thousand dollars ($1,000.00).

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 Reprimand and Civil Penalty. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Discussion: Dr. McInturff made a motion to approve the consent order as written, with a second from Dr. Garrett. There was no discussion. The motion passed unanimously.

Jacob Bowen, CAET #944

Attorney, Ellen Gose, presented the following Consent Order:

Respondent has been at all times pertinent hereto licensed by the Board as a certified animal euthanasia technician in the State of Tennessee, having been grated license number 944 on 09/05/2019, which currently has an expiration date of 12/31/2024.

On or about December 30, 2020, your Certified Animal Euthanasia Technician ("C.A.E.T") license expired. On or about March 10, 2022, Respondent filed is application to renew his CAET license. Between December 30, 2020 and March 10, 2022, Respondent was employed as an animal control officer in Nashville, Tennessee, where his job duties included performing or assisting in euthanasia procedures. The records from Respondent's employer showed that the Responded was conducting and assisting in euthanasia procedures on animals, including dogs and racoons, between December 31, 2020 and January 21, 2022, when his license was expired.

For the purpose of avoiding further administrative actions with respect to this cause, Respondent agrees to the following:

Respondent's license is hereby Reprimanded.

Respondent agrees to pay a Civil Penalty in the amount of one hundred and fifty dollars ($150.00), which represents $25.00 for each of six (6) months that Respondent performed euthanasia while his license to practice as a CAET in the State of Tennessee was expired, beyond the six (6) month grace period.

Respondent's must pay, pursuant to Tenn. Code Ann. §63-1-144, the actual and reasonable costs of prosecuting this case to the extern allowed by law, including all costs assessed against the Board by the State in connection with the prosecution of this matter. These costs will be established

by an Assessment of Costs prepared and file by counsel for the State. The maximum amount for the assessment of costs shall be one thousand dollars ($1,000.00).

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 Reprimand and Civil Penalty. Respondent further understands that a failure to comply with the terms of this order shall constitute grounds for disciplinary action.

Discussion: Dr. Garrett made a motion to approve the consent order as written, with a second from Dr. Zinkus. There was no discussion. The motion passed unanimously.

Veterinary Referral Center of East Tennessee, Veterinary Facility #1386

Attorney, Kertyssa Smalls, presented the following Consent Order:

Respondent was at all times pertinent hereto licensed by the Board as a veterinary facility in the state of Tennessee, having been granted license number 1386 on March 22, 2011, with a current expiration date of March 31, 2025.

On or about August 29, 2023, Respondent's owner contacted the Board's administrative office and self-reported that Respondent's premises permit had expired on March 31, 2019. Despite the expiration of the premises permit, Respondent continued servicing approximately two clients per month.

On or about September 11, 2023, Respondent's owner submitted a renewal application. Respondent's owner also paid the requisite fees on or about September 13, 2023, and after a successful inspection, Respondent's premises permit was renewed on October 20, 2023. Therefore, Respondent operated without a valid premises permit for approximately fifty-four (54) months.

For the purpose of avoiding further administrative actions with respect to this cause, and pursuant to Tenn. Code. Ann § 63-12-103 and Tenn. Comp. R. & Regs. 1730-02-.15, Respondent, veterinary facility license number 1386, agrees to pay, pursuant to Tenn. Comp. R. & Regs. 1730-02-.15 and Board policy, one (1) type C Civil Penalty of four thousand eight hundred dollars ($4,800.00), representing one hundred dollars ($100) for each month that the facility engaged in the practice of veterinary medicine beyond the six-month grace period.

Discussion: Dr. McInturff made a motion to approve the consent order as written, with a second from Dr. Youmans. There was no discussion. The motion passed unanimously.

Agreed Citation

Leigha Hooper, DVM #6080

Dr. Hooper was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short thirteen and a half (13.5) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of six hundred seventy-five dollars ($675.00) and the requirement to complete all deficiency hours within 90 days.

Blake Travis, DVM #5737

Dr. Travis 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 2019, twenty (20) hours for calendar year 2020, and three and a quarter (3.25) hours for calendar year 2021. This deficiency resulted in a civil penalty in the amount of two thousand one hundred and sixty-two dollars and fifty cents ($2,162.50) and the requirement to complete all deficiency hours within 90 days.

Blake Travis, DVM #5737

Dr. Travis was found to be violation of TCA 63-12-120, by failing to timely renew Licensee's Veterinary license. Dr. Travis practiced on an expired license for a total of seven (7) months. This deficiency resulted in a civil penalty in the amount of one hundred dollars ($100.00) for each month past the six (6) month grace period.

Justin Johnson, DVM #7079

Dr. Johnson was found to be violation of TCA 63-12-120, by failing to timely renew Licensee's Veterinary license. Dr. Johnson practiced on an expired license for a total of eleven (11) months. This deficiency resulted in a civil penalty in the amount of five hundred dollars ($500.00) for each month past the six (6) month grace period.

Janalin Watson, DVM #3859

Dr. Watson was found to be violation of TCA 63-12-120, by failing to properly maintain sufficient continuing education credits, and was short two (2) hours for calendar year 2022. This deficiency resulted in a civil penalty in the amount of one hundred dollars ($100.00) and the requirement to complete all deficiency hours within 90 days.

A motion was made by Dr. Garrett, to approve all the Agreed Citations for Dr. Leigha Hooper #6080, Dr. Blake Travis #5737, Dr. Justin Johnson #7079 and Dr. Janalin Watson #3859, as written, with a second by Dr. McInturff. There was no discussion on this motion.

The motion passed unanimously.

The Board had requested that all Agreed Citations be read, by type, as a group, for review and consideration of ratification. Ms. Wallace stated that the Board would be able to do a consent calendar and would provide more specific information at the following Board meeting.

Applicant Interviews/File Reviews/Waivers & Other Requests

Sharyl Rushing, DVM, #3420 – Applicant Interview

Dr. Rushing was available via phone to speak to the Board regarding her application. The Board did not place a phone call out to Dr. Rushing.

Dr. Rushing had applied to reinstate her veterinary license in Tennessee. On Dr. Rushing's application she did not disclose that she had been previously disciplined by the Louisiana Board of Veterinary Medical Examiners in 2003. The Board reviewed the letter Dr. Rushing provided for the explanation of the discipline in Louisiana and as to why she did not disclose that information on her application.

Mr. McInturff made a motion to approve the application for licensure contingent upon the completion of a new application that accurately reflects the disciplinary information, with a deadline of submission by the next Board meeting. A second was made by Dr. Youmans. Discussion as follows: Dr. Garrett noted that the incident that occurred in the other state that resulted in the other state disciplinary item, does not seem to be something that would be forgotten. Dr. McInturff noted that the Board has a responsibility to issue licensure to individuals who do not pose a threat to the animals in Tennessee, and he accepts the letter from the applicant wherein she states not disclosing the prior discipline was an oversight.

The motion passed unanimously by voice vote.

Alvaro Bonilla, DVM – Temporary License Request

Dr. McInturff recused himself from this item due to his knowledge of the applicant. He discussed the matter with Ms. Webb-Stewart and was permitted to sit in the audience and to speak as a member of the public on this matter, as confirmed allowable by Ms. Webb-Stewart.

Dr. Bonilla was present to speak to the Board in person; The applicant is requesting the Board to issue him a second foreign graduate temporary license. Dr. Bonilla discussed with the Board his experience in taking the ECFVG examinations and the timing of the next opportunity to take the examinations falls after the end of his current temporary license period. Retaking the CPE exam in October will provide results in November.

Ms. Webb-Stewart reviewed the statutes and rules for a temporary license and stressed the Board's responsibility to issue a very specific motion for this applicant that describes exactly why the waiver is issued, due to the establishment of precedence.

A motion was made by Dr. Garrett, to approve the issuance of a second temporary license, with the standard 18-month length for this applicant and grant an extension for an additional 18 months to accommodate the testing, results, and application administrative process. A second was made by Dr. Zinkus

Dr. McInturff spoke as a member of the public and stated that he is Dr. Bonilla's employer and that he is a spectacular practitioner.

The motion passed unanimously by voice vote.

Nikkita Patel, DVM – Active Practice Waiver Request

Dr. Patel was available for a phone call from the Board and submitted a written statement regarding her not being in active practice to meet the requirements in TN Rule.

The Board chose to review the applicant based on the submitted documentation without a phone call to the applicant.

A motion was made by Dr. Youmans, to approve the waiver of active practice, with a second made by Dr. Zinkus

The motion passed unanimously by voice vote.

Lauren Foster, DVM – Temporary License Request

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

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

Dr. Foster stated she has struggled with the testing for the NAVLE and has now been preparing using tutoring, and that has seemed to make a difference as she is preparing to test again. She stated her challenges have mostly surrounded the large animal area as her primary focus is on small animal care. She has increased her study in this area, and Dr. Garrett mentioned that her last exam scores showed a lower score in the small animal area.

Dr. Garrett rescinded his motion prior to a vote. Dr. McInturff's motion failed.

Dr. Garrett made a motion to approve the granting of a temporary license until such time as the availability of the next testing window, plus time to receive and review results, with a second from Dr. Youmans.

Discussion on the motion: Dr. Garrett noted that the Board may see an increase in temporary license requests in the future due to increase classroom sizes in veterinary schools and potential for higher fail rates.

The motion passed unanimously.

Ms. Webb-Stewart noted that the intention of the Statute may be that if someone is requesting a third temporary license, there may be additional considerations that Board should be reviewing. It could be cause for the Board to look at a rule change or request for statutory change, or the Board may wish to have delegatory language.

Ms. Boone noted she only receives a few requests for temporary license after each testing period.

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. Youmans. There was no discussion on the motion.

The motion passed unanimously.

See appendix A.

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 BluePearl Pet Hospital for approval of two (2) continuing education hours, for the discussion topic “Bladder, Mucocele, Medical and Surgical Management.” For the calendar year 2024.

A request from BluePearl Pet Hospital for approval of one (1) continuing education hour, for the following discussion topics, “End Tidal CO2”, “EKG’s”, “Local Blocks”, “Anesthesia Drugs”, “Basic Behavior”, “Anesthesia Monitoring”. For the calendar year 2024.

A request from Hills Pet Nutrition for approval of one (1) continuing education hour, a piece, for the following topics, “Making the Wellness Recommendation Stick”, and “Veterinary Nutrition 101: Essentials for the General Practice Veterinary Nurse/Technician”. For the calendar year 2024.

A motion was made by Dr. Garrett to approve the CE course requests as presented, with a second made by Dr. Zinkus.

The motion passed unanimously by voice vote.

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

Rulemaking Amendment on Rules 1730-01-.06, 1730-02-.06, 1730-03-.06, 1730-04-.06, 1730-05-.06, 1730-06-.06.

Based on the previous motion to stay the fees pending additional fiscal information, these fees will be pulled out to a separate rulemaking package.

Rulemaking Amendment on Rule 1730-05-.03 Qualifications for Certification
No action or clarification needed.

Rulemaking Amendment on Rule 1730-05-.08(2)(a) Renewal Application and Reinstatement/Reactivation of Expired or Retired Certificate

“Reinstatement of an Expired Certificate, Reinstatement of a certificate that has expired may be accomplished upon meeting the following conditions: 1. Payment of all past due renewal and state regulatory fees; and 2. Payment of the late renewal fee provided in Rule 1730-05-.06.”

Ms. Webb-Stewart states that it is not clear on the Boards intention if they wish to charge the past due renewal fee's to a licensee as many times as necessary or if it is a one time renewal fee.

Ms. Boone informed Ms. Webb-Stewart and the Board that the Health Related Boards Policy is to only charge a one time renewal fee no matter how long a license has been expired.

Ms. Webb-Stewart suggestion was to remove the word "All" so that the Board's Rules reflect this policy as well.

Dr. Zinkus mad a motion to remove the word "All" from the Rule section quoted, with a second from Dr. McInturff. The motion passed unanimously.

Rulemaking Amendment on Rule 1730-05-.08(3)(c) Renewal Application and Reinstatement/Reactivation of Expired or Retired Certificate

"C.A.E.T.s who have not engaged in continuous practice during the retirement of a certificate must appear before the board for an oral examination."

Ms. Webb-Stewart asked for clarification on what does continuous practice during a period of retirement.

To clarify, Ms. Wereszczak was on the committee when they reviewed this rule for change, and believes the intent was for the statement about not engaging in practice to be moved up as item 1730-05-.08(3)(b)(3) rather than being a separate unattached item. This should also be applicable to those reinstating an expired certificate as well as a voluntarily retired certificate.

Dr. Garrett made a motion to approve the changes and reordering the to section c to section 3 as discussed, with a second made by Dr. Youmans. The motion passed unanimously.

Ms. Boone let Ms. Webb-Stewart know that the Meeting minutes are on the Boards website on the reasoning behind these Rule changes for her to review.

Review of Correspondence and Notices

Correspondence – EMS K9 Discussion

Ms. Wereszczak recused herself from this discussion as she has assisted Mr. Prater and Mr. Johnson in this project.

Stacy Prater and Jason Johnson were present to give their presentation on Life Force Air Medical, Operational K9 Treatment Guidelines to the Board. Mr. Johnson gave an overview as to why this project has come about Operation K9 Kane:

I would like to request to the Board that LIFE FORCE Air Medical, having six bases, covering roughly 50,000 square miles in its service area, be granted permission to initiate a 2 year pilot program by the State Veterinary Board to allow our Board-Certified Critical Care Paramedics and Nurses to be able to care for a critically ill or injured operational K9 while being able to transport that K9 to a local or regional 24-hour emergency veterinary hospital for care.
Over the last few years, there have been two cases in Tennessee where this would have been beneficial and one of those K9s survived and the other did not. The one that did not, from what I have been told, may have survived if the handler or EMS was able to provide some treatment in transit to the veterinary hospital.
With the proper training and that being done in conjunction with a local veterinarian(s) that are Emergency and/or Critical Care Board Certified. We do have some locally that are willing to be an oversight on the guidelines, provide guidance and assist with training as needed to be able to do this if we are given permission. We know we cannot charge for the care of the animal yet this would be a rare occurrence that we may even need to transport one but if that situation did come up, these dogs deserve the same opportunities to care as we do.
They are, in many instances, placing themselves in harm's way well before the officer or military personnel does, in order to keep us as well as the military and law enforcement safe.
If we are granted permission to be able do this as a pilot program, we would be the ONLY agency in Tennessee doing this and the 4th in the Nation. With the pilot program, we would expect to be able to present to the board as often as needed to update on the progress, training, any cases, etc while in the pilot program. If approved, the next step would be to get this approved by the State Emergency Medical Services Board for their approval, but we need your approval first to move it forward.

Ms. Lee asked if there are programs like this in other states, Mr. Prater stated, yes in Texas, New Jersey, and one other state. If the Tennessee Veterinary Board approves, it would be the 4th in the nation.

Dr. Zinkus asked about the legality of the program. Ms. Webb-Stewart stated that the Board will have to determine if they will accept the training of the program and then it will go before the EMS board.

Ms. Wereszczak came before the Board as a public member and stated she helped the EMS personnel who was transporting a Police K9 to the University of Tennessee, Knoxville's Animal Emergency Room on the phone. Ms. Wereszczak also spoke on the continuing education course's that UTK offers to EMS personnel on saving an animal officers life.

Ms. Prater and Mr. Johnson are also looking for a veterinarian to be the 'supervising veterinarian' to be responsible for the practice of this veterinary assistant/EMS personnel.

Dr. Youmans made a motion to move forward with the Pilot program K9 Kane with a second from Dr. Zinkus.

Motion passed unanimously by voice vote.

Mr. Prater asked the Board how often they would like a report back on this pilot program. The Board requested an update at the December Board meeting and if the EMS Board approves this program, an annual report is requested.

Ms. Wereszczak is back as the Board chair.

Correspondence – Premises Permit Compliance and Data Base Access Discussion

Dr. Garrett presented to the other Board Members what the current license verification page looks like and commented on how difficult it was to locate how to verify a premises permit for a veterinary facility.

Dr. Garrett wants to know how premises permits are monitored and would like better access on how to find a list of veterinary facilities. Also wants the supervising veterinarian to be listed on the verification page. Asked the administrative office if we are able to have a veterinary facilities tab on the Boards website.

The administrative office let Dr. Garrett know that we cannot change the license verification site to move it to a different place on the main page of the Department of Health website, what we can do, is add a link to the verification page on the Boards webpage under the verification tab. The administrative office will also look into adding an additional tab on the Board's webpage of Veterinary Facilities and adding the information of the Supervising Veterinarian on the verification site as well.

Correspondence - TVMA Email Correspondence Request

The Tennessee Veterinary Medical Association submitted a request to send out a blast email to all the licensees under the Board of Veterinary Medical Examiners.

Ms. Wallace went over the requirements for sending out an email blast via the Department of Health.

Dr. Youmans made a motion to deny the email blast, with a second from Dr. Zinkus. The motion passed unanimously.

Correspondence – LVMT euthanasia clarification

A question was submitted to the Board asking, "In order for a Licensed Veterinary Medical Technician to perform euthanasia, does the LVMT have to have completed the Board Approved euthanasia technician training course or can they not take the course, still be supervised by a licensed veterinarian, and perform euthanasia."

Ms. Webb-Stewart provided guidance to the Board, in that it that there is a place where the rule is silent and would requires interpretation by the Board. If someone is being supervised by a licensed veterinarian, can they perform euthanasia without holding a CAET license/certification? This is the performance of euthanasia, not making the decision to perform euthanasia.

Dr. McInturff noted that a LVMT have a higher level of training than an unlicensed veterinary assistant and has taken pharmacology courses in their degree program. He does not want to put lethal substances in the hands of an unlicensed individual. He is not in favor of unlicensed individuals performing euthanasia. He stated euthanasia is not a diagnosis, a prescription, or a surgery. It is the application of a medication that has been prescribed by a licensed veterinarian.

A motion was made by Dr. Zinkus, to approve the Board's interpretation that a LVMT may perform euthanasia under the supervision of a licensed veterinarian without taking a euthanasia course. With a second was made by Dr. Youmans.

The motion passed unanimously by voice vote.

<u>Conference/Event Reports and Upcoming Events</u>

AAVSB Annual Conference – September 25-28, 2024
The Board approved 3 spots to attend, Ms. Wereszczak, Ms. Lee and Ms. Boone stated they would possibly like to attend the conference.

C.L.E.A.R – September 16-19, 2024
The Board approved 2 spots to attend. There were no volunteers for this conference from the Board.

F.A.R.B – September 19-22, 2024
The Board approved 2 spots to attend. Ms. Webb-Stewart stated she would like to attend and possibly one of the other enforcement attorneys.

A motion was made by Dr. McInturff to approve the nominations, with a second from Dr. Youmans. The motion passed unanimously.

Discuss New/Old Board Business

Old Business – Other Licensing Boards CE requirements/Online vs. In Person

Ms. Boone provided the response she received from the AAVSB on the continuing education requirements, specifically online vs. in-person, from the other Veterinary State Licensing Boards. There were twenty-four (24) responses from the other states; For Veterinarians, 19 out of 24 states/providences require less than 20 hours of CE per year, 13 out of 24 states/providences have bi-annual CE requirements, 20/24 states/providences do not define or require in person CE or allow online interactive CE to count as in-person CE.

Dr. Youmans requested the Board to look further into this matter and to review this under the Rulemaking Amendments section of the agenda at the next Board meeting.

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. Youmans made a motion for adjournment with a second made by Dr. Garrett. There was no discussion on the motion. The motion passed unanimously. The Veterinary board meeting adjourned at 1:45PM CST.

These Minutes were ratified by the Board on August 8, 2024.

Leslie Williams 8/14/24

Board Chair **Date**

APPENDIX A

RATIFICATION LIST

12/5/2023-4/1/2023

CERTIFIED ANIMAL EUTHANASIA TECHNICIANS

Newly licensed

1208 Brooks Kayla Lynn
1173 Chicoine Molly Kate
1202 Collins Lanchai Keshonna
1214 Erd Alexandria
1213 Gatlin Steven Kent
1194 Harris Pamela Sue
1199 Josey Justine
1205 King Robert Joe
1200 Mack Sondra
1203 Mcclelland Teareney
1209 Munoz Jessica Lorena
1183 Outlaw Sir Shango Quinn
1204 Perez Brianna Marie
1197 Ramlawi Jamila
1210 Thornburg Karli Danielle
1211 Wade Sara Marie
1195 Walker Cody Allen
1206 Wallace Nicole Yvonne Derosa
1198 West Wendel Wesley

Closed Applications

Barnette Barbara Ann
Bendure Madison Allena
Davis Tyler John

VETERINARIANS

Closed Applications

Foster Lauren
Bowers Tiffany
Brock Melissa Renee
Corrigan Virginia Kiefer

Culler Christine
Maldonado Alejandro
Mccalla Andrew
Nelson Stacy
Parsons Jessie
Woodall Ian Daniel

Newly Licensed

8083 Baraka Jami A
8133 Bauchert Cheryl
8093 Becker Lea
8108 Bierly Jennifer
8112 Brucker Alyssa
8116 Chadwick Anna
7518 Collins Misti Nichole
8099 Crawford Kelly
8129 Darling Stephanie
8091 Delaup Anna Maria
8096 Detweiler Melissa Lynn
8067 Dutton Brandon Charles Scott
8120 Feher Hannah Olivia
8106 Fleshman Ashley Anne Allen
8107 Gepford-Barnett Leslie Kathleen
8105 Gibney Ciara Anne
8163 Gutierrez Geraldine
8095 Henderson Mark Stephen Jr
8104 Henson-Van Wyk Gillian A
8102 Johnson Ian
8103 Johnson Mary Tress
8125 Keenan Erin Tice Jr
8115 Kessler Stephenie Niermeier
8150 Klotz Ulrike
8119 Mccain Stephanie
8118 Mccarthy Colleen
8124 Mckay Lindsay Williams
8122 Millis Nicholas Hunter
8080 Morrison Trey Benjamin
8111 Nealon Carrie Margaret
8100 Owens Jane G.
7980 Patterson Jermaya
8110 Pinochi Karen

8037 Ramsaur Benjamin Allan
8088 Resh Victoria
8130 Sanders Layne Elizabeth
7989 Sarges Ashley
8126 Sigmund Alex Benjamin
8117 Stowe Jennifer
8044 Thomas Megan
8144 Thornton Dianna
8101 Todd Katherine Mary
7841 Vega Yadira
8127 Vieira Isabella
8114 Weeder Jessica

Reinstated Licenses

7079 Johnson Justin Taylor
2796 Kidd William H.
3492 Martin Jonathan Eric
6354 Shepherd Iii Eugene
5737 Travis Blake Mccutchan
4633 Winslow Jonathan Thacher
3891 Wright Angela Michelle
5931 Kirkpatrick Michael Frank
6612 Lakatosh Olivia Jean
4757 Webb Latisha Lauren

VETERINARY FACILITIES

Newly Licensed

2467 Eternity Animal Healthcare
2495 Fountain City Animal Hospital
2471 Hvp Of Tennessee Llc
2485 Hvp Of Tennessee Llc
2476 Hvp Of Tennessee Llc
2484 Hvp Of Tennessee Llc
2488 Hvp Of Tennessee Llc
2486 Hvp Of Tennessee Llc
2487 Hvp Of Tennessee Llc
2470 Hvp Of Tennessee Llc
2473 Hvp Of Tennessee Llc

2472 Hvp Of Tennessee Llc
2477 Hvp Of Tennessee Llc
2491 Maury County Veterinary Hospital
2478 Mccormick Animal Clinic
2480 Munford Spay Neuter Clinic
2474 Southern Alliance Spay Neuter Clinic
2483 Standifer Gap Pet Hospital
2465 Veterinary Care & Specialty Group
2459 Vip Petcare Clinic At Feeders Supply#39
2458 Vip Petcare Clinic At Petsense #7068
2457 Vip Petcare Clinic At Petsense#7131
2456 Vip Petcare Clinic At Tractor Supply Co#2589
2475 All About Animals Llc Dba:Animal House
2499 Claws And Paws 4 A Cause
2479 East Tn Veterinary Hospital Inc
2497 Goodrum Veterinary Clinic
2469 Highland Veterinary Clinic
2492 K & M Vet Of Waverly Llc
2448 Little Angels Veterinary Urgent Care
2481 Middle Tennessee Veterinary Center Llc
2453 Spring City Pet Care

VETERINARY TECHNICIAN

Closed Application

Arcon Angela
Rucinski Victoria Marie
Supernault Nicole
Sutherland Tessa

Newly Licensed

2539 Aric Gracie
2532 Ashley Rachel Mccall
2520 Bruketta Jessica
2531 Cabana Chase Mckenzie
2506 Cobasky Matthew
2519 Cowan Sherene
2526 Cunningham Darby Rebecca
2483 Driscoll Sarah Ashton
2535 Evans Brooke Nicole

2473 Freetage Rebecca Ann
2528 Frye Harlee
2461 George Christopher Nolan
2510 Greenwood Brooke
2518 Gutierrez Eileen Gisele
2509 Hardin Alivia Ray
2516 Hill Sarah
2511 Ison Emily
2541 Jacobs Roxie
2523 King Hannah
2501 Kiser Kara Mikaela
2533 Latzsch Gabrielle
2538 Layland Alissa
2536 Lee Heather Katelyn
2514 Linson Bailey Ann
2507 Long Halle Rose
2517 Lynn Chloe
2505 Madden Grace
2503 Martin Hilary
2494 Mcinnes Kevin Andrew
2515 Mcknight Shanna
2522 Murphy Autumn Brooke
2534 Murphy Daniel Joseph
2504 Myers Camilla
2508 Newell Laura
2512 Peevyhouse Erica
2530 Povlovich Aubrey Rose
2513 Ramos Jacquline
2524 Sanders Courtney
2521 Sherman Naomi
2529 Zapien Jeannette

Reinstated Licenses

624 Crutcher-Parnell Shannon Joann
2006 Knight Mindy Ann
1244 O'Rourke Jerri
1937 Patrick Meariah
952 Short Mary Christine
1817 Sullivan Lea Autumn