



**ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD**

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VETBOARD.AZ.GOV

**MINUTES**

**January 20, 2021**

**Virtual Meeting via Google Meets  
at 8:30 a.m.**

**Members Present:** Mr. Jim Loughhead, Ms. Jessica Creager, Ms. Jane Soloman, Ms. Nikki Frost, CVT, Dr. Sarah Heinrich, Dr. Darren Wright and Dr. Robyn Jaynes.

**Members Absent:** Dr. Greg Byrne.

**Staff and Legal Counsel Present:** Ms. Victoria Whitmore, Executive Director; Mr. Marc Harris, AAG (Assistant Attorney General); and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

**I. CALL TO ORDER**

**Roll call:** Dr. Wright at 8:30 a.m.

**II. INITIAL INVESTIGATIVE REVIEW AND ACTION ON THE FOLLOWING CASES:**

**1. 21-04, In Re: Bernard Cohen, DVM**

Pend until February 17, 2021.

**2. 21-05, In Re: Julie Green, DVM**

Pend until February 17, 2021.

**3. 21-06, In Re: Amy Coy, DVM**

Pend until February 17, 2021.

**4. 21-07, In Re: Erica Ou, DVM**

Pend until February 17, 2021.

**5. 21-08, In Re: Karen Brophy, DVM**

Pend until February 17, 2021.

**6. 21-09, In Re: Omar Gonzalez-Cintron, DVM**

Pend until February 17, 2021.

**7. 21-10, In Re: Angela Mexas, DVM**

Pend until February 17, 2021.

**8. 21-12, In Re: Christine McCormick, DVM**

Pend until February 17, 2021.

**9. 21-13, In Re: Justin McCormick, DVM**

Pend until February 17, 2021.

**10. 21-51, In Re: Shantibhushan Jha, DVM**

Pend until February 17, 2021.

**11. 21-62, In Re: Adam Schure, VMD**

Pend until February 17, 2021.

**III. INFORMAL INTERVIEWS - BOARD DELIBERATION AND ACTION**

**1. 20-105: In Re: Gary Pollock, DVM.**

Dr. Pollock was present telephonically with his attorney, David Stoll; made statements and answered questions. Mr. and Mrs. Brian Cairy were present electronically, made statements and answered questions. Court reporter, Theresa Watson, was present electronically.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to find Dr. Pollock in violation of:

- A.R.S. § 32-2232 (12) as it relates to A.A.C. R3-11-501 (1) for failure to use current professional and scientific knowledge for:
  - Continuing the resistant drug, Trimethoprim Sulfa, along with Rifampin to treat the dog's skin issues;
  - Not documenting in the medical record that CPR was performed on the dog;
  - Not contacting the pet owner when an IV catheter could not be placed and adequate blood collected – which were authorized by the pet owner – giving them the option to proceed or not with the dental procedure;
  - Not contacting the pet owner after the dental procedure when there were concerns with the dog's condition; and
  - Relying on blood results that were reported eight (8) months earlier, that had abnormalities present, in a geriatric patient.
  
- A.R.S. § 32-2232 (21) as it relates to A.A.C. R3-11-502 (L) (7) for failure to document in the medical record the SQ fluids and epinephrine administered to the dog.

Roll call: Dr. Heinrich, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Wright, aye; Ms. Soloman, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

**2. 20-92: In Re: Ayman Wassef, DVM – Continuance of Informal Interview of November 18, 2020, for the purpose of receiving additional information and reviewing possible action to approve proposed Findings of Fact, Conclusions of Law, and adopting an Order and possible rescission of Findings of Fact and Order. This matter was pended from the December 9, 2020 agenda.**

Attorney David Stoll was present telephonically to monitor. After discussion and consideration, a motion was made by Mr. Loughhead and seconded by Dr. Heinrich to rescind the motion with respect to finding Dr. Wassef in violation of the Veterinary Practice Act regarding this matter.

Roll call: Mr. Loughead, aye; Dr. Heinrich, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, nay; Ms. Soloman, nay; and Dr. Wright, nay. Motion passed 4 ayes, 3 nays.

- At 10:32am, after discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to go into executive session for legal advice. Motion passed unanimously.
- At 10:37am, the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to dismiss this issue with no violation and issue a Letter of Concern regarding communication with respect to cranial cruciate ligament ruptures; why they happen and why the other leg will likely rupture, and ensuring the pet owner is aware that there could be complications with amputating one leg when the other leg's cruciate ligament could rupture.

Roll call: Mr. Loughead, aye; Dr. Heinrich, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Ms. Soloman, nay; and Dr. Wright, nay. Motion passed 5 ayes, 2 nays.

#### **IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS**

**1. 19-71: In Re: Celeste Roy, DVM. Monthly appearance as required by Consent Agreement. Board may review, discuss, and take action on information presented.**

Dr. Roy was present electronically, made statements and answered questions in compliance with her Consent Agreement.

**2. 19-37: In Re: Crystal Delano, DVM. Quarterly appearance as required by Consent Agreement. Board may review, discuss, and take action on information presented.**

Dr. Delano was present telephonically, made statements and answered questions in compliance with her Consent Agreement.

**3. 20-83: In Re: Hugo Santibanez, DVM. Board may review, discuss, and take action on Motion for Rehearing.**

Pend matter until February 17, 2021 per Respondent's attorney's request.

**4. 20-29: In Re: Manuel Cruz Castenedo, DVM. Board may review, discuss, and take action on quarterly report from practice monitor.**

No action taken.

**5. 21-66: In Re: Tressa MacLennan, DVM. Board may review, discuss, and take action regarding Dr. MacLennan's request to have her license reinstated.**

Dr. MacLennan was present electronically with attorney, Ms. Susan Trujillo; made statements and answered questions.

- At 8:42am, after discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to go into executive session for legal advice. Motion passed unanimously.
- At 9:06am, the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to find Dr. MacLennan in violation of A.R.S. § 32-2232 (7) ... unlawful use of ... controlled substances and offer Dr. MacLennan a Consent Agreement adopting the proposed Findings of Fact as the Board's Findings of Fact.

The Consent Agreement shall include an initial period of Probation for 2 years, accepting the PAPA program Dr. MacLennon self-enrolled into, and reassess afterwards to potentially extend the Probationary period to 3 years or more depending on Dr. MacLellan's status. Dr. MacLennan shall cause the program and its healthcare professionals to submit to the Board the following:

- Quarterly reports that include:
  - Random drug test results - PAPA shall notify the Board within 24 hours of any and all positive results;
  - Bi-weekly substance abuse meeting attendance reports/logs;
  - Board approved addictionologist/psychologist report/evaluation, which shall include any and all medications Dr. MacLennon is currently prescribed/taking.

Additionally, Dr. MacLennan shall not have access to oral controlled substances. Dr. MacLennan shall cause the Responsible Veterinarian for the premises to submit a letter, within 30 days of the effective date of the Consent Agreement, ensuring the Board that Dr. MacLennan will only have access to injectable controlled substances while under the supervision of another licensed veterinarian (controlled substances shall be transferred to the care of another licensed veterinarian at the premises).

Furthermore, within 30 days of the effective date of the Consent Agreement, Dr. MacLennan's premises shall confirm, in writing, when all oral controlled substances have been removed from the premises.

Dr. MacLennan shall appear before the Board quarterly, in person, throughout the duration of the Probationary period.

Dr. MacLennan shall notify any employer of the Consent Agreement, and cause them to submit a statement, in writing on letterhead, to the Board that they have read a complete copy of the Consent Agreement acknowledging its requirements.

Dr. MacLennan's Interim Consent Agreement remains in effect until Dr. MacLennan signs the Consent Agreement and it is executed by Ms. Whitmore. If Dr. MacLennan does not sign the Consent Agreement in 30 days, the matter will be scheduled for an Informal Interview.

Roll call: Dr. Heinrich, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Wright, aye; Ms. Soloman, aye; Mr. Loughhead, aye; and Dr. Jaynes, aye. Motion passed unanimously.

**6. 20-87: In Re: Virginia Kern, DVM. Board may review, discuss, and take action regarding rescinding vote to refer this matter to a Formal Hearing if the Consent Agreement was not signed and take alternative action such as requesting Dr. Kern attend an Informal Interview.**

Attorney David Stoll was present and made statements on behalf of Dr. Kern. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to rescind their motion to move the matter to Formal Hearing if Dr. Kern's did not sign the Consent Agreement and motioned to move the matter to an Informal Interview. Roll call: Dr. Heinrich,

aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Wright, aye; Ms. Soloman, nay; Mr. Loughead, aye; and Dr. Jaynes, aye. Motion passed 6 ayes, 1 nay.

## **V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS**

### **1. Board may review, discuss, and take action on veterinary license renewals:**

#### **a. Tony Pickard, DVM**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve Dr. Pickard's veterinary license renewal and request he submit the results of the matter once resolved. Motion passed unanimously.

#### **b. Makenzie Kurth, DVM**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Wright to approve Dr. Kurth's veterinary license renewal and request she submit the results of the matter once resolved. Motion passed unanimously.

#### **c. John Gray, DVM**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Wright to approve Dr. Gray's veterinary license renewal. Motion passed unanimously.

#### **d. Stuart Helfand, DVM**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve Dr. Helfand's veterinary license renewal and conduct a CE audit in the 2021 and 2022 cycle. Motion passed unanimously.

#### **e. Richard Livingston, DVM**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Heinrich to approve Dr. Livingston's veterinary license renewal giving him until the end of January 2021 to complete the required CE. A CE audit shall be conducted in the 2021 and 2022 cycle. Motion passed unanimously.

#### **f. Willis L. Chatham, DVM**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Heinrich to approve Dr. Chatham's veterinary license renewal giving him until the end of January 2021 to complete the required CE. A CE audit shall be conducted in the 2021 and 2022 cycle. Motion passed unanimously.

#### **g. Daniel McClair, DVM**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to approve Dr. McClair's veterinary license renewal giving him until the end of January 2021 to complete the required CE. A CE audit shall be conducted in the 2021 and 2022 cycle. Motion passed unanimously.

#### **h. Darrel Kramer, DVM**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to approve Dr. Kramer's veterinary license renewal giving him until the end of January 2021 to complete the required CE. A CE audit shall be conducted in the 2021 and 2022 cycle. Motion passed unanimously.

**2. Board may review, discuss, and take action on premises Change of Scope requests:**

**a. R3111: Continental Ranch Pet Clinic. Add Mobile Unit. Dimitri Brown, DVM**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to approve Continental Ranch Pet Clinic's change of scope request. Motion passed unanimously.

**b. R3523: Yavapai Emergency Animal Hospital. Add Emergency Services (24hour). Katrina Tavasci, DVM**

Ms. Frost was recused. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to approve Yavapai Emergency Animal Hospital's change of scope request. Motion passed 6 ayes, 1 recusal.

**3. Board may review, discuss, and take action on complaint received regarding the Pitbull Store.**

No action taken.

**4. Board may review, discuss, and take action on veterinary license applications:**

**a. Danielle Powers**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Jaynes to approve Applicant Powers' veterinary license application. Motion passed unanimously.

**b. Sandy Williams**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Jaynes to approve Applicant Williams' veterinary license application. Motion passed unanimously.

**5. Board may review, discuss, and take action on request for Continuing Education waiver:**

**a. Pasquale Campanile, DVM**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to approve Dr. Campanile's continuing education waiver request and grant him an extension until May 31, 2021 to complete the required CE. Motion passed unanimously.

**6. Board may review, discuss, and take action on Certified Veterinary Technician certificate renewal applications:**

**a. Angela Ryan, CVT**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Heinrich to approve CVT Ryan's CVT renewal application. Motion passed unanimously.

**b. Shelbi McDonald, CVT**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to approve CVT McDonald's CVT renewal application. A CE audit shall be conducted in the 2021 and 2022 cycle. Motion passed unanimously.

**c. Lisette Giacomino, CVT**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to approve CVT Giacomino's CVT renewal application. A CE audit shall be conducted in the 2021 and 2022 cycle. Motion passed unanimously.

**7. Board may review, discuss, and take action on American Association of Veterinary State Boards' Call for Bylaws Amendments.**

No action taken.

**8. Board may review, discuss, and take action on request from the American Association of Swine Veterinarians (AASV) to approve the AASV 2021 and 2022 Annual Meeting.**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to deny the AASV 2021 Annual Meeting CE request due to the untimely request. With respect to the 2022 request, the Board requested additional information in order to approve the AASV Annual Meeting. Motion passed unanimously.

**9. Board may review, discuss, and take action on Public Body Annual Report of Lobbying Activity.**

Ms. Whitmore advised that there have been no expenditures to report. After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to approve the Public Body Annual Report of Lobbying Activity. Motion passed unanimously.

**10. Board may review, discuss, and take action on 2021 Equal Opportunity Plan and Report for Calendar Year 2020.**

Ms. Whitmore reviewed the plan and report. After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to approve the 2021 Equal Opportunity Plan and Report for Calendar Year 2020. Motion passed unanimously.

**11. Board may review, discuss and take action on Certified Veterinary Technician applications:**

**a. Julia Corsey**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Heinrich to approve Applicant Corsey's CVT application. Motion passed unanimously.

**VI. REVIEW AND APPROVAL OF MINUTES**

**1. December 9, 2020 Regular Session**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve the December 9, 2020 Regular Session minutes. Motion passed 5 ayes, 2 abstentions (Dr. Wright and Dr. Jaynes).

**2. December 9, 2020 Executive Session**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve the December 9, 2020 Executive Session minutes. Motion passed 5 ayes, 2 abstentions (Dr. Wright and Dr. Jaynes).

**VII. CALL TO THE PUBLIC**

Mr. Johnny Johnson appeared telephonically to address the Board.

**VIII. ESTABLISHMENT OF FUTURE MEETING DATE**

The next regular meeting will be held on **Wednesday, February 17, 2021**, beginning at **8:30 a.m.** at 1740 W. Adams Street, Board Room "A," Phoenix, Arizona 85007. One or more Board members may appear telephonically.

**IX. ADJOURNMENT**

Meeting was adjourned at 1:00 p.m.

Respectfully submitted,



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Victoria Whitmore, Executive Director