



DOUGLAS A. DUCEY
- GOVERNOR -

VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
9535 E. DOUBLETREE RANCH RD., STE. 100 ✓ SCOTTSDALE, ARIZONA 85258
PHONE: (602) 364-1-PET ✓ FAX: (602) 364-1039
VETBOARD.AZ.GOV

MINUTES

October 19, 2016

Board Room, at 8:30 a.m.

**9535 E. Doubletree Ranch Rd., Board room
Scottsdale, Arizona 85258**

Members Present: Mr. Jim Loughead, Dr. Les Hatfield, Ms. Jessica Amend, Dr. Sarah Heinrich, Dr. Darren Wright, Ms. Julie Young and Ms. Nikki Frost, CVT.

Members Absent: Dr. Christina Bertch-Mumaw and Dr. J. Greg Byrne.

Staff and Legal Counsel Present: Ms. Victoria Whitmore, Executive Director; Ms. Sunita Krishna, Assistant Attorney General (A.A.G.); Ms. Kodi Calais, Licensing Administrator; and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Victoria Whitmore at 8:30 a.m.

II. INITIAL INVESTIGATIVE REVIEW

1. 16-94, In Re: Duane S. Reed, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Hatfield to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

2. 16-95, In Re: Audie Wood, DVM

After discussion and consideration, a motion was made by Ms. Young and seconded by Ms. Amend to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

3. 16-96, In Re: Matthew McDaniel, DVM

After discussion and consideration, a motion was made by Ms. Young and seconded by Ms. Amend to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

4. 16-97, In Re: Tami Mares-Ziehm, DVM

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by

Ms. Amend to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

5. 17-01, In Re: Lucy Schroth, DVM

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Amend to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

6. 17-02, In Re: Amy Gulas, DVM

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Amend to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

7. 17-03, In Re: Melvin Pence, DVM

After discussion and consideration, a motion was made by Ms. Frost and seconded by Ms. Amend to accept the Investigative Committee's recommendation and dismiss this issue with no violation. Motion passed unanimously.

III. INFORMAL INTERVIEWS AND BOARD DELIBERATION

1. 16-86: In Re: Tressa MacLennan, DVM

Dr. MacLennan was present with attorney David Stoll, made statements and answered questions. Ms. Aisha Al-Hasan was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to **dismiss** this issue with no violation. Roll call: Dr. Heinrich, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed unanimously.

2. 16-87: In Re: Willow Payton, DVM

Dr. Payton was present with attorney David Stoll, made statements and answered questions. Ms. Aisha Al-Hasan was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Heinrich to find Dr. Payton in violation of **A.R.S. § 32-2232 (22)** Medical incompetence in the practice of veterinary medicine:

- for discharging an unstable patient;
- not referring the dog immediately to an emergency facility;
- lack of knowledge in the ability to identify internal bleeding;
- inability to interpret post-op PCV and ultrasound; and
- not contacting the pet owner regarding the dog's condition at discharge.

Roll call: Dr. Heinrich, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Mr. Loughead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed unanimously.

3. 16-85: In Re: Lorna Lanman, DVM. Continuance of Informal Interview of September 14, 2016, for the purpose of receiving additional information and reviewing and possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to approve the Findings of Fact and Conclusions of Law as drafted. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Heinrich to issue Dr. Lanman an Order to include a period of **Probation** for **2 years** to complete **12 hours** of **Continuing Education** (CE) in addition to the statutory requirements for licensure:

- **6 hours** of CE in critical care and/or emergencies in the area of cardiopulmonary crisis; and
- **6 hours** of CE in ethics.

The Order would also include a **\$500.00 civil penalty** to be paid on or before the Probationary period.

Roll call: Dr. Heinrich, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed unanimously.

4. 16-63: In Re: Sara Koehn, DVM. Continuance of Informal Interview of September 14, 2016, for the purpose of receiving additional information and reviewing and possible action to approve proposed Findings of Fact, Conclusions of Law and adopting an Order.

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve the Findings of Fact and Conclusions of Law as drafted. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Amend to issue Dr. Koehn an Order to include a period of **Probation** for **2 years** to complete **10 hours** of **Continuing Education** (CE) in addition to the statutory requirements for licensure:

- **6 hours** of CE in anesthesia monitoring; and
- **4 hours** of CE in medical record keeping, including anesthesia.

The Order would also include a **\$250.00 civil penalty** to be paid on or before the Probationary period.

Roll call: Dr. Heinrich, aye; Dr. Hatfield, aye; Ms. Amend, aye; Ms. Frost, aye; Mr. Loughhead, aye; Ms. Young, aye; and Dr. Wright, aye. Motion passed unanimously.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 16-19: In Re: Michael Ferrera, DVM. Board may review, discuss, and take action regarding completion of required continuing education per Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Hatfield to accept Dr. Ferrera's continuing education completing his Board Order requirements and return his license to Active status. Motion passed unanimously.

2. 14-80: In Re: Frank Coburn, DVM. Board may review, discuss, and take action regarding completion of required continuing education per Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to accept Dr. Coburn's continuing education completing his Board Order requirements and return his license to Active status. Motion passed unanimously.

3. 15-77 and 15-103: In Re: Refaat Ishak, DVM. Board may review, discuss, and take action on additional Continuing Education plan submitted as required by Board Order.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Young to accept five (5) of the six (6) hours of continuing education (CE) submitted in compliance with his Board Order. The Board did not approve the one (1) hour of CE in communication as it is not required to complete the requirements of his Board Order (This does not prohibit Dr. Ishak from taking the CE course as part of the CE required to maintain licensure). Motion passed unanimously.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on results of 2016 AAVSB (American Association of Veterinary State Boards) Annual Meeting.

No action taken.

2. Board may review, discuss, and take action on C-17-01, In Re: Marlo J. Cruz – Unlicensed Practitioner.

At 9:10a.m., after discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Hatfield to go into executive session for legal advice. Motion passed unanimously.

At 9:15a.m., the Board returned to open session.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to continue this matter to invite Mr. Cruz to a future Board meeting. Motion passed unanimously.

3. Board may review, discuss, and take action on Veterinary license pending submission of issuance fee.

- a. Campabadal, Katherine (R)**
- b. Fuhrman, Joy (R)**
- c. Jablonski, Caitlin (R)**
- d. Micek, Rachel (R)**
- e. Westermann, Jacelyn (R)**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve 3. (a), (c), (d), and (e) pending issuance fee. Motion passed unanimously.

Ms. Frost recused. After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Amend to approve 3. (b) pending issuance fee. Motion passed 6 ayes, 1 recusal.

4. Board may review, discuss, and take action on Veterinary license and request to waive veterinary State examination due to spouse's military status per A.R.S. §32-4302.

- a. Haas, Lori**

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Hatfield to approve veterinary licensure for Dr. Haas. Motion passed unanimously.

5. Board may review, discuss, and take action on Jon Denning, registered Equine Dental Provider.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Wright to remove Mr. Denning from the list of registered Equine Dental Providers due to no longer having a supervising veterinarian as required. Motion passed unanimously.

6. Executive Director Report:

a. Newsletter

Ms. Whitmore advised the Board that a draft of the annual newsletter will be sent to them shortly for their review.

b. Online Renewal Update

Ms. Whitmore reported that the IT contractors have completed their work and trained staff on the new system. ASET is working out a few unexpected delays on ADOA's end.

7. Board may review, discuss and take action on *Celeste Kelly v. Victoria Whitmore, et. al.*, Maricopa County Superior Court Case No. CV2014-091906.

The Board, upon majority vote of a quorum of the members, may hold an Executive Session on this agenda item pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with its attorney in order to consider its position and instruct its attorney regarding its position in this litigation or in settlement discussions conducted in order to avoid or resolve the litigation.

Assistant Attorney General Michelle Burton appeared telephonically.

- At 11:30a.m., a motion was made by Dr. Hatfield and seconded by Dr. Wright to go into executive session for legal advice. Motion passed unanimously.
- At 12:00p.m., the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Young to approve and implement the settlement strategy as discussed with AAG Ms. Burton. Motion passed unanimously.

VI. REVIEW AND APPROVAL OF MINUTES

a. September 14, 2016 Regular Session

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve the September 14, 2016 regular session minutes. Motion unanimously.

b. September 14, 2016 Executive Session

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve the September 14, 2016 executive session minutes. Motion passed unanimously.

VII. CONSENT AGENDA

A. Approval to take State Veterinary Exam

1. Almazan, Claudia (E)
2. Folkers, Cameron (R)
3. Goldenson, Fred (E)
4. Ozuk, Kelsey (R)
5. Tran, Christina (E)

Approval to take the State Veterinary Exam granted.

B. Approval of Premise Licenses

1. **R2701: Asavet Charities.** New Premise. Karter Neal, DVM.
2. **R2702: Yavapai Humane Society.** New Responsible Veterinarian. Leo Egar, DVM
3. **R2703: Yavapai Humane Society Spay Neuter and Wellness Clinic.** New Responsible Veterinarian. Leo Egar, DVM
4. **R2704: All Creatures Veterinary Services.** New Owner/New Responsible Veterinarian. Monika Knoblich, DVM.
5. **R2706: AHS Margaret McAllister Brock Veterinary Clinic.** New Responsible Veterinarian. Robyn Jaynes, DVM.
6. **R2707: AHS Marge Wright Veterinary Clinic.** New Responsible Veterinarian. Robyn Jaynes, DVM
7. **R2708: AHS Second Chance Hospital.** New Responsible Veterinarian. Robyn Jaynes, DVM
8. **R2709: Dr. Nancy E. Leverenz, DVM.** New Premise. Nancy Leverenz, DVM
9. **R2705: AHS Mobile Veterinary Clinic.** New Responsible Veterinarian. Robyn Jaynes, DVM

B (5) through (9) Removed from Consent Agenda.

Approval of Premise Licenses granted.

C. Approval of Random Premise Inspections

1. **R0373: Home Care Veterinary Services – Tom Caldwell, DVM**

Approval of Random Premise Inspections granted.

D. Approval of Premise Change of Scope Requests

1. **R2665: Animal Healing and Wellness Clinic.** Add radiology services. Paula Medler, DVM.
2. **R2622: Large Animal Ambulatory Service of Midwestern University.** Sarah Matyjaszek, DVM.

Approval of Premise Change of Scope Requests granted.

E. Approval to take Certified Veterinary Technician Exams

1. Arvizu, Celeste
2. Basham, Leigh
3. Breslin, Shelbi
4. Flynn, Neely
5. Fontana, Bradley
6. Foust, Brittany
7. Garbett, Alexandrya
8. Ham, Jeanette
9. Larrick, Karin
10. McMahon III, Edgar

11. McGuyer, Diane
12. Mankin, Jennifer
13. Meier, Natalie
14. Miller, Sydney
15. Nicholas, Angela
16. Pacheco, Diana
17. Pawelkop, Bettina
18. Philippsen, Kimberly
19. Pinkston, Alexis
20. Polyard, Courtney
21. Reppenhagen, Jessica
22. Rodriguez, Lirio
23. Sanders, Staci
24. Seligman, Andrea
25. Sherman, Rachele
26. Shirley, Stephanie
27. Silvasi, Kylene
28. Silvetti, Brooke
29. Stevens, Jennifer
30. Stoddard, Jennifer
31. Whalen, Sarah
32. Yacapin, Amanda

Approval to take Certified Veterinary Technician Exam granted.

F. Approval of Temporary Permits

1. Ozuk, Kelsey (R)

Approval of Temporary Permits granted.

G. Approval of State Employee License

1. King, Titia Luis

Approval of State Employee Licenses granted.

H. Approval of Request for Reinstatement of Veterinary License

1. Hackett, Mary

Approval of Request for Reinstatement of Veterinary Licenses granted.

I. Approval of Veterinary License

1. Gruenster, Jodie (E)
2. Heuss, Jessica (E)

Approval of Veterinary Licenses granted.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve the Consent Agenda as amended. Motion passed unanimously.

Items Removed From Consent Agenda

B (5) R2706: AHS Margaret McAllister Brock Veterinary Clinic. New Responsible Veterinarian. Robyn Jaynes, DVM.

B (6) R2707: AHS Marge Wright Veterinary Clinic. New Responsible Veterinarian. Robyn

Jaynes, DVM

B (7) R2708: AHS Second Chance Hospital. New Responsible Veterinarian. Robyn Jaynes, DVM

B (8) R2709: Dr. Nancy E. Leverenz, DVM. New Premise. Nancy Leverenz, DVM

B (9)R2705: AHS Mobile Veterinary Clinic. New Responsible Veterinarian. Robyn Jaynes, DVM

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve the above pending inspection and compliance. Motion passed unanimously.

VIII. SUMMARY OF CURRENT EVENTS

No current events.

IX. CALL TO PUBLIC

No member of the public wished to speak.

X. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held on Thursday, November 17, 2016, beginning at 8:30 a.m. at 9535 E. Doubletree Ranch Road, Board Room, Scottsdale, Arizona 85258.

XI. ADJOURNMENT

The meeting adjourned at 12:05p.m.

Respectfully submitted,



Victoria Whitmore, Executive Director