

JANICE K. BREWER  
- GOVERNOR -



VICTORIA WHITMORE  
- EXECUTIVE DIRECTOR -

**ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD**  
9535 E. DOUBLETREE RANCH RD., STE. 100 ♡ SCOTTSDALE, ARIZONA 85258  
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[WWW.VETBOARD.AZ.GOV](http://WWW.VETBOARD.AZ.GOV)

**MINUTES**  
**November 19, 2014**  
**Board Room, at 8:30 a.m.**  
**9535 E. Doubletree Ranch Rd.**  
**Scottsdale, Arizona 85258**

**Members Present:** Dr. Brian Serbin, Mr. James Loughead, Dr. Darren Wright, Ms. Julie Young, Dr. Les Hatfield, Dr. James Christensen, Ms. Deb Gullett, Dr. Christina Bertch-Mumaw, and Ms. Julie Mumford, C.V.T.

**Staff and Legal Counsel Present:** Ms. Victoria Whitmore, Executive Director (E.D.) (left at 10:45am); Mr. Marc Harris, Assistant Attorney General (A.A.G.); Ms. Sophia Van Langen, Assistant Attorney General (A.A.G.); Ms. Gina Pickering, Compliance Specialist and Ms. Tracy Riendeau, C.V.T., Investigations.

## **I. CALL TO ORDER**

Dr. Brian Serbin, Chair at 8:30 a.m.

**Roll call:** Ms. Julie Mumford, C.V.T.

## **II. INITIAL INVESTIGATIVE REVIEW**

### **1. 15-01 In Re: Carisa Rindal, D.V.M.**

Dr. Serbin was recused. Attorney, David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed 8 ayes, 1 recusal.

### **2. 15-02 In Re: Samantha Lockwood, D.V.M.**

Dr. Serbin was recused. Dr. Lockwood was present to monitor. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed 8 ayes, 1 recusal.

### **3. 15-03 In Re: Rosemary Paylor, D.V.M.**

Dr. Serbin and Dr. Wright were recused. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to accept the Investigative

Committee's recommendation and **dismiss** this issue with no violation. Motion passed 7 ayes, 2 recusals.

**4. 15-04, In Re: William Penn, D.V.M.**

Attorney, David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Christensen and seconded by Dr. Hatfield to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed, 8 ayes, 1 nay (Ms. Young).

**5. 15-05, In Re: Kenneth Hunt, D.V.M.**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Hatfield to **dismiss this issue without prejudice** based on the revocation of Dr. Hunt's license. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Serbin that in the event Dr. Hunt would reapply for licensure, the Board would have the option to reopen the case and review the matter with respect to the following potential violations:

- A.R.S. §32-2232 (21) as it relates to A.A.C. R3-11-502:
  - o (E) failure to provide discharge instructions detailing the care of the animal and document in the medical record that verbal or written care instructions were provided; and
  - o (L) (7) (b) and (d) failure to document the fluids dispensed and the amount to be give and route of administration.
  
- A.R.S. § 32-2232 (12) as it relates to A.A.C. R3-11-501 (1) failure to provide professionally acceptable procedures by not performing a full examination of the animal and missing a fractured tooth that was identified by a consulting veterinarian; and for charging for services not performed, specifically teeth cleaning and radiographs.
  
- A.R.S. § 32-2232 (11) Malpractice; for the use of vitamin K in a dog with a laceration.

Motion passed unanimously.

**6. 15-06, In Re: Kathleen Slocum, D.V.M.**

Dr. Hatfield was recused. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Gullett to schedule this matter for an **Informal Interview**. Motion passed 8 ayes, 1 recusal.

**7. 15-07, In Re: Julianne Miller, D.V.M.**

After discussion and consideration, a motion was made by Dr. Christensen and seconded by Dr. Bertch-Mumaw to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

**8. 15-08, In Re: Claire Marie Rosen, D.V.M.**

Attorney, Dave Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Christensen and seconded by Dr. Serbin to accept the Investigative

Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

**9. 15-09, In Re: Tanya Lopez, D.V.M.**

Ms. Sydell Brand was present and made statements. Attorney, David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Christensen and seconded by Dr. Bertch-Mumaw to accept the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed unanimously.

**10. 15-10, In Re: Refaat Ishak, D.V.M.**

Ms. Marika Owens was present and made statements. Attorney, David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Gullett to schedule this matter for an **Informal Interview**. Motion passed unanimously.

**11. 15-12, In Re: Michelle Morrison, D.V.M.**

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Serbin to schedule this matter for an **Informal Interview**. Motion passed unanimously.

**III. INFORMAL INTERVIEWS AND BOARD DELIBERATION**

**1. 15-13: In Re: Kimberlei Hurst, D.V.M.**

Dr. Hurst was present telephonically, made statements and answered questions.

At 10:05a.m., after discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Hatfield to go into executive session for legal advice. Motion passed unanimously.

At 10:16a.m., the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Bertch-Mumaw to find Dr. Hurst in violation of **A.R.S. § 32-2232 (18)** as it relates to **A.R.S. § 32-2271 (A)** for providing veterinary medical services to the public for approximately six (6) weeks without a premise license issued by the Board or submitting a complete application, with payment, to the Board. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Hatfield to order Dr. Hurst to undergo an evaluation by a Board approved behavioral health care professional to determine whether Dr. Hurst can safely and competently practice veterinary medicine. Ms. Whitmore, in conjunction with Dr. Serbin, will approve the evaluator.

The Order will require Dr. Hurst to make an appointment with the health care professional within three (3) weeks and be evaluated within 30 days of the of the issuance of the Order. Additionally, Dr. Hurst is to sign a waiver releasing any and all medical records/documents with respect to her evaluation and have the evaluator submit a report to the Board within 30 days after the evaluation. The Informal Interview will be tabled for a future Board

meeting until Dr. Hurst undergoes her evaluation and a report is submitted to the Board for review.

Roll call: Dr. Serbin, aye; Mr. Loughead, aye; Dr. Wright, aye; Ms. Young, aye; Dr. Hatfield, aye; Dr. Bertch-Mumaw, aye; Ms. Gullett, aye; Ms. Mumford, aye; and Dr. Christensen, aye. Motion passed unanimously.

**2. 14-95: In Re: Cara Temple, D.V.M.**

Dr. Temple was present, made statements and answered questions. Ms. Isabella Garbers was present, made statements and answered questions. Mrs. Betty Gersten was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to find Dr. Temple in violation of **A.R.S. § 32-2232 (21)** as it relates to **A.A.C. R3-11-502 (L) (4)** for failure to document results of the dog's examination in the medical record, specifically the dog's heart rate and dehydration level on December 11, 2013. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to find Dr. Temple in violation of **A.R.S. § 32-2232 (21)** as it relates to **A.A.C. R3-11-502 (L) (7) (a), (b), (c) and (d)** for failure to document in the medical record, the buprenorphine administered to the dog on December 11, 2013. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Mumford to find Dr. Temple in violation of **A.R.S. § 32-2232 (12)** as it relates to **A.A.C. R3-11-501 (3)** failure to emphasize to the pet owner that the dog needed to go to emergency facility for further care and treatment at the time of discharge. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Bertch-Mumaw to find Dr. Temple in violation of **A.R.S. § 32-2232 (12)** as it relates to **A.A.C. R3-11-501 (1)** failure to provide professionally acceptable procedures by not recommending additional diagnostics, including a urinalysis and radiographs, to help determine the dog's condition. Motion passed 8 ayes, 1 nay (Dr. Christensen).

**3. 14-90: In Re: Michael Ferrera, D.V.M.**

Due to Dr. Ferrera and Ms. Sue Barenholtz inability to be available for the Informal Interview, a motion was made by Dr. Serbin and seconded by Dr. Bertch-Mumaw to **table** this matter for a future Board meeting. Motion passed unanimously.

**IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS**

**1. 13-50: In Re: Shawn Sullivan, D.V.M. Board may review, discuss and take action on Continuing Education documentation submitted in compliance with Board Order.**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Ms. Young to approve Dr. Sullivan's continuing education in compliance with his Board Order and return his license to Active status. Motion passed unanimously.

**2. 09-14: In Re: Steven Hall, D.V.M. Board appearance in compliance with Board Order.**

Dr. Hall was present, made statements and answered questions in compliance with his Board Order.

**3.14-48: In Re: Christina Barber, D.V.M. Board may review, discuss and take action on revised Continuing Education Plan submitted.**

Dr. Wright was recused. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Mr. Loughead to approve Dr. Barber's continuing education plan submitted in compliance with her Board Order. Motion passed 8 ayes, 1 recusal.

**4.14-73: In Re: Stephen Wanick, D.V.M. Board may review, discuss and take action on Continuing Education Plan submitted as required per Board Order.**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Ms. Mumford to deny Dr. Wanick's continuing education plan submitted in compliance with his Board Order as it did not meet the requirements. Motion passed unanimously.

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

**1. Board may review, discuss and take action on 2015 Board meeting dates.**

After discussion and consideration, the Board approved the following Board meeting dates:

- May 13, 2015 (Wednesday); and
- November 19, 2015 (Thursday).

**2. Board may review, discuss and take action on December 12, 2014 Certified Veterinary Technician exam.**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Wright to approve the December 12, 2014 Certified Veterinary Technician exam. Motion passed unanimously.

**3. Board may review, discuss and take action on C-15-02, In Re: Debra Souder, unlicensed practitioner.**

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Serbin to issue Ms. Souder a Cease and Desist. Motion passed unanimously.

**4. Board may review, discuss and take action on additional information received regarding C-14-04, In Re: Allen Smith, unlicensed practitioner.**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Mr. Loughead to proceed with the injunction against Mr. Smith for continuing to practice veterinary medicine without a license after the Cease and Desist was issued. Motion passed unanimously.

After further discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Serbin to direct staff to forward the matter of possible forged documents to the appropriate law enforcement agencies. Motion passed unanimously.

**5. Board may review, discuss and take action on request for waiver of continuing education required for licensure renewal by:**

- a. Terri O'Rourke, DVM**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Dr. Hatfield to grant Dr. O'Rourke's request to extend the continuing education submission for the veterinary renewal license until February 28, 2015. If the continuing education is not submitted in the time required, Dr. O'Rourke's license will lapse by operation of law. Motion passed unanimously.

**6. Board may review, discuss and take action on information concerning the Arizona Board of Pharmacy's Prescription Monitoring Program.**

No action taken.

**7. Board may review, discuss and take action on request from the Greater Baltimore Veterinary Medical Association for Continuing Education credit for 2015 programming.**

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Serbin to approve the request from the Greater Baltimore Veterinary Medical Association for continuing education credit for 2015 pursuant to A.A.C. R3-11-402 (C). Motion passed unanimously.

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

No new information to report.

**9. Board may review, discuss and take action on report from Legislative Sub-committee regarding recent meeting.**

After discussion and consideration, a motion was made by Ms. Gullett and seconded by Dr. Serbin to direct staff to arrange a conversation with the AzVMA and SAzVMA with respect to the possible topics for legislative action as well as who would be available to provide lobbying services and report back to the Board at a future Board meeting. Motion passed unanimously.

**10. Board may review, discuss and take action on Tender Loving Care Veterinary Services providing veterinary services without premise licenses at multiple locations.**

After discussion and consideration, a motion was made by Dr. Serbin and seconded by Ms. Mumford to open a Control Case with respect to the owner of Tender Loving Care Veterinary Services providing veterinary services without premise licenses at multiple locations. Motion passed unanimously.

**VI. REVIEW AND APPROVAL OF MINUTES**

**October 15, 2014 Draft Regular Session**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Mr. Loughhead to approve the regular session minutes as drafted. Motion passed 7 ayes, 2 abstentions (Dr. Bertch-Mumaw and Ms. Gullett).

**VII. CONSENT AGENDA**

**A. Approval to take State Veterinary Exam**

1. Hassinger, James (E)
2. Becker, Jennifer (R)

3. Holder, Troy (E)
4. Maas, Adolf (E)
5. O'Cull, Krystle (R)
6. Sabatino, Bethany (E)
7. Venable, Rachel (E)
8. Vidal, Martin, (R)

**Approval to take the State Veterinary Exam granted.**

#### **B. Approval to take Certified Veterinarian Technician Exams**

1. Besecker, Kenneth

**Approval to take Certified Veterinarian Technician Exams granted.**

#### **C. Approval of Premise Licenses**

1. R2323: Paws Plus #1717. New Owner. John Augustine, DVM.
2. R2324: Paws Plus #1784. New Owner. John Augustine, DVM.
3. R2325: Paws Plus #1809. New Owner. John Augustine, DVM.
4. R2326: Paws Plus #1832. New Owner. John Augustine, DVM.
5. R2328: Paws Plus #1846. New Owner. John Augustine, DVM.
6. R2329: Paws Plus #1852. New Owner. John Augustine, DVM.
7. R2331: Veterinary Specialty Center of Tucson. New Owner. James Boulay, DVM.
8. R2332: North Valley Equine. New Address. Jimmy Merrill, DVM.
9. R2335: Shot Spot Vaccinations at Paul's Ace Hardware – Scottsdale. New Premise.
10. R2337: Hermosa Veterinary Clinic. New Address. Walter Kurth, DVM.
11. R2338: Pet Urgent Care. New Premise. Stephen Gilson, DVM.
12. R2341: Danza Del Sol Veterinary Medical Center, PLLC. New Premise. Kellie Shamrell DVM.
13. R2342: Applewood Animal Hospital. New Premise. Richard Reeves, DVM.
14. R2344: Brett the Vet. New Premise. Brett Cordes, DVM.
15. R2345: Banfield Pet Hospital #0135. New Responsible Vet. Larisha Smith, DVM.
16. R2346: Arizona Skies Animal Hospital. New Owner. Kristen Nelson, DVM.
17. R2348: Pet Dental USA, PLLC. New Premise. Jennifer Redmon, DVM.
18. R2352: Douglas R. Funk, DVM. New Premise. Douglas Funk, DVM.
19. R2350: Urban Livestock and Equine Veterinary Services. New Owner, New Responsible Veterinarian. Alan Finlayson, DVM.

**C (6), (9), and (10) Removed from Consent Agenda.**

**Approval of Premise Licenses granted.**

#### **D. Random Premise Inspections**

1. P0117: East Mesa Animal Hospital PC. Virginia Kern, DVM.
2. P0192: Orangewood Animal Hospital. John Clark, DVM.
3. P0910: Arcadia Animal Clinic. William Bracken, DVM.
4. R0049: Brown Road Animal Clinic. Jack Adkins, DVM.
5. R0192: Desert Veterinary Clinic. Cheryl Haugo, DVM.
6. R0201: All Pets Animal Hospital. Raymond Marsh, DVM.
7. R0672: Sahuaro Vista Vet Clinic. Andrew Carlton, DVM.
8. R0753: Animal Dermatology Service. Mitchell Song, DVM.
9. R0994: Happy Valley Animal Hospital, PLC. Victor Saltzman, DVM.
10. R1038: Animal Health Services. Clifton Faver, DVM.
11. R1063: VCA Phoenix West Animal Hospital. Marian Ansems, DVM.

12. R1068: Animal Hospital at Terravita. Teresa Juetten, DVM.
13. R1108: Roadrunner Animal Hospital, PLC. Kent Livermore, DVM.
14. R1295: Dobson Ranch Animal Hospital. Scott Barnard, DVM.
15. R1325: Arizona West Veterinary Clinic Inc. Laura Millikan, DVM.
16. R1339: Dreamy Draw Cat Hospital PLLC. Heather Oyan, DVM.

**D (2) and (12) Removed from Consent Agenda.**

**Approval of Random Premise Inspections granted.**

**E. Approval of Premise Scope Change Requests**

1. P0117: East Mesa Animal Hospital. Add Mobile Unit. Virginia Kern, DVM.
2. P0910: Arcadia Animal Clinic. Add Mobile Unit. William Bracken, DVM.
3. R0049: Brown Road Animal Clinic. Add Mobile Unit. Jack Adkins, DVM.
4. R1038: Animal Health Services. Add Mobile Unit. Cliff Faver, DVM.

**Approval of Premise Change of Scope Requests granted.**

**F. Approval of Veterinary License**

1. Bellew, Katherine (R)
2. Danhaus, Dan (E)
3. Kinser, Mathew (R)
4. Randall, Joann (E)

**Approval of Veterinary Licenses granted.**

**G. Approval for a State Employee Veterinary License**

- a. Smith, Joni

**Approval of State Employee Veterinary License granted.**

**H. Approval for Temporary Permit**

- a. Sabatino, Bethany (E)

**Approval of Temporary Permit granted.**

**I. Approval of Premise Name Change Request**

1. R0753: Animal Dermatology Services to Animal Dermatology. Mitchell Song, DVM.
2. R2320: VCA Tri-City Veterinary Hospital and Acacia Cat Clinic to VCA Tri-City Animal Hospital and Acacia Cat Clinic. Ellen Lucey, DVM.

**Approval of Premise Name Change Requests granted.**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Ms. Gullett to approve the Consent Agenda as amended. Motion passed unanimously.

**Items Removed From Consent Agenda**

**C (6) R2329: Paws Plus #1852. New Owner. John Augustine, DVM.**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Ms. Gullett to approve the premise license pending inspection and compliance. Motion passed unanimously.

**C (9) R2335: Shot Spot Vaccinations at Paul's Ace Hardware – Scottsdale. New Premise.**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Ms. Gullett to approve the premise license pending inspection and compliance. Motion passed unanimously.

**C (10) R2337: Hermosa Veterinary Clinic. New Address. Walter Kurth, DVM.**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Ms. Gullett to approve the premise license pending inspection and compliance. Motion passed unanimously.

**D (2) P0192: Orangewood Animal Hospital. John Clark, DVM.**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Dr. Bertch-Mumaw to pend this matter for a future Board meeting for further discussion. Motion passed unanimously.

**D (12) R1068: Animal Hospital at Terravita. Teresa Juetten, DVM.**

After discussion and consideration, a motion was made by Ms. Mumford and seconded by Ms. Gullett to approve the premise license pending compliance. Motion passed unanimously.

**VIII. SUMMARY OF CURRENT EVENTS**

No current events discussed.

**IX. CALL TO PUBLIC**

No member of the public wished to speak.

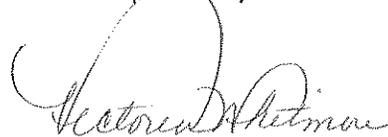
**X. ESTABLISHMENT OF FUTURE MEETING DATE**

The next regular meeting will be held on December 17, 2014, beginning at 8:30 a.m. at 9535 E. Doubletree Ranch Road, Scottsdale, Arizona, 85258, in the Board Room.

**XI. ADJOURNMENT**

The meeting adjourned at 1:15p.m.

Respectfully submitted,



Victoria Whitmore, Executive Director