



DOUGLAS A. DUCEY
- GOVERNOR -

VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., STE. 4600 ♣ PHOENIX, ARIZONA 85007

PHONE: (602) 364-1-PET ♣ FAX: (602) 364-1039

VETBOARD.AZ.GOV

MINUTES

November 20, 2019

Board Room A, at 8:30 a.m.

1740 W. Adams Street, Board Room A

Phoenix, Arizona 85007

Members Present: Mr. Jim Loughead, Dr. Robyn Jaynes, Ms. Jessica Creager, Dr. Darren Wright, Ms. Jane Soloman, Dr. Sarah Heinrich, Dr. J. Greg Byrne and Dr. Christina Bertch (left at 2:13pm).

Members Absent: Ms. Nikki Frost, CVT.

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

I. CALL TO ORDER

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

II. INITIAL INVESTIGATIVE REVIEWS

1. 20-01, In Re: Joshua Sosnow, DVM

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

2. 20-02, In Re: Olivia Pan, DVM

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

3. 20-03, In Re: Monika Knoblich, DVM

Attorney David Stoll was present and made statements on behalf of Dr. Knoblich. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to schedule this matter to an **Informal Interview**. Motion passed 6 ayes, 2 nays (Dr. Heinrich and Dr. Bertch).

4. 20-04, In Re: Lauren Schneider, DVM

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

5.20-05, In Re: Amalie DiMiceli, DVM

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

6.20-06, In Re: Frank Coburn, DVM

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

7.20-07, In Re: Lorna Lanman, DVM

Attorney David Stoll was present and made statements on behalf of Dr. Lanman. After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Creager to offer Dr. Lanman a **Consent Agreement**, adopting the Investigative Committee's Findings of Fact as the Board's Findings of Fact and modifying the Conclusions of Law, finding Dr. Lanman in violation of:

- A.R.S. § 32-2232 (21) as it relates to A.A.C. R3-11-502:
 - (H) (2) failure to perform an exam on the dog prior to the dental procedure on June 10, 2019;
 - (L) (7) failure to document in the medical record the name of fluids administered to the dog on June 10, 2019;
 - (L) (2) failure to document in the medical record the dog's weight on June 16, 2019; and
 - (L) (4) failure to document in the medical record the dog's respiration rate on June 16, 2019.

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

After further discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Creager to offer Dr. Lanman a Consent Agreement that includes a period of Probation of 1-year to obtain **four (4) hours of continuing education**, in addition to the statutory requirements to maintain licensure, in **medical record keeping**. The Consent Agreement shall also include a **civil penalty of \$500**. If the Consent Agreement is not signed in 30 days, the matter shall be scheduled for an Informal Interview.

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

8.20-09, In Re: Dawn Buchman, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made Ms. Creager and seconded by Ms. Soloman to accept the Investigative

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

9.20-14, In Re: Virginia Kern, DVM

Dr. Kern was present and made statements. After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to offer Dr. Kern a **Consent Agreement** adopting the Findings of Fact in the Investigative Division Report and adopting the highlighted violations as set forth in the Investigative Memo. Motion passed unanimously.

After further discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Heinrich to offer Dr. Kern a Consent Agreement that includes:

- A Stayed-Suspension Probation for 1-year;
- If Respondent's premises is non-compliant the Stay will be lifted and Respondent's premises will be placed on Suspension – Respondent's license will remain on Probation;
- Respondent shall obtain a Board approved Practice Monitor within 30 days of the effective date of the Consent Agreement for the duration of the Stayed-Suspension Probation;
- Within 30 days of obtaining the Board approved Practice Monitor (PM), the PM shall conduct an audit of the premises and present the audit to the Board at the subsequent meeting;
- The PM shall provide quarterly reports to the Board throughout the duration of the Stayed-Suspension Probation; and
- The Board may conduct unannounced premises inspections.

The Consent Agreement shall also include a civil penalty of \$1000 due on or before the end of the Stayed-Suspension Probationary period. If the Consent Agreement is not signed within 30 days, the matter shall be scheduled for an Informal Interview.

Roll call: Dr. Bertch, aye; Dr. Byrne, aye; Ms. Creager, aye; Ms. Soloman, aye; Dr. Wright, aye; Mr. Loughead, aye; Dr. Heinrich, aye; and Dr. Jaynes, aye. Motion passed unanimously.

10. 20-29, In Re: Manuel Cruz Castanedo, DVM

Dr. Cruz Castanedo was present and made statements. After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to offer Dr. Cruz Castanedo a **Consent Agreement** adopting the Findings of Fact and violations set forth in the Investigative Division Report. Motion passed unanimously.

After further discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to offer Dr. Cruz Castanedo a Consent Agreement that includes:

- A Stayed-Suspension Probation for 1-year;
- If Respondent's premises is non-compliant the Stay will be lifted and Respondent's premises will be placed on Suspension – Respondent's license will remain on Probation;
- Respondent shall obtain a Board approved Practice Monitor within 30 days of the effective date of the Consent Agreement for the duration of the Stayed-Suspension Probation;

- Within 30 days of obtaining the Board approved Practice Monitor (PM), the PM shall conduct an audit of the premises and present the audit to the Board at the subsequent meeting;
- The PM shall provide quarterly reports to the Board throughout the duration of the Stayed-Suspension Probation; and
- The Board may conduct unannounced premises inspections.

The Consent Agreement shall also include a civil penalty of \$1000 due on or before the end of the Stayed-Suspension Probationary period. If the Consent Agreement is not signed within 30 days, the matter shall be scheduled for an Informal Interview.

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

11. 20-33, In Re: Garrel Geiger, DVM

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Heinrich to **dismiss** this issue with no violation. Motion passed unanimously.

III. INFORMAL INTERVIEWS AND BOARD DELIBERATION

1. 19-70, In Re: Andrei Tarassov, DVM

Dr. Tarassov was present with attorney, David Stoll, made statements and answered questions. Ms. Judy Gillies was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Bertch and seconded by Dr. Heinrich to **dismiss** this issue with no violation. Motion passed unanimously.

2. 19-90, In Re: Tami Mares-Ziehm, DVM

Dr. Mares-Ziehm was present with attorney, David Stoll, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch to **dismiss** this issue with no violation. Motion passed unanimously.

3. 20-13, In Re: Gurjit Sandhu, DVM

Dr. Sandhu was present with attorney, David Stoll, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Ms. Creager to find Dr. Sandhu in violation of **§ARS 32-2232 (12)** as it relates to **AAC R3-11-501 (1)** failure to provide professionally acceptable procedures for using corticosteroids and NSAIDs concurrently without clear clinical justification and without clearly communicating potential adverse effects with the pet owner.

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

4. 19-83: In Re: Gurjit Sandhu, DVM – Continuance of Informal Interview of October 16, 2019, 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.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Wright to accept the Findings of Fact and Conclusions of Law as drafted. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to issue Dr. Sandhu a Board Order that includes a period of **Probation for 1-year** to obtain **four (4) hours of continuing education**, in addition to the statutory requirements to maintain licensure; those four (4) hours include:

- **2 hours CE** in Pain Management; and
- **2 hours CE** in Parvo Treatment.

The Order shall also include a civil penalty of \$750 to be paid on or before the end of the Probationary period.

Roll call: Dr. Bertch, aye; Dr. Byrne, aye; Ms. Creager, aye; Ms. Soloman, aye; Dr. Wright, aye; Mr. Loughead, aye; Dr. Heinrich, aye; and Dr. Jaynes, aye. Motion passed unanimously.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1.19-56: In Re: Richard Heffelman II, DVM. Board may review, discuss, and take action on Continuing Education completed in compliance with Board Order and may return license to Active status.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Bertch to accept Dr. Heffelman's completed continuing education in compliance with his Board Order and return his license to Active status. Motion passed unanimously.

2.19-92: In Re: Adam Staerkel, CVT. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Consent Agreement.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Bertch to accept Mr. Staerkel's continuing education plan in compliance with his Consent Agreement. Motion passed unanimously.

3. 19-71: In Re: Celeste Roy, DVM. Board may review, discuss, and take action on requested modification to proposed Consent Agreement.

Ms. Whitmore updated the Board that Dr. Roy will be available at the December Board meeting to discuss a modification to her Consent Agreement. The Board directed staff to have Dr. Roy submit her proposal prior to the December Board meeting.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on requests to approve continuing education courses for license and/or certificate renewal:

a. Mayo Clinic 5th Annual Update on Infectious Diseases for Primary Care 2020

After discussion and consideration, a motion was made by Dr. Bertch and seconded by Ms. Soloman to approve continuing education obtained at the Mayo Clinic 5th Annual Update on Infectious Diseases for Primary Care 2020. Motion passed unanimously.

2. Board may review, discuss, and take action on C-20-02, In Re: Stacey Tucker/Unlicensed Practitioner.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Bertch to send Ms. Tucker an informational letter with respect to the Statutes and what acts constitute the practice of veterinary medicine; refer the matter to the Medical Board; and close the matter. If new information should arise regarding Ms. Tucker's conduct, the Board would reopen the case. Motion passed 7 ayes, 1 nay (Dr. Heinrich).

3. Board may review, discuss, and take action on C-20-04, In Re: Marsue Willet/Unlicensed Practitioner.

After discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Bertch to close this matter. Motion passed unanimously.

4. Board may review, discuss, and take action on accepting AVMA-accredited veterinary technician programs that have changed the names of their programs from "Veterinary Technology" to "Veterinary Nursing" towards certification per A.R.S. §32-2242(B).

After discussion and consideration, the Board directed staff to advise the AAVSB that the agency would accept AVMA-accredited veterinary technician programs that have changed the names of their programs from "Veterinary Technology" to "Veterinary Nursing" towards certification.

5. Board may review, discuss, and take action on December 6, 2019 Certified Veterinary Technician exam.

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Bertch to approve the December 6, 2019 CVT exam. Motion passed unanimously.

6. Board may review, discuss, and take action on the American Association of Veterinary State Board's Draft Model Regulations for the Appropriate Use of Opioids and Other Controlled Substances.

No action taken.

7. Board may review, discuss, and take action on the American Association of Veterinary State Board's Draft Model Regulations for the Veterinary Technician Scope of Practice.

No action taken.

8. Board may review, discuss, and take action on University of Arizona College of Veterinary Medicine's accreditation status and planned operation.

Ms. Soloman requested Board staff to invite the U of A College of Veterinary Medicine to conduct a presentation before the Board regarding their curriculum.

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

a. Walter Mertens

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Bertch to approve Dr. Mertens' veterinary application and requested Dr. Mertens to update the Board when his case was resolved. Motion passed unanimously.

b. Emily Roth

Dr. Roth was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Bertch to

approve Dr. Roth's veterinary license pending receipt of issuance fee. Motion passed unanimously.

10. Board may review, discuss, and take action on the new technology of alkaline hydrolysis as an alternative method to animal cremation and how it relates to the Veterinary Practice Act.

No action taken.

11. Board may review, discuss, and take action on information received pertaining to Copper Ridge Equine's (Premises License #R3322) operations, current/proposed sanitation procedures at the hospital, and compliance with other state and local building and zoning requirements.

Dr. Justin McCormick appeared telephonically, made statements and answered questions. Dr. Christine McCormick appeared telephonically, made statements and answered questions. Dr. Ellis Farstvedt appeared, made statements and answered questions.

12. Board may review, discuss, and take action on premises inspections:

a. P0396: Wiseman Animal Hospital. Joseph Trueba, DVM

After discussion and consideration, the Board directed staff to contact DEA regarding the concerns relating to controlled substances at this premises, as well as conducting a follow up premises inspection.

b. P0735: Pride Animal Hospital. Roger Chen, DVM

After discussion and consideration, the Board directed staff to conduct a follow up premises inspection.

c. R1949: Cali's East Spay/Neuter Clinic. Tammy Helzer, DVM

Ms. Whitmore updated the Board regarding Dr. Helzer's corrections submitted to the Board after her premises inspection. No action taken.

13. Board may review, discuss, and take action on veterinary licenses pending receipt of issuance fee:

a. Emily Truong

After discussion and consideration, a motion was made by Dr. Bertch and seconded by Ms. Creager to approve Dr. Truong's veterinary license pending receipt of issuance fee. Motion passed unanimously.

14. Board may review, discuss, and take action on American Association of Veterinary State Boards' Board Basics and Beyond training for Board members and may appoint member to attend.

No action taken. Revisit at a future Board meeting.

15. Board may review, discuss, and take action on updates to 5 Year Rule Report and related review process

Ms. Whitmore updated the Board on the review process that has been taking place. No action taken.

16. Executive Director Report

a. December 2019 Board meeting

Ms. Whitmore reminded the Board that the December Board meeting will be telephonic and that it is the second Wednesday of the month, instead of the third Wednesday.

b. Financial Reports update

Ms. Whitmore updated the Board on performance measures for the agency and income and expense trends.

17. Board may review, discuss, and take action on the International Council for Veterinary Assessment (ICVA) 2018-2019 Annual Report.

No action.

18. Board may review, discuss, and take action on clarification of A.R.S. 32-2211(2) related to licensure and oversight of animal shelter veterinarians.

- At 1:56pm, after discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to go into executive session for legal advice.

- At 2:06pm, the Board entered back into open session.

No action taken.

VI. REVIEW AND APPROVAL OF MINUTES

a. October 16, 2019 Regular Session

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to approve the October 16, 2019 regular session minutes. Motion passed unanimously.

b. October 16, 2019 Executive Session

After discussion and consideration, motion was made by Dr. Wright and seconded by Bertch to approve the October 16, 2019 executive session minutes. Motion passed unanimously.

VII. CONSENT AGENDA

A. Approval to take Veterinary State Exam

1. Barton, Linda (E)
2. Flaagan Jr., John (E)
3. Horner, Lindsey (E)
4. Janicek, John (E)
5. Lane, Sally (R)
6. McClure, Melena (E)
7. Olsen, Kathleen (E)
8. McClure, Melena (E)
9. Bleakley, Seth (S)

A (8) Removed from Consent Agenda.

Approval to take Veterinary State Exam granted.

B. Approval of Veterinary Licenses

1. Hansen, Thomas
2. Larsen, Judith
3. Mazur, Melissa
4. Osterloh, Richard
5. Parker, Kristin
6. Radway, Kimberly
7. Whitaker, Beau

Approval of Veterinary Licenses granted.

C. Approval of Premises Licenses - Responsible Veterinarian listed

1. R3348: Dr. Kelly's Mobile Unit – South. New Premises. Kelly Patriquin, DVM
2. R3349: Overgaard Animal Clinic. New Owner & New Responsible Veterinarian. Carol Yeisley, DVM
3. R3350: Twin Peaks Veterinary Center. New Owner. Beth Witte-Neuman, DVM
4. R3352: Desert Ark Veterinary Center. New Responsible Veterinarian. Alondra Velez, DVM
5. R3358: Kindred Spirits Pet Services. New Premises. Kellie Barrett, DVM

Approval of Premise Licenses granted.

D. Approval of Random Premises Inspections

1. P0002: Green Valley Animal Hospital, Sophia Kaluzniac, DVM
2. P0928: Leann Harvey DVM, PC. Leann Harvey, DVM
3. R0008: Desert Mobile Veterinary Services. Karen Lyons, DVM
4. R0367: Palisades Veterinary Hospital. Deah Hessian, DVM
5. R0511: Blue Cross Veterinary Clinic. Elisabeth Dutton, DVM
6. R1075: Friendship Pet Hospital. Lynne Hoban, DVM
7. R1121: Warner Vista Animal Hospital. Jacob DeGraffenried, DVM
8. R1137: South Mountain Vet Clinic. Eva Beyer, DVM
9. R1816: Los Caballos Veterinary Services. Misa Dickinson, DVM
10. R1861: Animal Medical Center of Casa Grande, PLLC. Katherine Kasper, DVM
11. R1886: El Dorado Animal Hospital. Sarah Bashaw, DVM
12. R1915: Northwest Veterinary. Lane Kihlstrom, DVM
13. R1931: Agape Animal Clinic. Amy Coy, DVM
14. R1932: Saguaro Veterinary Clinic. Michael Soltero, DVM
15. R1933: Bryan Buchanan DVM MS, LLC. Bryan Buchanan, DVM
16. R1937: Veterinary Holistic Health. Keilyn Scott, DVM
17. R1939: Vet To You, LLC. Anthony Gilchrist, DVM
18. R1973: Cobblestone Veterinary Care. Andrew Marsh, DVM
19. R1990: Dreaming Summit Animal Hospital. Matthew Hillebrand, DVM
20. R1995: Duval Animal Hospital. Timothy Overbey, DVM
21. R1996: The Complete Pet Animal Hospital. Nancy Buczek, DVM
22. R2014: Ina Road Animal Hospital. Brenda Reed, DVM

D (1), (5), (20) and (22) Removed from Consent Agenda.

Approval of Random Premises Inspections granted.

E. Approval to take Veterinary Technician Exam(s)

1. Crobar, Stephanie

Approval to take Veterinary Technician Exam(s) granted.

F. Approval of Premises Change of Scope Requests

- 1. R0367: Palisades Veterinary Hospital. Add Mobile Unit. Deah M. Hessian, DVM
Approval of Premises Change of Scope Requests granted.

G. Approval of Premises Name Change Requests

- 1. R3336: Animal Fair Low Cost Vaccination Clinic to Animal Fair Low Cost Shot Clinic. ShanAnne Edwards, DVM.
Approval of Premises Name Change Requests granted.

H. Approval of Veterinary Temporary Permits

- 1. Bleakley, Seth
Approval of Veterinary Temporary Permits granted.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to approve the Consent Agenda as amended. Motion passed 7 ayes, 1 absent (Dr. Bertch).

Items Removed from Consent Agenda

D (1), (20), and (22).

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to approve pending inspection and compliance. Motion passed 7 ayes, 1 absent (Dr. Bertch).

D (5).

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to re-inspect the premises to ensure compliance within the year. Motion passed 7 ayes, 1 absent (Dr. Bertch).

VIII. SUMMARY OF CURRENT EVENTS

No current events to discuss.

IX. CALL TO PUBLIC

No members of the public were present.

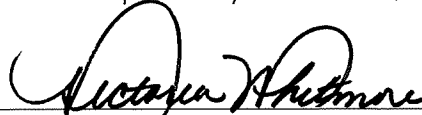
X. ESTABLISHMENT OF FUTURE MEETING DATE

The meeting will be held **telephonically** on **Wednesday, December 11, 2019**, beginning at 8:30am at 1740 W. Adams St., Board Room "A," Phoenix, Arizona, 85007.

XI. ADJOURNMENT

The meeting adjourned at 2:19pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victoria Whitmore". The signature is written in a cursive style with large, flowing letters.

Victoria Whitmore, Executive Director