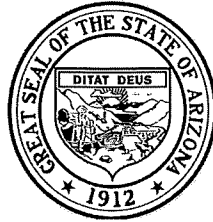


DOUGLAS A. DUCEY
- GOVERNOR -



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

February 16, 2022

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

1740 W. Adams Street, Board Room A
Phoenix, Arizona 85007

Members Present: Mr. Jim Loughhead, Ms. Jessica Creager, Ms. Jane Soloman, Dr. Robyn Jaynes, Dr. Melissa Thompson, Dr. Craig Nausley, Ms. Nikki Frost (telephonic; left at 2:07pm)

Members Absent: Dr. Greg Byrne and Dr. Darren Wright.

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: Ms. Whitmore at 8:35 a.m.

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

1. 22-06, In Re: Monica Runge, DVM

Dr. Nausley was recused. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to agree with the Investigative Committee's recommendation and **dismiss** this issue with no violation. Motion passed 6 ayes, 1 recusal.

2. 22-07, In Re: Michael Walker, DVM

Dr. Nausley was recused. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to offer Dr. Walker a **Consent Agreement** adopting the Investigative Committee's proposed Finding's of Fact and Conclusions of Law as the Board's Findings of Fact and Conclusions of Law. Roll call: Dr. Nausley, recused; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed 6 ayes, 1 recusal.

After further discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Soloman to offer Dr. Walker a **Consent Agreement** that includes a period of **Probation of 1-year** in order to obtain an additional three (3) hours of continuing education in addition to the statutory requirements to maintain licensure; those **three (3) hours** shall be in **client communications**. If the Consent Agreement is not signed in 30 days, the matter shall be scheduled to an Informal Interview. Roll call: Dr. Nausley, recused; Ms. Frost, aye; Ms. Creager,

aye; Dr. Jaynes, aye; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed 6 ayes, 1 recusal.

3. 22-08, In Re: Christopher Dorto, DVM

Dr. Dorto was present with attorney David Stoll and made statements. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Frost to disagree with the Investigative Committee's recommendation and dismiss this issue with no violation and issue a **Letter of Concern** for failure to take two radiographic views of the ferret's limb and failure to document in the medical record the reason why two views were not taken. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

4. 22-09, In Re: Lorna Lanman, DVM

Attorney David Stoll was present and made statements of behalf of Dr. Lanman. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Soloman to schedule this matter to an **Informal Interview**. Motion passed unanimously.

5. 22-10, In Re: Megan Buscema, DVM

Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Dr. Nausley and seconded by Ms. Soloman to schedule this matter to an **Informal Interview**. Motion passed unanimously.

6. 22-12, In Re: Barbara Guminski, DVM

Attorney David Stoll was present to monitor. Ms. Dominique Sprague was present and made statements. After discussion and consideration, a motion was made by Ms. Frost and seconded by Ms. Soloman to schedule this to an **Informal Interview**. Motion passed unanimously.

7. 22-14, In Re: Ayman Wassef, DVM

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

8. 22-51, In Re: Melanie Rettler, DVM

- At 9:40am, a motion was made by Dr. Jaynes and seconded by Ms. Creager to go into executive session. Motion passed unanimously.

- At 10:08am, the Board went back into open session.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Soloman to combine this matter with case 21-96, In Re: Melanie Rettler, DVM and **open a new investigation for non-compliance** of Consent Agreement for 21-96. If Dr. Rettler does not respond to the notification of investigation, the matter will be scheduled for a Formal Hearing. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

III. INFORMAL INTERVIEWS - BOARD DELIBERATION AND ACTION

1. 21-155, In Re: Beau Bedell, DVM

Dr. Bedell was present with attorney David Stoll, made statements and answered questions. Mr. Steven Nelson Valade was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to dismiss this issue with no violation and issue a **Letter of Concern** with respect to communications; Complainant advised staff/Respondent that there was a video of the dog which was not considered or viewed. Additionally, the dog had a history of heart disease which should have prompted Respondent to advise the pet owner that if symptoms continue a cardiac work-up would be warranted. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

2. 21-158, In Re: Catherine Byrnes, DVM

Dr. Byrnes was present telephonically, made statements and answered questions; attorney David Stoll was present. Ms. Karen Momany was present telephonically, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to find Dr. Byrnes in violation of **A.R.S. §32-2232 (12)** as it relates to **A.A.C. R3-11-501 (1)** for failure to provide professionally acceptable procedures by not communicating the pros and cons of administering the anti-venom and not referring the dog directly to an emergency facility for continued monitoring. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 20-86: In Re: Leon Ford, DVM. Quarterly appearance as required by Consent Agreement. Board may review, discuss, and take action on information presented.

Dr. Ford appeared in compliance with his Consent Agreement. After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Jaynes to approve terminating Dr. Ford's psychotherapy requirement based on Dr. Henderson's recommendation. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

2. 21-66: In Re: Tressa MacLennan, DVM. Quarterly appearance as required by Consent Agreement. Board may review, discuss, and take action on information presented.

Dr. MacLennan appeared in compliance with her Consent Agreement. After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to modify Dr. MacLennan's Consent Agreement by lifting the provision cited in section 9 (c) with respect to providing supervised veterinary services. Dr. MacLennan satisfactorily completed the first twelve (12) months of her Consent Agreement. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

3. 19-71: In Re: Celeste Roy, DVM. Board may review, discuss, and take action on request to step-down testing requirements.

Dr. Roy appeared telephonically. After discussion and consideration, a motion was made Ms. Soloman and seconded by Ms. Creager to grant Dr. Roy's request and amend her Consent Agreement to step-down testing requirements to once a month. Dr. Roy has fully complied with paragraph 22 of her Consent Agreement. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, aye; and Dr. Thompson, aye. Motion passed unanimously.

4. 21-96: In Re: Melanie Rettler, DVM. Board may review, discuss, and take action on compliance with Consent Agreement.

See Agenda item II. #8.

5. 22-15: In Re: Heather Oyan, DVM. Board may review, discuss, and take action on request to modify Consent Agreement offered.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to **deny** Dr. Oyan's request to modify the Consent Agreement the Board offered her. If Dr. Oyan does not sign the Consent Agreement, the matter will be scheduled to an Informal Interview. Motion passed unanimously.

6. 21-118: In Re: Kenneth Halbach, DVM. 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 Ms. Creager and seconded by Ms. Soloman, to approve Dr. Halbach's continuing education plan submitted in compliance with his Consent Agreement. Motion passed unanimously.

7. 21-146: In Re: John Oplinger, DVM. Board may review, discuss, and take action on compliance with Consent Agreement, which may include lifting the stay of revocation on Premises License number R3661 for Wickenburg Veterinary Clinic.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Ms. Creager to amend Dr. Oplinger's Consent Agreement to three (3) years due to non-compliance; if not signed in 30 days, the matter shall be brought back to the Board for further review. Roll call: Dr. Nausley, nay; Ms. Frost, nay; Ms. Creager, aye; Dr. Jaynes, nay; Mr. Loughhead, nay; Ms. Soloman, aye; and Dr. Thompson, nay. **Motion failed, 2 ayes, 6 nays.**

After further discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to direct staff to send a letter to Dr. Oplinger, and the premises owner, notifying them that if the premises does not comply effective immediately with the Consent Agreement, the stay will be lifted. Roll call: Dr. Nausley, aye; Ms. Frost, aye; Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughhead, aye; Ms. Soloman, nay; and Dr. Thompson, aye. **Motion passed 6 ayes, 1 nay.**

8. 22-41: In Re: Edwin Kiesel, DVM. Board may review, discuss, and take action on evaluations submitted in compliance with Interim Order for examinations.

- At 12:53pm, a motion was made by Ms. Creager and seconded by Ms. Soloman, to go into executive session for legal advice. Motion passed unanimously.

- At 1:03pm, the Board entered back into open session.

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

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on request regarding the clarification of interpretation of A.R.S. § 32-2242(B) pertaining to Certified Veterinary Technician applications requirements, per A.R.S. § 41-1001.02:

a. Megan Collins

Ms. Frost was recused. After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve applicant Collins's CVT application per A.R.S. § 32-2242(B) pertaining to Certified Veterinary Technician applications requirements, per A.R.S. § 41-1001.02. Motion passed 6 ayes, 1 recusal.

b. Megan Matthews

After discussion and consideration, a motion was made by Ms. Frost and seconded by Ms. Soloman to approve applicant Matthews's CVT application per A.R.S. § 32-2242(B) pertaining to Certified Veterinary Technician applications requirements, per A.R.S. § 41-1001.02. Motion passed unanimously.

c. Rebecca Cason

Ms. Frost was recused. After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve applicant Cason's CVT application per A.R.S. § 32-2242(B) pertaining to Certified Veterinary Technician applications requirements, per A.R.S. § 41-1001.02. Motion passed 6 ayes, 1 recusal.

2. Board may review, discuss, and take action on veterinarian applications:

a. Victoria Lowe

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to approve applicant Lowe's veterinary application. Motion passed unanimously.

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

a. R3710: The Scaredy Cat Hospital. Angela Wood, DVM.

No action taken.

b. R2080: Affordable Veterinary Services – Dales Town & Country. Paul Carney, DVM

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to direct staff to re-inspect. Motion passed unanimously.

c. R3648: Ahwatukee Animal Care Hospital. Jeffrey Jenkins, DVM

No action taken.

4. Board may review and discuss news article related to veterinarian shortages.

Ms. Soloman led the conversation with respect to veterinarian shortages. No action taken.

5. Board may review, discuss, and take action on information received regarding the Humane Society of Mohave County's services provided to the public.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Jaynes to open an investigation regarding Humane Society of Mohave County's services provided to the public. Motion passed unanimously.

6. Board may review, discuss, and take action on request for approval of Continuing Education credit for the San Diego County Veterinary Medical Association's "Ophthalmology for the GP" Conference and "Exploring Endocrine, GI and Hematology" Seminar April 23 and 24, 2022.

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to approve continuing education credit, twelve (12) hours for veterinarians – six (6) hours for CVTs, for the San Diego County Veterinary Medical Association's "Ophthalmology for the GP" Conference and "Exploring Endocrine, GI and Hematology" Seminar April 23 and 24, 2022.

7. Board may review, discuss, and take action on 2021 Equal Opportunity Report and 2022 Non-Discrimination Policy.

After discussion and consideration, a motion as was made by Ms. Soloman and seconded by Dr. Jaynes to approve the 2021 Equal Opportunity Report and 2022 Non-Discrimination Policy. Motion passed unanimously.

8. Board may review, discuss, and take action on legislative bills:

Ms. Whitmore updated the Board on the following legislative bills:

- a. **HB2345: Veterinarian complaints; attorney notice**
- b. **HB2346: Veterinary medical examining board; membership**
- c. **HB2224: Cat declawing; prohibition; exceptions**
- d. **SB1271: Arizona veterinary loan assistance program**
- e. **HB2599: Administrative hearings; GRRC**
- f. **SB1568: Health professionals; complaints; investigations**
- g. **HB2626: Animal handling; microchip scan**

No action taken.

VI. REVIEW AND APPROVAL OF MINUTES

1. December 8, 2021 Executive Session

This matter was pended to a future Board meeting.

2. January 19, 2022 Regular Session

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Jaynes to approve the January 19, 2022 regular session minutes as drafted. Motion passed unanimously.

3. January 19, 2022 Executive Session #1

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Jaynes to approve the January 19, 2022 executive session #1 minutes as drafted. Motion passed unanimously.

4. January 19, 2022 Executive Session #2

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Jaynes to approve the January 19, 2022 executive session #2 minutes as drafted. Motion passed unanimously.

VII. CONSENT AGENDA

A. Approval of Premises Licenses – Responsible Veterinarian listed

1. R3751: Doggie District – Mesa. New Premises. Rose Fiskett, VMD
2. R3837: Fountain Hills Veterinary Hospital. New Responsible Veterinarian. Nicole Alice Demetre, DVM
3. R3839: Gentle Journey Site 2. New Premises. Brittany Schultz, DVM
4. R3841: Hassayampa Veterinary Services. New Address. Joanne Ruisi, DVM
5. R3842: Mica Peak Veterinary Home Visits. New Premises. Shannon Wesche, DVM
6. R3843: Crossroads Towne Center Animal Hospital. New Owner. Tom Leber, DVM
7. R3844: VIP Petcare – Tractor Supply Company – Prescott Valley. New Responsible Veterinarian. Charles Cantrell, DVM
8. R3845: VIP Petcare – Tractor Supply Company – Prescott. New Responsible Veterinarian. Charles Cantrell, DVM
9. R3847: VetIQ Petcare – El Mirage. New Responsible Veterinarian. Charles Cantrell, DVM
10. R3850: VIP Petcare – PetSense – Cottonwood. New Responsible Veterinarian. Charles Cantrell, DVM
11. R3852: VetIQ Petcare – Tucson Foothills. New Responsible Veterinarian. Charles Cantrell, DVM
12. R3855: Desert Rose Mobile Pet Services. New Premises. Carolyn Lopez, DVM
13. R3856: Chino Valley Animal Hospital. New Responsible Veterinarian. Cora Zenko, DVM
14. R3858: West-Mec NWC Veterinary Science. New Premises. Julia Weiderholt, DVM
15. R3862: Pawprints Veterinary Housecall. New Owner. Aimee Rodden, DVM
16. R3866: Mile Hi Animal Hospital. New Owner. Brice Smith, DVM
17. R3867: Redrock Equine Dentistry. New Premises. Rochen Heers, DVM
18. R3868: Williams Veterinary Medical Center. New Premises. Patrick Ryan Jr., DVM

A (2) and (16) removed from Consent Agenda.

Approval of Premises Inspections granted.

B. Approval of Random Premises Inspections – Responsible Veterinarian Listed

1. P0654: Miller Pet Hospital. Thomas Miller, DVM
2. R0417: Rio Verde Equine, Inc. Stephan Day, DVM
3. R0906: GR Longworth, VMD, PLLC. Gerald Longworth, VMD
4. R0919: Equine Medsport. Cindi Lacroix, DVM
5. R1384: Michael D. Sorum. Michael Sorum, DVM
6. R1660: Equine Veterinary LLC. Otto Stanislaw, DVM
7. R2173: Village Animal Clinic. Ann Goldhammer, DVM
8. R2176: East Maryland Animal Hospital. Ann Marie Clemons, DVM
9. R2186: Southwest Equine Hospital. Ashley Alward, DVM
10. R2216: Scottsdale Animal Healthcare. Alexander Casuccio, DVM
11. R2218: Kachina Animal Hospital. Julia Lynn, DVM
12. R2348: Pet Dental USA (Prescott Valley). Jennifer Redmon, DVM

B (2) removed from Consent Agenda.

Approval of Random Premises Inspections granted.

C. Approval of Random Animal Crematory Inspections

1. C0023: High Desert Pet Crematory

Approval of Random Animal Crematory Inspections granted

D. Approval of Change of Scope Requests

1. R0279: Animal Hospital at Tatum Ranch. Addition of a Mobile Unit. Mari Anger, DVM

Approval of Change of Scope Requests granted

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

Items Removed From Consent Agenda:

A (16)

After discussion and consideration, Board approved the license and directed staff to re-inspect the premises in the future.

A (2) and B (2):

No action taken.

VIII. SUMMARY OF CURRENT EVENTS

No current events.

IX. CALL TO THE PUBLIC

Mr. Johnny Johnson addressed the Board.

X. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held on **Wednesday, March 16, 2022**, 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.

XI. ADJOURNMENT

Meeting adjourned at 2:13 pm.

Respectfully submitted,



Victoria Whitmore, Executive Director