



DOUGLAS A. DUCEY  
- GOVERNOR -

VICTORIA WHITMORE  
- EXECUTIVE DIRECTOR -

## ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

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

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### MINUTES

February 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, Ms. Jessica Creager, Dr. Darren Wright, Dr. Robyn Jaynes, and Ms. Jane Soloman.

**Members Absent:** Dr. Sarah Heinrich, Dr. J. Greg Byrne, Dr. Christina Bertch, and Ms. Nikki Frost, CVT.

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

### I. CALL TO ORDER

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

### II. INFORMAL INTERVIEWS AND BOARD DELIBERATION

#### 1. 19-29, In Re: Julie Yeager, DVM

Dr. Yeager was present with attorney, David Stoll, and made statements and answered questions. Ms. Margarita Tsai was present and made statements and answered questions. After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Soloman to find Dr. Yeager in violation of **ARS § 32-2232 (12)** as it relates to **AAC R3-11-501 (1)** *failure to provide professionally acceptable procedures for not documenting the risks of anesthesia and communicating those risks to the pet owner; Respondent relied on another veterinarian's anesthetic consent from the pet owner 2 years prior.*

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

### III. REVIEW AND APPROVAL OF MINUTES

#### a. January 16, 2019 Regular Session

Matter tabled. No quorum.

**b. January 16, 2019 Executive Session**

Matter tabled. No quorum.

**IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS**

**1. 19-37: In Re: Crystal Delano, DVM. Board may review, discuss, and take action on compliance with Interim Consent Agreement and may offer a Consent Agreement.**

Dr. Delano was present, made statements and answered questions.

- At 10:09a.m., a motion was made by Ms. Soloman and seconded by Dr. Wright to go into executive session for legal advice. Motion passed unanimously.
- At 10:36a.m., the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to adopt the Findings of Fact as drafted in the Consent Agreement. Roll call: Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Wright, aye. Motion passed unanimously.

After discussion and consideration, a motion was made Ms. Soloman and seconded by Ms. Creager to amend the Consent Agreements Conclusions of Law to include: ARS § 32-2232 (11) Gross negligence; Respondent's conduct resulted in unnecessary suffering while in the practice of veterinary medicine. Roll call: Ms. Creager, aye; Dr. Jaynes, nay; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Wright, nay. Motion passed 3 ayes, 2 nays.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to adopt the Consent Agreement as amended. Roll call: Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Wright, aye. Motion passed unanimously.

After further discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to offer Dr. Delano the amended Consent Agreement; Dr. Delano has 15 days to sign the Consent Agreement. If the Consent Agreement is not signed within 15 days, the matter will be scheduled to a Formal Hearing. The Interim Consent Agreement remains in effect, keeping Dr. Delano's license suspended, until the Consent Agreement is signed. Additionally, Dr. Delano must have a clean drug test prior to the Consent Agreement becoming effective and allowing her to practice with restrictions set forth in the Consent Agreement. Roll call: Ms. Creager, aye; Dr. Jaynes, aye; Mr. Loughead, aye; Ms. Soloman, aye; and Dr. Wright, aye. Motion passed unanimously.

**2. 18-94: In Re: Cameron Folkers, DVM. Board may review, discuss, and take action Continuing Education Plan submitted in compliance with Board Order.**

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to **approve** Dr. Folkers's CE plan in compliance with his Board Order. Motion passed unanimously.

**3.18-47: In Re: Adriana Stinnett, 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 Dr. Wright and seconded by Ms. Creager to **approve 2 hours of CE** of the 4 hours submitted in compliance with Dr. Stinnett's Board Order. The Board gave Dr. Stinnett an additional 60 days to submit a plan for the remaining 2 hours of CE. Motion passed unanimously.

**4.18-103: In Re: Brandon Prince, DVM. Board may review, discuss, and take action on completion of Continuing Education as required by Consent Agreement and may return license to Active status.**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to **accept** Dr. Prince's completion of CE in compliance with his Board Order and return his license to **Active** status. Motion passed unanimously.

**5. 18-83: In Re: Virginia Kern, DVM. Board may review, discuss, and take action on remainder of Continuing Education plan as required by Consent Agreement.**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to **approve** Dr. Kern's remaining CE plan in compliance with her Consent Agreement. Motion passed unanimously.

**6. 18-88: In Re: Dennis White, DVM. Board may review, discuss, and take action on Continuing Education plan submitted in compliance with Board Order.**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Soloman to extend Dr. White's timeframe to July 31, 2019 to submit his CE plan for Board approval in compliance with his Board Order. Motion passed 4 ayes, 1 nay (Dr. Jaynes).

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

**1. Board may review, discuss, and take action on veterinary license renewal applications from:**

**a. Erin Ribka, DVM**

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

**b. David Burgener, DVM**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to **approve** Dr. Burgener's veterinary license renewal application and request Dr. Burgener's to update the Board on the case outcome. Motion passed unanimously.

**c. Danny Cox, DVM**

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

**d. Crystal Delano, DVM**

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

**e. Jon Pennell, DVM**

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

**f. Marian Frost, DVM**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Jaynes to **approve** Dr. Frost's veterinary license renewal application and direct staff to advise Ms. Frost of the mandatory reporting law. Motion passed unanimously.

**g. Roxanne Benally, DVM**

Dr. Benally was present telephonically and made statements and answered questions. After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Wright to **approve** Dr. Benally's renewal application and direct staff to draft a letter to inform Dr. Benally of the mandatory reporting law. Motion passed unanimously.

**2. Board may review, discuss, and take action on veterinary application.**

**a. David Ernsthausen**

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

**b. Corinna Murray**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Solomon to **approve** Dr. Murray's veterinary application. Motion passed unanimously.

**3. Board may review, discuss, and take action on technician application.**

**a. Lauren Griffin**

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Soloman to **approve** Ms. Griffin's technician application pursuant to ARS § 32-2242 (B). Motion passed unanimously.

**b. Jessica Rockett**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Ms. Soloman to **approve** Ms. Rockett's technician application pursuant to ARS § 32-2242 (B). Motion passed unanimously.

**c. Kayla Reynolds**

After discussion and consideration, a motion was made by Ms. Creager and seconded by Dr. Jaynes to **approve** to Ms. Reynolds's technician application. Motion passed unanimously.

**4. Board may review, discuss, and take action on request for approval of continuing education.**

**a. Pacific Veterinary Conference (PAC) 2019**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to **approve** the 245 CE hours provided by the Pacific Veterinary Conference 2019. Motion passed unanimously.

**b. Veterinary Specialty Center of Tucson – Arizona Opioid Epidemic: What Veterinarians Need to Know**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to **approve** the Veterinary Specialty Center of Tucson - Arizona Opioid Epidemic: What Veterinarians Need to Know. Motion passed unanimously.

**c. Yavapai College (Equine Behavior and Psychology, Canine Behavior and Psychology I, Canine Behavior and Psychology II, Zoo and Domestic Animal Behavior courses)**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to **approve** the Yavapai College CE courses offered (Equine Behavior and Psychology, Canine Behavior and Psychology I, Canine Behavior and Psychology II, Zoo and Domestic Animal Behavior courses). Motion passed unanimously.

**5. Board may review, discuss, and take action on veterinary license pending receipt of license fee.**

**a. Casey Cooper**

**b. Elton Migliati**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Creager to **approve** the above veterinary licenses pending receipt of license fee. Motion passed unanimously.

**6. Board may review, discuss, and take action on Change of Scope request for The Pet Club – Arrowhead (R3139) to add diagnostics, radiology, and surgery (dental procedures only).**

Dr. Jaynes was recused. Matter tabled; no quorum.

**7. Board may review, discuss, and take action on proposed legislative bills:**

**a. HB 2569 – occupational licensing, reciprocity**

**b. SB 1108 – electronic prescribing; exceptions; deadlines**

**c. HB 2075 – electronic prescribing; exceptions; deadlines**

No action.

**8. Board may review, discuss, and take action on utilizing the services of a rule-writing consultant to assist with the agency's required Five Year Rule Review.**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Wright to **approve** utilizing the services of a rule-writing consultant to assist with the agency's required Five Year Rule Review. Motion passed unanimously.

**9. Board may review, discuss, and take action on additional information received from Rachel Bennett, CVT regarding dismissal of reportable charge.**

No action taken.

**10. Board may review, discuss, and take action on board training regarding statutes pertaining to penalties for individuals who may be performing unlicensed veterinary medical services.**

No action taken.

**11. Board may review, discuss, and take action on appointing Board members and others to participate in the American Association of Veterinary State Boards' Remote Item-Writing and Review program to develop State exam questions.**

Tabled to a future Board meeting.

**12. Board may review, discuss, and take action on 2019 Equal Opportunity Plan Report.**

No action taken.

**13. Board may review, discuss, and take action on information regarding the U.S. opioid epidemic, as presented at the University of Arizona College of Medicine Grand Rounds event.**

Ms. Soloman attended the event and updated the Board on discussions that took place.  
No action taken.

**14. Board may review, discuss, and take action regarding the Five-Year Rule Review, including preliminary discussion of administrative rules to be addressed in the Review and future rule package.**

No action taken.

**15. Executive Director Report**

**a. Senate confirmation – Ms. Jane Soloman**

Ms. Soloman updated the Board with respect to her Senate confirmation.

**b. License renewal update**

Matter tabled.

**c. Annual Report of Lobbying Expenditures**

Matter tabled.

**VI. CONSENT AGENDA**

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

1. Burns, Schuyler (R)
2. Bycroft, Jonathan (R)
3. Chen, Kevin (R)
4. Cromwell, Brett (E)
5. Getty, Veronica (E)
6. Giles, Erica (E)
7. Hill, Steve (E)
8. Meyer, Whitney (E)
9. Minardi, Ariel (R)
10. Olson, Hallie (E)
11. Peterson, Jessica (R)
12. Ponder, James (E)

13. Radosevich, Katelin (R)
14. Rytter, Melissa (E)
15. Underhill, Nicole (R)
16. Wimmer, Ann (E)
17. Wood, Sadie (R)
18. Smith, Clayton (E)

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

**B. Approval of Reinstatement of Technician Certification**

1. Rice, Kathrine
2. Judd, Sierra
3. Zondlewski, Shari

**Approval of Reinstatement of Technician Certification granted.**

**C. Approval of Veterinary License**

1. Atiee, Genna (E)
2. Birrenbach, Lindsay (E)
3. Cuddon, Paul (E)
4. Herendeen, Hillary (E)
5. Muller, Elizabeth (E)
6. Shelley, Bert (E)
7. Thiel, Kerri (E)

**Approval of Veterinary License granted.**

**D. Approval of Temporary Permit(s)**

1. Giles, Erica
2. Underhill, Nicole
3. Chen, Kevin
4. Peterson, Jessica

**Approval of Temporary Permits granted.**

**E. Approval to take Technician Exam(s)**

1. Anderson, Abigail
2. Birch, Abigail
3. Cazal, Melissa
4. Chavez, Izamary
5. Cooper, Deborah
6. Clay-Sinkar, Siovhana
7. Dean, Alexandra
8. Gieck, Dennis
9. Glenn, Alyssa
10. Greene, Tiffany
11. Hovinga, Devona
12. Hunsinger, Paige
13. Isbell, Hayley
14. Jouas, Michelle
15. Lamb, Leonard
16. Lantz, Laura
17. Lovato, Isabela

18. Llamas, Guadalupe
19. Lilly, Tisha
20. Milosevic, Michael
21. Montana, Kristen
22. Mosher, Angela
23. Ramirez, Summer
24. Reilly, Krysta
25. Roberts, Kathryn
26. Salois, Leeanne
27. Selby, Gavin
28. Shalley, Natina
29. Spencer, Claire
30. Spofford, Victoria
31. Summers, Bryanna
32. Tobin, Hilary
33. Warren, Cassandra
34. Wollenzier, Julianna
35. Gaspie, Hayley
36. Montgomery, Alyssa
37. Rowe, Nicol

**Approval to Technician Exam(s) granted.**

#### **F. Approval of Premises Change of Scope**

1. R1058: VCA McCormick Ranch Animal Hospital. Add 24-hour Emergency Services. Sundi Ashenfelter, DVM.

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

#### **G. Approval of Premises Licenses**

1. R3199: Edling Consulting, LLC. New Premise. Thomas Edling, DVM
2. R3200: Michael H. Reigger, DVM, A.B.V.P., Address Change. Michael Reigger, DVM
3. R3201: Companion Pet Clinic- Gold Canyon. New Responsible Veterinarian. Erin McNulty, DVM
4. R3202: Ocotillo Animal Clinic and Pet Resort. New Ownership. Leslie Wheeler, DVM
5. R3203: Family Vetcare of Chandler. New Responsible Veterinarian. Travis Wodiske, DVM
6. R3204: Family Vetcare of Mesa. New Responsible Veterinarian. Travis Wodiske, DVM
7. R3205: Family Vetcare of Phoenix. New Responsible Veterinarian. Travis Wodiske, DVM
8. R3206: Faust Animal Hospital. New Ownership. Lara Sosnow, DVM

**G (1), (2), (3), (4), (6) (7) and (8) removed from the Consent Agenda.**

**Approval of Licenses granted.**

#### **H. Approval of Faculty Member License**

1. Dooley, Stephanie

**Approval of Faculty Member License granted.**

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



**Items Removed from Consent Agenda**

**G (1), (2), (3), (4), (6) (7) and (8)**

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

**VII. SUMMARY OF CURRENT EVENTS**

No summary of current events.

**VIII. CALL TO PUBLIC**

A member of the public was present and made comments to the Board.

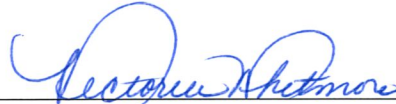
**IX. ESTABLISHMENT OF FUTURE MEETING DATE**

The next *regular* meeting will be held on **Wednesday, March 20, 2019**, beginning at 8:30 a.m. at 1740 W. Adams St., Board Room "A," Phoenix, Arizona, 85007.

**X. ADJOURNMENT**

The meeting adjourned at 12:38 p.m.

Respectfully submitted,



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Victoria Whitmore, Executive Director