

KATIE HOBBS  
- 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

August 16, 2023 at 8:30am

1740 W. Adams Street, Board Room B

Phoenix, Arizona 85007

**Members Present:** Dr. Robyn Jaynes, Ms. Jane Soloman, Mr. Jim Loughead, Dr. Melissa Thompson, Dr. Craig Nausley, Ms. Jessica Creager, Dr. Darren Wright, and Dr. Greg Byrne.

**Members Absent:** Ms. Nikki Frost, CVT.

**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; Annelise VanSchoelandt, Premises Compliance Specialist; and Todd Mannon, Premises Compliance Specialist.

### I. CALL TO ORDER

**Roll call:** Dr. Jaynes at 8:33am.

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

#### 1. 23-125, In Re: Eric Roberts, DVM

After discussion and consideration, a motion was made by Dr. Jaynes and seconded by Dr. Byrne to **dismiss this matter with no violation and issue a Letter of Concern** with respect to communication with the Board and the ability to reach the licensee with time sensitive information. Motion passed 6 ayes, 2 nays (Mr. Loughead and Ms. Soloman).

#### 2. 23-142, In Re: Katherine Norris, DVM

Dr. Norris was present, made statements and answered questions. After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Nausley to offer Dr. Norris a Consent Agreement; adopt the Findings of Fact as the Board's Findings of Fact as drafted in the Investigative Division Report; and find the following violations as the Board's Conclusions of Law:

- **A.R.S. § 32-2233 (B) (1)** failure to timely renew the veterinary license or the premises license while continuing to practice veterinary medicine or conducting business from that premises; and



- **ARS § 32-2232 (18)** as it relates to **AAC R3-11-901 (B)** failure to timely respond to a Board complaint.

The **Consent Agreement** shall include a period of **Probation for 1 year** to obtain eight (8) hours of continuing education in addition to the mandatory requirements to maintain licensure. Those eight (8) hours shall be four (4) hours in governance or regulation in the practice of veterinary medicine and four (4) hours in licensure. The Consent Agreement shall also include a civil penalty of \$350. If the Consent Agreement is not signed in 15 days, the matter will be scheduled to an Informal Interview.

After further discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to amend the sanctions of the Consent Agreement to have Respondent **read the veterinary statutes and rules and provide a written summary of each**; the summary shall be provided on or before the end of the Probationary period as well as a **civil penalty of \$300**. Requirement for continuing education was stricken from the Consent Agreement. Roll call: Mr. Loughead, aye; Dr. Thompson, aye; Ms. Soloman, aye; Dr. Jaynes, aye; Ms. Creager, aye; Dr. Nausley, aye; Dr. Wright, aye; and Dr. Byrne, aye. Motion passed unanimously.

### **3. 23-159, In Re: Larry Hudman, DVM**

Dr. Hudman was present, made statements and answered questions. Hospital Manager Mr. Omeed Parvinmehr was present, made statements and answered questions. After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to adopt the Findings of Fact as the Board's Findings of Fact as outlined in the Investigative Division Report and Staff Memo dated 6/9/23. Motion passed unanimously.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman that based on the Findings of Fact, the following Conclusion of Law be found:

- **A.R.S. § 32-2233 (A) (1)** Unprofessional or dishonorable conduct. Making false reports in writing on two or three occasions to the Board and staff stating that potential violations documented in premises inspections had been remedied;
- **A.R.S. § 32-2274 (A) (3)** A violation of section 32-2233 or any rule adopted pursuant to that section;
- **A.R.S. § 32-2274 (A) (5)** as it relates to **A.A.C. R3-11-502 (D)** When providing a veterinary medical service, a veterinarian shall ensure that no expired supplies are used;
- **A.R.S. § 32-2274 (A) (4)** as it relates to **A.A.C. R3-11-502(J)(2)** failure to that a prescription-only drug or prescription-only device is destroyed or returned to the manufacturer or distributor no later than 30 days after its expiration date;
- **A.R.S. § 32-2274 (A) (4)** as it relates to **A.A.C. R3-11-502(K)(3)** failure to maintain adequate controlled substance dispensing log;
- **A.R.S. § 32-2274 (A) (4)** as it relates to **A.A.C. R3-11-502(L)(7)** failure to consistently document medication name, concentration, amount, frequency and route of administration;
- **A.R.S. 32-2274 (A) (6)** as it relates to **A.A.C. R3-11-502(H)(5)** failure to consistently record the animal's heart rate and respiration rate every 15 minutes while under anesthesia or surgery is performed.

After further discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to amend the Conclusions of Law, striking the following from the Consent Agreement:



- **A.R.S. § 32-2233 (A) (1)** Unprofessional or dishonorable conduct. Making false reports in writing on two or three occasions to the Board and staff stating that potential violations documented in premises inspections had been remedied; and
- **A.R.S. § 32-2274 (A) (3)** A violation of section 32-2233 or any rule adopted pursuant to that section.

Motion passed unanimously.

After further discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to offer Dr. Hudman a **Consent Agreement** that includes a **Stayed Suspension/Probation for a period of 1-year** in order to:

- Obtain a Board approved Practice Monitor. Dr. Hudman shall submit a Practice Monitor for Board approval within thirty (30) days of the effective date of the Consent Agreement; the Board grants authority to Ms. Whitmore to approve the Practice Monitor on the Board's behalf;
- Provide the approved Practice Monitor with a copy of the Consent Agreement;
- Hire the approved Practice Monitor within thirty (30) days after approval by the Board, or its Executive Director, to remedy all violations, train Dr. Hudman and premises staff, conduct random inspections of medical records and protocols and submit reports of observations and progress to the Board every other month until the Board stipulates monitoring is no longer required;
- Review Arizona Revised Statutes Title 32 Chapter 21 (Veterinary Practice Act) and associated Administrative Rules and take the Arizona State Exam and pass with at least 70% correct answers within 90 days of the effective date the Consent Agreement; and
- Pay a \$2500 civil penalty on or before the end of the Probationary period.

If the Consent Agreement is not signed within fifteen (15) days, the matter will be moved to a Formal Hearing. If Dr. Hudman is non-compliant with any of the terms of the Consent Agreement, the Stayed Suspension shall be lifted and his license Suspended. Roll call: Mr. Loughead, aye; Dr. Thompson, aye; Ms. Soloman, aye; Dr. Jaynes, nay; Ms. Creager, aye; Dr. Nausley, aye; Dr. Wright, aye; and Dr. Byrne, aye. Motion passed 7 ayes, 1 nay.

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to refer the matter to DEA if Dr. Hudman's controlled substance logs remain non-complaint. Dr. Hudman was instructed to submit Tramadol drug logs to the Board due to concerns of missing tablets identified at the most current premises inspection. Motion passed unanimously.

### **III. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS**

**1. Combined cases 22-136 & 23-03: In Re: Maya Bellapianta, DVM. Monthly appearance as required by Consent Agreement. Board may review, discuss, and take action on compliance with consent agreement and other information presented.**

Dr. Bellapianta was present with attorney Lisa Bivens, made statements and answered questions in compliance with her Consent Agreement.

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to amend the third ICA to reduce the frequency of PCP (primary care provider) reports from monthly to bimonthly. Roll call: Mr. Loughead, aye; Dr. Thompson,



aye; Ms. Soloman, aye; Dr. Jaynes, aye; Ms. Creager, aye; Dr. Nausley, aye; Dr. Wright, aye; and Dr. Byrne, aye. Motion passed unanimously.

**2. 23-80: In Re: Dawn Hunsberger, VMD. Monthly appearance required by Interim Consent Agreement (ICA). Board may review, discuss, and take action on information presented and may amend ICA or establish a final Consent Agreement.**

Dr. Nausley was recused. Dr. Hunsberger was present, made statements and answered questions in compliance with her Consent Agreement. Dr. Hunsberger reported that she will be at a veterinary conference when the Board meets in September; she will be present at the October Board meeting. The Board acknowledged that Dr. Hunsberger may be called for her random testing while she is at the conference; results may return as a no-show if she cannot find a testing site near the conference.

**3. 23-78: In Re: Sara McMichael, CVT. Quarterly Board appearance as required by Consent Agreement. Board may review, discuss, and take action on information presented, which includes disclosure of reportable charge.**

Ms. McMichael was present, made statements and answered questions. After discussion and consideration, a motion was made by Ms. Soloman to amend Ms. McMichael's Consent Agreement to request a letter from the therapist stating Ms. McMichael can safely and competently work as a CVT. No second; motion failed.

No action taken.

**4. 23-96: In Re: Jaime Pickett, DVM. Board may review, discuss, and take action on compliance with Consent Agreement.**

Dr. Jaynes was recused. Attorney David Stoll was present to monitor. After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Byrne to accept Dr. Pickett's letter in compliance with her Consent Agreement. Motion passed 7 ayes, 1 recusal.

**5. 22-58: In Re: Kenneth Halbach, DVM. Board may review, discuss, and take action on compliance with Consent Agreement and return license to Active status.**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Mr. Loughead to accept Dr. Halbach's submission in compliance with his Consent Agreement and return his license to Active status. Motion passed unanimously.

**6. 22-25: In Re: John McWhirter, DVM. Board may review, discuss, and take action on 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. Soloman to accept Dr. McWhirter's submission in compliance with his Board Order and return his license to Active status. Motion passed unanimously.

**7. 22-36: In Re: Rowena D'Monte, DVM. Board may review, discuss, and take action on compliance with Board Order and may return license to Active status.**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Jaynes to approve Dr. D'Monte's continuing education course in compliance with her Board Order; license with remain on Probation until Dr. D'Monte has completed the CE and has submitted proof of completion. Motion passed unanimously.



**8. 23-148: In Re: Heather Oyan, DVM. Board may review, discuss and take action on Consent Agreement to be offered.**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Jaynes to amend the language in the Consent Agreement to read that the premises license Suspension can be lifted by Ms. Whitmore upon evidence of compliance. Also amended was a typo; change the word "consecutively" to "concurrently." Roll call: Mr. Loughead, aye; Dr. Thompson, aye; Ms. Soloman, aye; Dr. Jaynes, aye; Ms. Creager, abstained; Dr. Nausley, aye; Dr. Wright, abstained; and Dr. Byrne, abstained. Motion passed 5 ayes, 3 abstentions.

**9. 23-72: In Re: Simon Escalada, DVM. Board may review, discuss, and take action on previous vote to issue Order for evaluations.**

- At 10:52am, a motion was made by Mr. Loughead and seconded by Ms. Soloman to go into executive session for legal advice.
  
- At 11:01am, the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Thompson and seconded by Ms. Soloman to rescind the requirement for Dr. Escalada to undergo a mental and physical evaluation prior to the Informal Interview. Roll call: Mr. Loughead, aye; Dr. Thompson, aye; Ms. Soloman, aye; Dr. Jaynes, aye; Ms. Creager, aye; Dr. Nausley, aye; Dr. Wright, aye; and Dr. Byrne, aye. Motion passed unanimously.

**IV. 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 application requirements, per A.R.S. §41-1001.02:**

**a. Alexandra Moffett**

Ms. Moffett was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Mr. Loughead to find Ms. Moffett's education equivalent to the requirements of A.R.S. §32-2242(B) to apply for the Certified Veterinary Technician examination per A.R.S. §41-1001.02. Motion passed 7 ayes, 1 nay (Ms. Soloman).

**2. Board may review, discuss, and take action on information received on Jacqueline B (JB) Magill, CVT.**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to open an investigation with respect to CVT Magill's conduct. Motion passed unanimously.

**3. Board may review, discuss, and take action on information received on Danielle Hinch, possible unlicensed practitioner.**

After discussion and consideration, a motion was made by Mr. Loughead and seconded by Dr. Wright to open an investigation with respect to Ms. Hinch's conduct. Motion passed unanimously.

**4. Board may review, discuss, and take action on information regarding reportable charge, re: Emily Young, CVT.**

After discussion and consideration, a motion was made by Dr. Byrne and seconded by Dr. Wright to open an investigation with respect to CVT Young's conduct. Motion passed unanimously.

**5. Board may review, discuss, and take action on premises inspection results:**

**a. P0735. Pride Animal Hospital. Roger Chen, DVM**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to open an investigation with respect to Dr. Chen's non-compliance premises issues. Motion passed unanimously.

**b. R1568. PAWS Veterinary Clinic, PC. Wendy Holst, DVM**

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

**c. R2597. Quartz Mountain Animal Hospital. Diego Florez, DVM**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Jaynes to re-inspect Quartz Mountain Animal Hospital in six (6) months. Motion passed unanimously.

**6. Board may review, discuss, and take action on American Association of Veterinary State Boards' (AAVSB) proposed bylaws amendments.**

Dr. Wright updated the Board with respect to the AAVSB's proposed bylaws amendments. No action taken.

**7. Board may review, discuss, and take action on reportable charge from Sean Penn, DVM.**

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

- At 9:31am, a motion was made by Dr. Byrne and seconded by Ms. Soloman to go into executive session for legal advice. Motion passed unanimously.
- At 9:43am, the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Byrne and seconded by Mr. Loughead to have Dr. Penn keep the Board updated on what transpires through the legal process and take no action. Motion passed 7 ayes, 1 nay (Ms. Soloman).

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

**a. Etta Watts**

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

**b. L. Scott Papas**

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Jaynes to approve applicant Papas's veterinary license application. Motion passed unanimously.



**9. Board may review, discuss, and take action on veterinary license open complaint in North Carolina:**

**a. Amanda Gray, DVM**

After discussion and consideration, the Board directed staff to have Dr. Gray provide the Board with an update of the outcome of the complaint 30 – 60 days post resolution.

**10. Board may review, discuss, and take action on utilization of Exam Remote Item Writing training offered by American Association of Veterinary State Boards.**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Dr. Wright to approve utilization of Exam Remote Item Writing training offered by American Association of Veterinary State Boards. Motion passed unanimously.

**11. Board may review, discuss, and take action on appointing a veterinary faculty member to the Joint Study Committee on Statewide Animal Control Standards:**

**a. Nancy Bradley, DVM**

**b. Bonnie Buntain, DVM**

**c. Rachel Kreisler, VMD**

Dr. Thompson was recused. After discussion and consideration, a motion was made by Mr. Loughead and seconded by Ms. Soloman to appoint Dr. Buntain as veterinary faculty member to the Joint Study Committee on Statewide Animal Control Standards. Roll call: Mr. Loughead, aye; Dr. Thompson, recused; Ms. Soloman, aye; Dr. Jaynes, nay; Ms. Creager, nay; Dr. Nausley, nay; Dr. Wright, nay; and Dr. Byrne, nay. Motion failed, 5 nays, 2 ayes, 1 recusal.

After further discussion and consideration, a motion was made by Dr. Jaynes and seconded by Ms. Creager to appoint Dr. Bradley as veterinary faculty member to the Joint Study Committee on Statewide Animal Control Standards. Roll call: Mr. Loughead, nay; Dr. Thompson, recused; Ms. Soloman, aye; Dr. Jaynes, aye; Ms. Creager, aye; Dr. Nausley, aye; Dr. Wright, aye; and Dr. Byrne, aye. Motion passed 6 ayes, 1 nay, 1 recusal.

**12. Executive Director Report**

**a. FY25 Budget process**

Ms. Whitmore updated the Board on the FY 25 Budget process.

**V. REVIEW AND APPROVAL OF MINUTES**

**1. July 19, 2023 Regular Session**

After discussion and consideration, a motion was made by Ms. Soloman and seconded by Mr. Loughead to approve the July 19, 2023 regular session minutes as amended. Motion passed 5 ayes, 3 abstentions (Dr. Byrne, Dr. Wright and Ms. Creager).

**VI. CONSENT AGENDA**

**A. Approval of Premises Licenses – Responsible Veterinarian listed**

1. R4204: Leverenz Veterinary LLC. New Premise. Nancy Leverenz, DVM.
2. R4205: The Scottsdale Veterinary Clinic. New Premise. William Langhofer, DVM.
3. R4206: TFBDDVM LLC. New Premise. Toni Barnes, DVM.
4. R4207: Rio Verde Animal Hospital. New Premise. Michael Peplowski, DVM.



5. R4208: Pima Medical Institute. New Responsible Veterinarian. Stephanie Schlachter, DVM.
6. R4210: Happy Tails Trails. New Premise. Annah Hanson, DVM.
7. R4211: ShotVet. New Premise. Ivan Weinstein, DVM.
8. R4213: ShotVet. New Premise. Ivan Weinstein, DVM.
9. R4215: Ironwood Veterinary Clinic. New Responsible Veterinarian. Shane Garner, DVM.
10. R4216: A Loving Farewell. New Premise. Lauren Clement, DVM.
11. R4217: Petsmart Veterinary Services. New Responsible Veterinarian. Catherine Klein, DVM.
12. R4218: Hayden Road Animal Hospital (Wellness Center): New Premise. Ryan Svoboda, DVM.
13. R4219: Arizona Humane Society Healthy Tails II. Address Change. Steven Hanson, DVM.
14. R4221: Dr. Kelly's Surgical Unit – Tucson East. New Responsible Veterinarian. Tami Mares-Ziehm, DVM.
15. R4222: Legacy Animal Hospital. New Owner. Jeovanny Toribio, DVM.
16. R4238: ShotVet. New Responsible Veterinarian. Ivan Weinstein, DVM.
17. R4229: Altered Tails Barnhart Clinic. New Responsible Veterinarian. Julia Neufeld, DVM
18. R4240: ShotVet. New Responsible Veterinarian. Ivan Weinstein, DVM

**A (5), (8), (13), (14) and (16) were removed from Consent Agenda.**

**Approval of Premises Inspections granted.**

**B. Approval of Random Premises Inspections** – Responsible Veterinarian listed

1. P0134: Gilbert Veterinary Hospital. Beverly Scott, DVM
2. P0478: Adobe Veterinary Clinic. Greg Heitman, DVM
3. P0968: Desert Hills Animal Hospital. Stewart Cellars, DVM
4. R0244: Speedway Animal Hospital. Kayla Boyer, DVM
5. R0590: Caring Critters Animal Hospital and Veterinary Service. Robin Zimmerman, DVM
6. R0814: Indian School Animal Hospital. Loretta Delac, DVM
7. R1107: Sugarloaf Animal Hospital. Amrit Rai, DVM
8. R1114: Broadway Animal Hospital. Janet Mueller, DVM
9. R1345: Priority Pet Hospital. Karin Burns, DVM
10. R1460: Larkspur Cat Clinic. Justin Smith, DVM
11. R1472: Apollo Animal Hospital. Charles Toben, DVM
12. R1527: Central Mesa Veterinary Hospital. Dawn Senter, DVM
13. R2401: Ambulatory Equine Veterinary Services. Susan Roach, DVM
14. R2475: Jerry Weil, DVM. Jerry Weil, DVM
15. R2512: Cave Creek Equine Sports Medicine and Surgery. Martin Vidal, DVM
16. R2547: Homeward Bound Spay Neuter Hospital. Jill Askew, DVM
17. R2575: Market Street Pet Hospital. Bruce Vernon, DVM
18. R2578: Great Hearts Animal Hospital of Chandler. Sun-Jung Lim, DVM
19. R2480: Phoenix Veterinary Center. Evan Ware, DVM
20. R2600: Arizona Animal Wellness Center. Parva Bezruczyk, DVM
21. R2704: All Creatures Veterinary Services. Monika Knoblich, DVM
22. R0503: Rio Colorado Veterinary Service LLC. Ernesto Sandigo, DVM
23. R2332: North Valley Equine. Jimmy Merrill, DVM
24. R2502: High Country Pet Clinic. Leon Ford, DVM

**B (8) was removed from the Consent Agenda.**

**Approval of Random Premises Inspections granted.**



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

**Items Removed From Consent Agenda:**

**A (13) and (14).**

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

**A (5), (8), (16) and B (8).**

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

**VII. SUMMARY OF CURRENT EVENTS**

Ms. Soloman reported that the first class of University of Arizona veterinary students would be graduating in August.

**VIII. CALL TO THE PUBLIC**

No member of the public wished to address the Board.

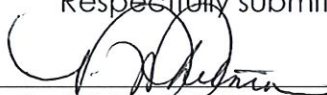
**IX. ESTABLISHMENT OF FUTURE MEETING DATE**

The next regular meeting will be held on **Wednesday, September 20, 2023**, beginning at 8:30 a.m. at 1740 W. Adams Street, Board Room "B," Phoenix, Arizona, 85007. One or more Board members may appear telephonically.

**X. ADJOURNMENT**

Meeting adjourned at 11:42am

Respectfully submitted,

  
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Victoria Whitmore, Executive Director