



DOUGLAS A. DUCEY
- 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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VETBOARD.AZ.GOV

MINUTES

September 14, 2016

Board Room, at 8:30 a.m.

**9535 E. Doubletree Ranch Rd., Board room
Scottsdale, Arizona 85258**

Members Present: Mr. Jim Loughhead, Dr. Les Hatfield, Ms. Jessica Amend, Dr. Sarah Heinrich, Dr. Darren Wright, Dr. Christina Bertch-Mumaw, Dr. J. Greg Byrne, Ms. Julie Young and Ms. Nikki Frost, CVT.

Staff and Legal Counsel Present: Ms. Victoria Whitmore, Executive Director; Ms. Sunita Krishna, Assistant Attorney General (A.A.G.); Ms. Kodi Calais, Licensing Administrator; and Ms. Tracy Riendeau, CVT, Senior Medical Investigator.

I. CALL TO ORDER

Roll call: Dr. Bertch-Mumaw at 8:30 a.m.

II. INITIAL INVESTIGATIVE REVIEW

1. 16-86 In Re: Tressa MacLennan, DVM

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

2. 16-87 In Re; Willow Payton, DVM

Attorney David Stoll was present and made a statement on behalf of Dr. Payton. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to schedule this matter for an **Informal Interview**. Motion passed unanimously.

3. 16-88 In Re: Gurjit Sandhu, DVM

Dr. Sandhu was present with attorney David Stoll and made statements. After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to schedule this matter for an **Informal Interview**. Motion passed unanimously.

4. 16-90 In Re: Melissa Kubai, DVM

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 unanimously.

5. 16-91 In Re: Amy Jakobe, DVM

Dr. Jakobe was present with attorney David Stoll and made statements. Ms. Jane Hendricks was present and made statements. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to schedule this matter for an **Informal Interview**. Motion passed unanimously.

6. 16-93 In Re: Melissa Kubai, DVM

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

III. INFORMAL INTERVIEWS AND BOARD DELIBERATION

1. 16-85: In Re: Lorna Lanman, DVM

Dr. Lanman was present with attorney David Stoll, made statements and answered questions. Ms. Silva Aguilar was present, made statements and answered questions.

- At 9:50am, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to go into executive session for legal advice.
- At 10:01am, the Board entered back into open session.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Heinrich to find Dr. Lanman in violation of:

- **A.R.S. § 32-2232 (11) Malpractice, Gross incompetence and Gross negligence:** *For failure to use scientifically accepted diagnostic methods to evaluate a critically ill patient; not referring the patient for immediate care or engaging in critical care for a patient that is dyspneic; and failure to communicate the seriousness of the disease process to the pet owner.*

Motion passed 7 ayes, 2 nays (Dr. Bertch-Mumaw and Ms. Young).

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to find Dr. Lanman in violation of:

- **A.R.S. § 32-2232 (12) as it relates to A.A.C. R3-11-501 (9)** *for altering the dog's medical records based on the fact that the Board received three (3) different sets of medical records which clearly have inconsistent and different information.*

Motion passed 7 ayes, 2 nays (Dr. Bertch-Mumaw and Ms. Young).

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Bertch-Mumaw to find Dr. Lanman in violation of:

- **A.R.S. § 32-2232 (18) as it relates to A.A.C. R3-11-901 (B)** *for failure to submit a complete response to the complaint to the Board within fifteen (15) days from the date of the notice; the medical records were submitted well after the required fifteen (15) days regardless of the interpretation of the date to be submitted.*

Motion passed unanimously.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Wright to find Dr. Lanman in violation of:

- **A.R.S. § 32-2232 (21)** as it relates to **A.A.C. R3-11-502 (L) (7) (a)** for failure to document the amount of furosemide administered to the dog.
Motion passed unanimously.

2. 16-80: In Re: Robert Thrift, DVM

Dr. Thrift was present with attorney David Stoll, made statements and answered questions. Ms. Marchita Hobson was present, made statements and answered questions. Ms. Jennie LaHaye was present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to issue Dr. Thrift a **Letter of Concern** for failure to have clear and complete medical records. Motion passed unanimously.

3. 16-63: In Re: Sara Koehn, DVM

Dr. Koehn was present with attorney David Stoll, made statements and answered questions. Ms. Hilda Marquez and Ms. Elisa Marquez were present, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Ms. Frost to find Dr. Koehn in violation of:

- **A.R.S. § 32-2232 (21)** as it relates to **A.A.C. R3-11-502**:
 - **(H) (3)** failure to document "Shortie's" and "Dollie's" heart rate and respiration rate in the medical record immediately after giving a general anesthetic and monitoring and recording every 15 minutes while anesthesia was being administered on February 3, 2016;
 - **(L) (4)** failure to document "Dollie's" heart rate and respiration rate in the medical record on February 2, 2016;
 - **(L) (7)** failure to document the general anesthetic, isoflurane, administered to "Dollie" and "Shortie" on February 3, 2016; and
 - **(L) (7) (b)** failure to document the amount of IV fluids administered to "Dollie" on February 3, 2016.

Motion passed 5 ayes, 4 nays (Dr. Byrne, Dr. Hatfield, Mr. Loughhead, and Ms. Young).

After further discussion and consideration, a motion was made by Dr. Hatfield and seconded by Dr. Wright to issue Dr. Koehn a **Letter of Concern** for not addressing the possible testicular abnormalities, or any other abnormalities, that resulted in the pet owner to present an aged animal for a neuter. Motion passed 7 ayes, 2 nays (Dr. Bertch-Mumaw and Dr. Byrne).

4. 16-81: In Re: Kelly Hehn, DVM.

Dr. Hehn was present with attorney David Stoll, made statements and answered questions. After discussion and consideration, a motion was made by Ms. Frost and seconded by Dr. Bertch-Mumaw to issue Dr. Hehn a **Letter of Concern** regarding performing surgery on an animal without authorization from the pet owner. **Motion failed; 2 ayes, 7 nays.**

After further discussion and consideration, a motion was made by Dr. Heinrich and seconded by Dr. Hatfield to **dismiss** this issue with no violation. **Motion passed, 8 ayes, 1 nay (Ms. Frost).**

IV. ADMINISTRATIVE REVIEW OF PREVIOUS ACTIONS

1. 11-99: In Re: Audie Wood, DVM. Annual Board appearance as required by Board Order. Board may review, discuss, and take action on returning license to Active status.

Dr. Wood appeared, made statements and answered questions. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to return Dr. Wood's license to Active status. Motion passed unanimously.

2. 14-86: In Re: Carolyn Wulf, DVM. Board may review, discuss, and take action on disciplinary action by State of California Veterinary Medical Board.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Amend to offer Dr. Wulf a Consent Agreement to voluntarily surrender her veterinary license. If Dr. Wulf does not sign the Consent Agreement in 60 days, the matter will be scheduled for a Formal Hearing for possible revocation of licensure. Roll call: Dr. Hatfield, aye; Ms. Frost, aye; Ms. Amend, aye; Dr. Bertch-Mumaw, aye; Mr. Loughead, aye; Dr. Heinrich, aye; Dr. Wright, aye; Ms. Young, aye; and Dr. Byrne, aye. Motion passed unanimously.

V. REPORTS, CORRESPONDENCE, REFERRALS AND OTHER BUSINESS

1. Board may review, discuss, and take action on Jana Echols, registered Equine Dental Provider.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to remove Ms. Echols from the Equine Dental Provider registry as she is non-compliant with the statutory requirements. Motion passed unanimously.

2. Board may review, discuss, and take action on verification of equine dental practitioner contact information.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to forward this issue to the legislative subcommittee for review. Staff was directed to initiate a process to periodically verify that the Supervising Veterinarian for each equine dental practitioner continues in that role. Motion passed unanimously.

3. Board may review, discuss, and take action on complaint received regarding a shelter animal.

No action taken.

4. Board may review, discuss and take action on Veterinary Technician Certification pending receipt of issuance fee.

- a. Carlos Aguilar
- b. Kaydie Ahern
- c. Belinda Brooks
- d. Lisa Budelier
- e. Angella Dethlefsen
- f. Kori Dwyke
- g. Ashlin Doherty
- h. Mackenzie Farmer
- i. Sonjah Frank
- j. Sandra Gomez
- k. Breanna Henry

- l. Danielle Herzog**
- m. Amber Julio**
- n. Adam Kurec**
- o. Desiree Longstreth**
- p. Hillary Merk**
- q. Rachel Miller**
- r. Lynn Parkhurst**
- s. William Pritchard**
- t. Jamie Sapien**
- u. Heather Schroeder**
- v. Sydnee Scott**
- w. Miranda Sierra**
- x. Lauren Spies**
- y. Jonea Stropko**
- z. Savannah Vasquez**
- aa. Jazzmyn Woods**

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Wright to approve the above Veterinary Technician Certification pending issuance fee. Motion passed unanimously.

5. Board may review, discuss, and take action on Temporary Permit request pending submission of proof of graduation and affidavit requesting permit.

a. Rachel Micek (R)

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Hatfield to approve Ms. Micek's request for Temporary Permit pending submission of proof of graduation and affidavit requesting permit. Motion passed unanimously.

6. Board may review, discuss and take action on Veterinary application and request for Temporary Permit.

a. Caitlin Jablonski (R)

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Ms. Young to approve Ms. Jablonski veterinary application and request for Temporary Permit. Motion passed unanimously.

7. Board may review, discuss and take action on Veterinary License pending receipt of issuance fee and proof of graduation.

a. Wesley Arnold (R)

b. Chelsie Daniel (R)

c. Daniel Haeflinger (R)

d. Danelle Jackson (R)

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Bertch-Mumaw to approve the above veterinary licenses pending receipt of issuance fee and proof of graduation. Motion passed unanimously.

8. Board may review, discuss, and take action on request for Reinstatement of Veterinary License.

a. Wade Walker

After discussion and consideration, motion was made by Dr. Wright and seconded by Ms. Amend to approve Dr. Walker's request for restatement of his veterinary license. Motion passed unanimously.

9. Board may review, discuss, and take action on reportable charges by Matthew McDaniel, DVM.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to take no action at this time and direct Dr. McDaniel to send information pertaining to the case resolution for Board review. Motion passed unanimously.

10. Board may review, discuss, and take action on premise inspection report for re: R2337, Hermosa Veterinary Clinic; Responsible Veterinarian: Walter Kurth, DVM.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to direct staff to re-inspect the above premise within the next year to verify compliance with issues noted in recent inspection. Motion passed unanimously.

11. Board may review, discuss, and take action on new RACE (Registry of Approved Continuing Education) Standards by the American Association of Veterinary State Boards (AAVSB).

No action taken.

12. Board may review, discuss, and take action on American Association of Veterinary State Board's (AAVSB) 2016 Nominating Committee Report.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Ms. Young to allow Mr. Loughhead to use his discretion when voting on AAVSB Board of Directors and other leadership positions while at the 2016 AAVSB Annual Meeting. Motion passed 8 ayes, 1 nay (Dr. Hatfield).

13. Board may review, discuss, and take action on annual report to the Governor.

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Wright to approve the annual report to the Governor. Motion passed unanimously.

14. Board may review, discuss, and take action on required report to Arizona Department of Administration regarding compensation and expense reimbursement for board members paid in 2015 and 2016, per Senate Bill 1421.

After discussion and consideration, a motion was made by Ms. Amend and seconded by Dr. Bertch-Mumaw to approve the report to the ADOA regarding compensation and expense for board members paid in fiscal years 2015 and 2016. Motion passed unanimously.

15. Board may review, discuss, and take action on Executive Order 2016-05, which prohibits the use of contract lobbyists.

Ms. Whitmore reviewed a memo from the Arizona Department of Administration concerning the Executive Order. No action taken.

16. Board may review, discuss, and take action on ADOA Feasibility Study of the Consolidation of Non-health and Occupational Licensing Facilities.

No action taken.

17. Board may review, discuss, and take action on the issue of veterinarians who are treating an animal belong to his/her employer being exempt from the Veterinary Practice Act and possible legislation to address the matter.

Mr. Loughead and Dr. Hatfield reported that they had attended a meeting with Senator Kavanagh per his request, to provide information pertaining to issues surrounding individuals who are exempt from the Veterinary Practice Act. There was consensus that the Board was open to considering changes to the Practice Act to resolve the issue.

18. Board may review, discuss, and take action on requirement for Certified Veterinary Technician applicants to have graduated from a two-year curriculum in veterinary technology, or the equivalent of such graduation as determined by the Board vs. certification by experience.

The Board directed staff to forward this matter to the legislative subcommittee for further discussion.

19. Board may review, discuss, and take action on appointing a legislative sub-committee.

After discussion and consideration, Mr. Loughead, Dr. Wright, Ms. Frost, and Ms. Young volunteered to be appointed to a legislative subcommittee.

20. Board may review, discuss, and take action on proposed audits of required continuing education reported on veterinary and Certified Veterinary Technician renewal applications.

The Board discussed that with the new online license renewal system, there will not be an option for licensees to upload documents, thus it was recommended that it be publicized to licensees and certificate holders that random audits will occur, resulting in the licensee/certificate holder being required to submit written proof of completion of required continuing education.

21. Executive Director Report

a. FY16 financial and performance reports

Ms. Whitmore reviewed the year-end FY16 financial reports and performance measures.

b. Relocation update

Ms. Whitmore reported that ADOA has informed her that the agency must move to 1740 W. Adams in May or June 2017, due to the sale of the agency's current building. ADOA expects to obtain an appropriation on the Board's behalf for the move and any build-outs required; thus, the Board's fund will pay for all expenses.

c. AAVSB conference – Sept. 22-24, 2016

Ms. Whitmore provided an update about the upcoming meeting in Scottsdale.

d. November and December board meeting dates

Ms. Whitmore stated that the November meeting is scheduled for Thursday, November 17th and the December meeting is the second Wednesday of the month, December 14th.

22. Board may conduct training regarding Board meeting procedures and review of statutes and administrative rules pertaining to complaint investigations and related disciplinary action.

Ms. Whitmore and Ms. Krishna reviewed Board meeting procedures in accordance to the statutes and administrative rules with respect to disciplinary action.

VI. REVIEW AND APPROVAL OF MINUTES

a. August 17, 2016 Regular Session

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Wright to approve the August 17, 2016 regular session minutes. Motion passed 8 ayes, 1 abstention (Dr. Byrne).

b. August 17, 2016 Executive Session

After discussion and consideration, a motion was made by Dr. Bertch-Mumaw and seconded by Dr. Wright to approve the August 17, 2016 executive session minutes. Motion passed 8 ayes, 1 abstention (Dr. Byrne).

VII. CONSENT AGENDA

A. Approval to take State Veterinary Exam

1. Bazlova, Polina (R)
2. Campabadal, Katherine (R)
3. Furhman, Joy (R)
4. Heuss, Jessica (E)
5. Bondy, Peter (E)
6. Micek, Rachel (R)
7. Patterson, Coretta (E)
8. Sandhu, Kanwarjot (R)
9. Westermann, Jacelyn (R)

A (3) Removed from Consent Agenda.

Approval to take the State Veterinary Exam granted.

B. Approval of Premise Licenses

1. **R2689: Animal Medical & Surgical Center.** New Owner. John Wheeler, DVM.
2. **R2690: Dynamite Animal Hospital.** New Owner. Carla Smith, DVM.
3. **R2691: Animal Clinic Del Rancho.** New Owner. Bridget Stewart, DVM.
4. **R2693: Banfield Pet Hospital #1145.** New Responsible Veterinarian. Amanda Clanin, DVM.
5. **R2694: VCA Animal Medical Center of Tucson.** New Responsible Veterinarian. Annette Brunner, DVM.
6. **R2696: Companion Pet Clinic.** New Responsible Veterinarian. Stephanie Howton, DVM.
7. **R2697: Vet Med Consultants, Inc.** New Owner. T. Arch Robertson, DVM
8. **R2698: Vet Med Consultants, Inc.** New Premise. T. Arch Robertson, DVM
6. **R2699: Sonoran Veterinary Center.** New Premise. Julie Yeager, DVM.
7. **R2700: Veterinary Specialty Center of Tucson.** New Responsible Veterinarian. Cody Alcott, DVM.

B (1), (7), and (8) Removed from Consent Agenda.

Approval of Premise Licenses granted.

C. Approval of Random Premise Inspections

1. **P0356: Veterinary Housecalls** – Drew Stern, DVM
2. **P0651: Herd Health – Grandes Especies.** Karl Pew, DVM
3. **R0079: Leonard Partridge, DVM.** Leonard Partridge, DVM.
4. **R0143: Picture Rocks Veterinary Home Care.** Cynthia Hudman-Kern, DVM
5. **R0847: Christo Veterinary Services.** Allen Christo, DVM
6. **R1080: St. Francis Veterinary Group.** Lee Fike, DVM
7. **R1133: Mobile Veterinary Services.** Daniel Martin, DVM
8. **R2019: Camelback Animal Clinic.** Manuel Cruz Castenedo, DVM
9. **R0503: Rio Colorado Veterinary Service, LLC.** Ernesto Sandigo, DVM

C (2) and (8) Removed from Consent Agenda.

Approval of Random Premise Inspections granted.

D. Approval to take Certified Veterinary Technician Exams

1. Counter, Rebecca
2. Robles, Sara
3. Bring, Jenna
4. Trifkovic, Milanka

Approval to take Certified Veterinary Technician Exam granted.

E. Approval of Temporary Permits

1. Fuhrman, Joy
2. Bondy, Peter (E)
3. Campabadal, Katherine (R)

E (1) Removed from Consent Agenda

Approval of Temporary Permits granted.

F. Approval of Veterinary License

1. Craig, Barbara (E)
2. Goldstein, Gary (E)
3. Schatzberg, Scott (E)
4. Serratore, Vanessa (E)
5. Vera, Irina (R)
6. Waters, Laura (E)

Approval of Veterinary Licenses granted.

After discussion and consideration, a motion was made by Dr. Hatfield and seconded by Bertch-Mumaw to approve the Consent Agenda as amended. Motion passed unanimously.

Items Removed From Consent Agenda

B (7) R2697: Vet Med Consultants, Inc. New Owner. T. Arch Robertson, DVM

B (8) R2698: Vet Med Consultants, Inc. New Premise. T. Arch Robertson, DVM

C (2) P0651: Herd Health – Grandes Especies. Karl Pew, DVM

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Bertch-Mumaw to approve the above pending compliance. Motion passed unanimously.

B (1) R2689: Animal Medical & Surgical Center. New Owner. John Wheeler, DVM.

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr.

Bertch-Mumaw to approve the above premise pending inspection and compliance. Motion passed unanimously.

A (3) and E (1) Fuhrman, Joy (R)

Dr. Bertch-Mumaw and Ms. Frost recused. After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to approve Ms. Fuhrman's Temporary Permit and take the state veterinary exam. Motion passed 7 ayes, 2 recused (Dr. Bertch-Mumaw and Ms. Frost).

C (8) R2019: Camelback Animal Clinic. Manuel Cruz Castenedo, DVM

After discussion and consideration, a motion was made by Dr. Wright and seconded by Dr. Hatfield to direct staff to re-inspect the premise within the year to verify compliance with issues noted at recent inspection. Motion passed unanimously.

VIII. SUMMARY OF CURRENT EVENTS

No current events.

IX. CALL TO PUBLIC

No member of the public wished to speak.

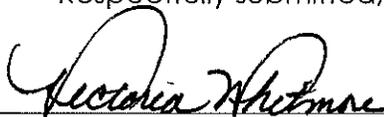
X. ESTABLISHMENT OF FUTURE MEETING DATE

The next regular meeting will be held on Wednesday, October 19, 2016, beginning at 8:30 a.m. at 9535 E. Doubletree Ranch Road, Board Room, Scottsdale, Arizona 85258.

XI. ADJOURNMENT

The meeting adjourned at 3:40p.m.

Respectfully submitted,



Victoria Whitmore, Executive Director