BOARD MEETING

at

Hyatt Place
1790 East Plumb Lane
Reno, Nevada 89502

Thursday, July 18, 2013

MINUTES

BOARD MEMBERS PRESENT
Richard Simmonds, DVM – President
William Taylor, DVM - Vice-President
Ronald Sandoval, DVM
Scott Bradley, DVM
Steve Damonte, DVM
Sherita Rogers

BOARD MEMBERS NOT PRESENT
Kevin Collins, DVM

BOARD STAFF PRESENT
Debbie Machen - Executive Director
Tracie Estep – Administrative Asst.
Louis Ling, Esq. – Board Counsel
Christina Johnson, LVT – Inspector
Patricia Handal, DVM-Investigator
Dr. Simmonds called the meeting to order at 9:16 a.m. and welcomed Sherita Rogers, the new Public Member, to the Board. Ms. Rogers provided the Board with an overview of her background.

1. **Public Comment:**
   Dr. Carl Kelly was present and discussed how difficult the hearing was on him. He felt he was a victim of emotions and misunderstandings and had to accept his attorney's interpretation of the case. He had no intention of discrediting the Board or staff; this was his attorney’s idea. He discussed his concerns with the disciplinary actions that the Board takes being displayed on the internet and affecting the reputation of the veterinarian.

2. **Approval of Board Minutes**
   **A. April 25, 2013 Board Meeting**
   
   **Motion:** Dr. Taylor moved to accept the minutes as presented.
   **Second:** Dr. Bradley
   **Passed:** Unanimous

3. **Review & Determination of Complaints/Disciplinary Action:**
   **A.** HS01-122612 – Maninder Herr, DVM License #1401 – Consent Decree
   
   **Motion:** Dr. Sandoval moved to accept the Consent Decree as written.
   **Second:** Dr. Damonte
   **Passed:** Dr. Bradley abstained

   **B.** GS02-102212 – Bradley Gilman, DVM License #1759 – Consent Decree
   
   **Motion:** Dr. Taylor moved to accept the Consent Decree as written.
   **Second:** Dr. Bradley
   **Passed:** Dr. Sandoval abstained

   **C.** SN01-043013 – Rebecca Sarratea, LVT, License #LVT164 – Letter of Reprimand
   
   **Motion:** Dr. Sandoval moved to accept the Letter of Reprimand as written.
   **Second:** Dr. Taylor
   **Passed:** Dr. Simmonds abstained

   **D.** AN01-020813 – Maureen Adams, DVM License #1060/All Creatures Veterinary Hospital License #H126 – Letter of Reprimand
   
   **Motion:** Dr. Taylor moved to accept the Letter of Reprimand as written.
   **Second:** Ms. Rogers
   **Passed:** Dr. Bradley abstained

   **E.** HO01-053013 – Amanda Holland, DVM, License #1777 - Letter of Reprimand
   
   **Motion:** Dr. Taylor moved to accept the Letter of Reprimand as written.
   **Second:** Dr. Bradley
   **Passed:** Dr. Simmonds abstained.
F. LS01-052113
Discussion: This complaint has been tabled for further investigation.

Motion: Dr. Taylor moved to table and to amend the complaint.
Second: Dr. Damonte
Passed: Unanimous. Dr. Sandoval abstained.

G. SN01-053113
Discussion: The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action. Following the discussion, the Board concurred with the panel’s recommendation.

Motion: Dr. Taylor moved to dismiss.
Second: Dr. Sandoval
Passed: Unanimous. Dr. Bradley abstained.

H. TS01-052013
Discussion: The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action. Following discussion, the Board concurred with the panel’s recommendations. Mr. Von, the complainant, was present and addressed his concerns with the Board regarding the treatment of his dog ‘Annie.’

Motion: Dr. Damonte moved to dismiss.
Second: Dr. Sandoval
Passed: Unanimous. Dr. Simmonds and Dr. Taylor abstained.

I. BS01-042513
Discussion: The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of caution to the licensee regarding the veterinarian failing to do a physical examination on the cat during a recheck when the condition of the cat was worsening.

Motion: Dr. Taylor moved to dismiss with a letter of caution.
Second: Dr. Sandoval
Passed: Unanimous. Dr. Simmonds abstained.

J. FS01-042213
Discussion: After discussion of the complaint the review panel recommended that disciplinary action be initiated against the licensee.

Motion: Dr. Taylor moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to proceed with disciplinary action.
Second: Dr. Bradley
Passed: Unanimous. Dr. Sandoval abstained.

K. HS01-041713
Discussion: The review panel recommended the Board dismiss the complaint due to the fact that
there was not sufficient evidence to believe that the licensee had committed an act which constitutes a cause for disciplinary action and send a letter of caution to the licensee regarding an animal being deemed ‘fractious.’ A physical examination as defined in NAC 638.710 should be done during anesthesia.

**Motion:** Dr. Taylor moved to dismiss with a letter of caution.
**Second:** Dr. Sandoval
**Passed:** Unanimous. Dr. Damonte abstained.

L. **SS01-052413**
**Discussion:** The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act that constitutes a cause for disciplinary action and send a letter of caution to the licensee regarding clients being educated to the risks of declining the use of an e-collar and the documentation of the conversation in the medical record.

**Motion:** Dr. Taylor moved to dismiss with a letter of caution.
**Second:** Dr. Sandoval
**Passed:** 3-yes; 1 nay (Bradley); Motion Passed; Dr. Damonte abstained.

M. **MN01-052813/SN01-052813**
**Discussion:** The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act that constitutes a cause for disciplinary action. Following the discussion, the Board concurred with the panel’s recommendations.

**Motion:** Dr. Sandoval moved to dismiss.
**Second:** Dr. Damonte
**Passed:** Unanimous. Dr. Taylor abstained.

N. **AN01-061013**
**Discussion:** The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act that constitutes a cause for disciplinary action. Following the discussion, the Board concurred with the panel’s recommendations.

**Motion:** Dr. Sandoval moved to dismiss.
**Second:** Dr. Taylor
**Passed:** Unanimous. Dr. Bradley abstained.

O. **RN01-061713**
**Discussion:** The review panel recommended that the Board dismiss the complaint due to the fact that there was not sufficient evidence to believe that the licensee had committed an act that constitutes a cause for disciplinary action. Following the discussion, the Board concurred with the panel’s recommendations.

**Motion:** Dr. Taylor moved to dismiss.
**Second:** Dr. Damonte
**Passed:** Unanimous. Dr. Bradley abstained.
4. Continuing Education—Request for approval of CE’s for:
   C. “A Night of Dermatology”, 2 hours for veterinarians and veterinary technicians.
      Discussion: The Board reviewed the continuing education evaluation presented by Dr. Simmonds.
      Motion: Dr. Taylor moved to accept for the requested hours.
      Second: Dr. Bradley
      Passed: Unanimous.

B. “Emerging Trends & Updates in Dermatology”, 2 hours for veterinarians and veterinary technicians.
   Discussion: The Board reviewed the continuing education evaluation presented by Dr. Simmonds.
   Motion: Dr. Taylor moved to accept for the requested hours.
   Second: Dr. Bradley
   Passed: Unanimous

5. Requests for Licensure/Reinstatement/Old Business
   A. Michael Thompson, Application for Veterinary Technician-in-Training/Licensed Veterinary Technician
      Discussion: Mr. Thompson submitted an application for VTIT/LVT based on his submitted transcripts from University of Nevada, Reno. Mr. Thompson is a senior and is four classes away from receiving his Bachelor of Science in Community Health Sciences.
      Motion: Dr. Bradley moved to deny this application.
      Second: Dr. Taylor
      Passed: Unanimous. Dr. Sandoval abstained.

6. Discussion of Regulations/New Policies/New Business
   A. Topics of Discussion for New Regulations:
      a) New or revised definitions: veterinarian dentistry; informed consent; veterinary facility; veterinarian-in-charge; and veterinary specialist
      b) Revising continuing education requirements for reinstatement of a license and auditing of continuing education
      c) Requirements for veterinary facilities that board animals
      d) A fee for a duplicate wall certificate license
      e) Euthanasia Technician: The storage and security of sodium pentobarbital
      f) Laser therapy performed by an LVT or unlicensed assistant
      g) Professional Conduct for veterinary technicians
      Discussion: The Board reviewed the proposed language and made the following recommendations.
      Section 2: no changes
      Section 3: add “Floating” to the definition
      Section 4: add, “…client has consented to the recommended treatment plan and/or diagnostics.”
      Section 5-6: no changes
      Section 7: (1) add “boards animals “and e) has procedures in place for administration of drugs, and f) a statement on the boarding contract that states the hours that the boarding facility is staffed."
Section 8: (2) and (3) add, if it is appropriate for the species of animal.
Section 9: add exemptions
Section 10: no changes
Section 11: add continuing education for attending the board meeting during the discussion of complaints.
Section 12-14: no changes
Section 15: New-add to NAC 638.053 (4), laser therapy to the duties a veterinary technician can perform under indirect supervision.
Section 16- New-add to NAC 638.0475, that it must be documented in the medical record of who performed the procedure.

7. Discussion and Determination
   A. Scheduled Board Meetings and Disciplinary Hearings
      Las Vegas- October 23, 2013
      Reno-January 30, 2014
      Las Vegas-April 24, 2014

8. Staff Reports
   A. Financial Report – Debbie Machen
   B. Administrative Report- Tracie Estep
   C. Hospital Inspection Report- Christina Johnson, LVT

   Discussion: The above noted quarterly reports were presented to the Board’s satisfaction. Ms. Machen advised the Board that the yearly financial audit will be scheduled for August or September of 2013.

   D. Legal Report
      Discussion: Mr. Ling provided the Board with an update on the Carl Kelly, DVM appeal. The court affirmed the Board’s decision and awarded the Board attorney’s fees in the matter of the appeal. Dr. Kelly has decided not to pursue any further legal action/appeal.

      Mr. Ling also provided the Board with an update on the unlicensed activity/animal cruelty case that has been turned over the Attorney General’s office for criminal prosecution. The case is currently in mediation and the next hearing is set for August 20, 2013.

9. Public Comment
   None

10. Agenda items for next meeting
    a) Election of officers
    b) Newsletter articles
    c) Board policy on “Conducting a physical examination on a fractious animal.”

11. Adjournment
    The Board meeting was adjourned at 3:45 p.m.