

# STATE OF NEVADA



## BOARD OF VETERINARY MEDICAL EXAMINERS

**Thursday, October 22, 2020 at 9:00AM**  
**at the following conference number:**  
**1-857-799-9907**

PER THE NEVADA GOVERNOR'S DECLARATION OF EMERGENCY DIRECTIVE 006, WHICH REMAINS IN EFFECT THROUGH APRIL 30, 2020, PHYSICAL LOCATIONS FOR PUBLIC MEETINGS ARE SUSPENDED. PLEASE MAKE ARRANGEMENTS TO PARTICIPATE THROUGH THE CONFERENCE CALL NUMBER ABOVE. POSTING OF THE PHYSICAL AGENDA MAY ALSO BE AFFECTED BY THE CLOSURE OF STATE OF NEVADA OFFICES AND LIBRARIES.

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### **Board Members Present**

Steve Damonte, DVM, President  
Ronald Sandoval, DVM, Vice President  
John Bullard, DVM  
James Hengels, RN, BSN

Betsy Phillips, DVM  
Sharon Gorman, DVM  
Melissa Schalles, LVT

### **Board Staff Present**

Jennifer Pedigo, Executive Directors  
Christina Johnson, LVT, Hospital Inspector  
John Crumley, DVM, Board Investigator  
Louis Ling, Esq., Board Counsel

Dr. Damonte called the meeting to order at 9:04 a.m. He took roll call of Board members and staff; Dr. O'Dea was not present.

**Public Comment:** None given.

### CONSENT AGENDA

**1. Approval of Consent Agenda for Possible Action**

- A. 06-2020DVM-28; 06-2020FAC-29**
- B. 06-2020DVM-30**
- C. 08-2020DVM-47**
- D. 08-2020DVM-53; 08-2020FAC-54**

**2. Approval of Board Minutes for Possible Action**

- A. July 23, 2020 Board Meeting minutes**

**Discussion:** The complaints and draft minutes were reviewed by the Board.

**Motion:** Ms. Schalles moved to accept the review panels recommendations for dismissal for Items A – D and approve the minutes are presented.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Gorman abstained from Item A; Dr. Bullard abstained from items B & C; Dr. Sandoval abstained from item D.

No public comment was given.

### REGULAR AGENDA

**3. Review & Determination of Complaints/Disciplinary Action & Disciplinary Hearings for Possible Action:** The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

- A. 10-2018DVM-71: Joshua Rexing, DVM (2012): Settlement Agreement or Board decision for Administrative Hearing.**

**Discussion:** Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

**Motion:** Dr. Damonte moved to accept the Settlement Agreement.

**Second:** Ms. Schalles

**Passed:** Unanimous; Dr. Sandoval abstained.

No public comment given.

- B. 10-2019DVM-89: Sircy Moore, DVM (2174): Settlement Agreement or Board decision for Administrative Hearing.**

**Discussion:** Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

**Motion:** Dr. Damonte moved to accept the Settlement Agreement.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Sandoval abstained.

No public comment given.

**C. 12-2019DVM-102: Melissa Cuerda-Sanchez, DVM (2586): Settlement Agreement or Board decision for Administrative Hearing.**

**Discussion:** Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

**Motion:** Dr. Gorman moved to accept Settlement Agreement.

**Second:** Dr. Bullard

**Passed:** Unanimous; Dr. Sandoval abstained.

Public comment given.

**D. 02-2020DVM-09: Linda Steelman, DVM (0973): Settlement Agreement or Board decision for Administrative Hearing.**

**Discussion:** Ms. Pedigo informed the Board that no response had been received regarding the proposed disciplinary action. The Board voted to go to hearing if no agreement can be reached.

**Motion:** Dr. Gorman moved to go to hearing if settlement is not reached.

**Second:** Dr. Damonte

**Passed:** Unanimous; Dr. Phillips abstained.

No public comment given.

**E. 04-2020DVM-20: Lesli Hewitt-Spears, DVM (1375): Settlement Agreement or Board decision for Administrative Hearing.**

**Discussion:** Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

**Motion:** Dr. Gorman moved to accept the Settlement Agreement.

**Second:** Dr. Phillips

**Passed:** Unanimous; Dr. Bullard abstained.

No public comment given.

**F. 07-2020DVM-40: Paul Barrett, DVM (0757): Settlement Agreement, Consent Decree, or Board decision for Administrative Hearing.**

**Discussion:** Mr. Ling reviewed the case and provided the Board with an overview of the proposed Settlement Agreement.

**Motion:** Dr. Gorman moved to accept the Settlement Agreement.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. Phillips abstained.

**G. 04-2020DVM-21; 04-2020DVM-22**

**Discussion:** After discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to determine that the licensees committed an act which constitutes a cause for disciplinary action.

**Motion:** Dr. Gorman moved to dismiss the complaint against the licensee.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. Bullard abstained.

No public comment given.

**H. 06-2020DVM-31; 06-2020DVM-32; 06-2020DVM-33**

**Discussion:** After discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to determine that the licensees committed an act which constitutes a cause for disciplinary action.

**Motion:** Dr. Gorman moved to dismiss the complaint against all licensees.

**Second:** Dr. Bullard

**Passed:** Unanimous; Dr. Sandoval abstained.

Public comment given.

**I. 06-2020DVM-34**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board elected disciplinary action be initiated against the licensee.

**Motion:** Ms. Schalles moved to have staff and Mr. Ling initiate disciplinary action against the licensee.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Damonte abstained.

No public comment given.

**J. 06-2020DVM-35; 06-2020FAC-36**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board elected disciplinary action be initiated against Dr. A (**06-2020DVM-35**) and dismissed against the facility (**06-2020FAC-36**) due to insufficient evidence.

**Motion:** Dr. Bullard moved to have staff and Mr. Ling initiate disciplinary action against Dr. A.

**Second:** Dr. Phillips

**Passed:** Unanimous; Dr. O'Dea was not present for vote, no abstention.

**Motion:** Dr Gorman moved to dismiss the complaint against the facility

**Second:** Dr. Phillips

**Passed:** Unanimous; Dr. O'Dea was not present for vote, no abstention.

Public comment given

**K. 07-2020DVM-37; 07-2020DVM-38**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board elected disciplinary action be initiated against the Dr. B (**06-2020DVM-35**) and dismiss the complaint against the Dr. A with a Letter of Concern (**06-2020FAC-36**) due to insufficient evidence.

**Motion:** Dr. Damonte moved to have staff and Mr. Ling initiate disciplinary action against the licensee, Dr. B.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Sandoval abstained.

**Motion:** Dr. Bullard moved to dismiss the complaint against the Dr. A with a Letter of Concern.

**Second:** Dr. Damonte

**Passed:** Unanimous; Dr. Sandoval abstained.

Public comment given.

**L. 07-2020DVM-39**

**Discussion:** After discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to determine that the licensees committed an act which constitutes a cause for disciplinary action.

**Motion:** Dr. Gorman moved to dismiss the complaint against the licensee.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. Phillips abstained.

No public comment given.

**M. 07-2020DVM-41; 07-2020DVM-42; 07-2020DVM-43; 07-2020FAC-44**

**Discussion:** After discussion of the complaint assessment with the review panel, the Board dismissed the complaint with a Letter of Concern against the Dr. A & Dr. B (**07-2020DVM-41 & 07-2020DVM-42**) and dismiss the complaint against Dr. F and the facility (**07-2020DVM-43 & 07-2020FAC-44**)

**Motion:** Ms. Schalles moved to dismiss the complaint against the Dr. A with a Letter of Concern.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Damonte abstained.

**Motion:** Dr. Gorman moved to dismiss the complaint against the Dr. B with a Letter of Concern.

**Second:** Dr. Bullard

**Passed:** Unanimous; Dr. Damonte abstained.

**Motion:** Dr. Gorman moved to dismiss the complaint against the licensee, Dr. F.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. Damonte abstained.

**Motion:** Dr. Sandoval moved to dismiss the complaint against the facility.

**Second:** Ms. Schalles

**Passed:** Unanimous; Dr. Damonte abstained.

Public comment given.

**N. 08-2020FAC-45**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board elected disciplinary action be initiated against the licensee and open an investigation into the facility based on discussions during the presentation.

**Motion:** Dr. Sandoval moved to have staff and Mr. Ling initiate disciplinary action against the licensee.

**Second:** Dr. Damonte

**Passed:** Unanimous; Dr. Phillips abstained.

**Motion:** Dr. Gorman moved to open an investigation into the facility based on concerns raised during discussion.

**Second:** Ms. Schalles

**Passed:** Unanimous; Dr. Phillips abstained.

No public comment.

**O. 08-2020DVM-46**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to believe that the licensees committed an act which constitutes a cause for disciplinary action and open an investigation into the facility based on the discussions.

**Motion:** Dr. Gorman moved to open an investigation into the facility/ VIC based on concerns raised during discussion.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. Damonte abstained

**Motion:** Dr. Sandoval moved to dismiss the complaint against the licensee.

**Second:** Dr. Damonte

**Passed:** Unanimous; Dr. Damonte abstained

No public comment given.

**P. 08-2020DVM-51; 08-2020DVM-52**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board elected disciplinary action be initiated against the Dr. A (**08-2020DVM-51**) and dismiss the complaint against Dr. B (**08-2020DVM-52**) due to insufficient evidence.

**Motion:** Dr. Gorman moved to have staff and Mr. Ling initiate disciplinary action against the Dr. A and dismiss the complaint against the Dr. B.

**Second:** Dr. Phillips

**Passed:** Unanimous; Dr. Sandoval abstained.

Public comment given.

**Q. 08-2020DVM-55**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board had dismissed the complaint against the licensee because there was not sufficient evidence to believe that the licensees committed an act which constitutes a cause for disciplinary action and open an investigation into the facility based on the discussions.

**Motion:** Dr. Sandoval moved to dismiss the complaint against the licensee.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Damonte

**4. Requests for Review/Approval/Waiver of Licensure Requirement, Extensions, Education Approval, or Reinstatement**

**A. Carrie Lambert (DVM): Consideration for modification or release from probation/consent order**

**Discussion:** The Board reviewed all documentation presented. Dr. Lambert was not present on the call.

**Motion:** Dr. Gorman moved to lift hour restrictions under current Board order but keep other requirements in place.

**Second:** Dr. Sandoval

**Passed:** Unanimous.

**B. Harmanjeet Batth (DVM): Consideration for waiver of clinical proficiency evaluation (practical exam) of the Education Commission for Foreign Veterinary Graduations (ECFVG).**

**Discussion:** The Board reviewed all documentation and request presented. Dr. Batth was present on the call.

**Motion:** Dr. Sandoval moved to deny Dr. Batth's request to waive the clinical proficiency evaluation portion of the ECFVG.

**Second:** Dr. Gorman

**Passed:** Unanimous.

**C. Brandi Jackson (LVT): Review of Education for Approval for LVT licensure requirements**

**Discussion:** The Board reviewed all documentation presented. Ms. Jackson was present on the call.

**Motion:** Dr. Gorman moved to accept Ms. Jackson's education for licensure.

**Second:** Ms. Schalles

**Passed:** Unanimous.

**D. Jessica McCray (LVT): Review of Education for Approval for LVT licensure requirements**

**Discussion:** The Board reviewed all documentation presented. Ms. McCray was present on the call.

**Motion:** Ms. Schalles moved to accept Ms. McCray's education for licensure.

**Second:** Dr. Gorman  
**Passed:** Unanimous.

- E. Kathleen Pfeifer (LVT): Review of Education for Approval for LVT licensure requirements**  
**Discussion:** The Board reviewed all documentation presented. Ms. Pfeifer was present on the call.

**Motion:** Dr. Gorman moved to accept Ms. Pfeifer's experience for licensure.  
**Second:** Ms. Schalles  
**Passed:** Unanimous

- F. Maria Palacios (VTIT): Request for Extension of VTIT Registration**  
**Discussion:** The Board reviewed all documentation presented. Ms. Palacios was not present on the call.

**Motion:** Dr. Sandoval moved to deny Ms. Palacios' extension request.  
**Second:** Mr. Hengels  
**Passed:** Unanimous; Ms. Schalles and Dr. Gorman abstained.

- G. Mariah Estes (VTIT): Request for Extension of VTIT Registration**  
**Discussion:** The Board reviewed all documentation presented. Ms. Estes was present on the call.

**Motion:** Ms. Schalles moved to grant Ms. Estes' request and extend her VTIT for one calendar year.  
**Second:** Dr. Gorman  
**Passed:** Unanimous

- H. Micaela Sampson (VTIT): Request for Extension of VTIT Registration**  
**Discussion:** The Board reviewed all documentation presented. Ms. Sampson was present on the call.

**Motion:** Ms. Schalles moved to grant Ms. Sampson's request and extend her VTIT until 3/30/2021.  
**Second:** Dr. Sandoval  
**Passed:** Unanimous

- I. Brittany Brady-Saldana (VTIT): Request for Extension of VTIT Registration**  
**Discussion:** The Board reviewed all documentation presented. Ms. Brady-Saldana was present on the call.

**Motion:** Dr. Sandoval moved to grant Ms. Brady-Saldana's request and extend her VTIT for one calendar year.  
**Second:** Dr. Bullard  
**Passed:** Unanimous

- J. Alexandria Manskie (VTIT): Request for Extension of VTIT Registration**  
**Discussion:** The Board reviewed all documentation presented. Ms. Manskie was not present on the call.



**Motion:** Ms. Schalles moved to grant Ms. Manskie's request and extend her VTIT until 3/30/2021.  
**Second:** Dr. Phillips  
**Passed:** Unanimous

**K. Azucena Torres (VTIT): Request for Extension of VTIT Registration**

**Discussion:** The Board reviewed all documentation presented. Ms. Torres was not present on the call.

**Motion:** Ms. Schalles moved to deny Ms. Torres's extension request.

**Second:** Dr. Sandoval

**Passed:** Unanimous

**L. Heather Hawkins (VTIT): Request for Extension of VTIT Registration**

**Discussion:** The Board reviewed all documentation presented. Ms. Hawkins was present on the call.

**Motion:** Dr. Gorman moved to grant Ms. Hawkins' request and extend her VTIT until 3/30/2021 with no further extensions.

**Second:** Dr. Sandoval

**Passed:** Unanimous

**M. Dyonesis Ayala (VTIT): Request for Extension of VTIT Registration**

Ms. Ayala elected to rescind her extension request.

**N. Alisha Bingham (VTIT): Request for Approval of Education LVT/VTIT requirements**

**Discussion:** The Board reviewed all documentation presented. Ms. Bingham was present on the call.

**Motion:** Ms. Schalles moved to deny Ms. Bingham's education for licensure.

**Second:** Dr. Gorman

**Passed:** Aye- Dr. Gorman, Ms. Schalles, Dr. Sandoval, Mr. Hengels, Dr. Bullard, Dr. Phillips; Nay- Dr. Damonte.

**5. Determination of Criminal History for Potential Applicant for Possible Action:** NRS622 requires occupational Boards to review petitions for criminal history review and make a determination if a future potential applicant for licensure may be disqualified from future licensure based on a criminal history.

**A. Brianna Hernandez (LVT)**

The Board moved to go into closed session to review Ms. Hernandez's preapproval application.

**Motion:** Dr. Damonte moved to go into closed session.

**Second:** Dr. Bullard

**Passed:** Unanimous

After discussion and review of supporting documentation the Board moved to come out of closed session to vote on the record.

**Motion:** Dr. Gorman moved to exit closed session.

**Second:** Dr. Sandoval

**Passed:** Unanimous

**Discussion:** After discussion, the Board moved that Ms. Hernandez's criminal history did not disqualify her for licensure.

**Motion:** Dr. Damonte moved that past criminal history did not disqualify Ms. Hernandez for licensure.

**Second:** Dr. Sandoval

**Passed:** Aye- Dr. Gorman, Dr. Phillips, Dr. Damonte, Dr. Sandoval, Dr. Bullard, Mr. Hengels; Nay- Ms. Schalles.

**6. Review and Discussion of Opinion from the Office of the Attorney General (OAG File No. 13897-383) pursuant to NRS 241.0395 and authorization for response whether the Board agrees or disagrees with the Opinion pursuant to NRS 241.039(9). For Possible Action**

**Discussion:** Ms. Pedigo and Mr. Ling reviewed the opinion from the Attorney General's office with the Board and recommended accepting the Attorney General's decision.

**Motion:** Dr. Damonte moved to accept the Attorney General's decision.

**Second:** Mr. Hengels

**Passed:** Unanimous

**7. Review and approve payment of legal fees incurred by former Board Member Davyd Pelsue to Lemons, Grundy & Eisenberg in his defense of a complaint made to the Nevada Commission on Ethics (Case No 18-077C) in the amount of \$5,438.60. For Possible Action**

**Discussion:** Mr. Ling reviewed this item with the Board.

**Motion:** Dr. Gorman moved to approve payment of legal fees for Dr. Pelsue.

**Second:** Mr. Hengels

**Passed:** Unanimous.

**8. Staff Reports for Possible Action**

**A. Administrative Report- Christina Johnson, LVT**

Ms. Johnson reviewed the 1<sup>st</sup> and 2<sup>nd</sup> quarter administrative reports.

**B. Legal Report, Louis Ling, Esq**

Mr. Ling did not present an update.

**C. Legislative Report**

Ms. Neena Laxalt presented the legislative update.

**9. Agenda items for next meeting**

- Draft an employee grievance policy.

**10. Public Comment: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item which action will be taken. (NRS241.020)**

No public comment given.

**11. Adjournment for Possible Action**

**Motion:** Dr. Gorman moved to adjourn the meeting at 4:37pm

**Second:** Mr. Hengels

**Passed:** Unanimous