

# STATE OF NEVADA



## BOARD OF VETERINARY MEDICAL EXAMINERS

**Board Meeting at:  
Airport Plaza  
Hotel & Conference Center  
Second Floor  
1981 Terminal Way  
RENO, NEVADA 89502**

### **MINUTES**

**Thursday, January 24, 2019**

#### **Board Members Present**

Steve Damonte, DVM, President  
Ronald Sandoval, DVM, DABVP, Vice President  
Davyd Pelsue, DVM, DACVS  
James Hengels, RN, BSN  
James O'Dea, DVM  
Betsy Phillips, DVM  
Sharon Gorman, DVM  
Melissa Schalles, LVT

#### **Board Staff Present**

Jennifer Pedigo, Executive Director  
Christina Johnson, LVT, Hospital Inspector  
Patricia Handal, DVM, Board Investigator  
Laura Leautier, DVM, Board Investigator  
Louis Ling, Esq., Board Counsel  
John Crumley, DVM, Board Investigator

Dr. Damonte called the meeting to order at 8:50 a.m. He took roll call and all Board members and staff were present.

**Public Comment**

No public comment given.

**CONSENT AGENDA**

**2. Review & Determination of Complaints for Possible Action:**

**A. Consent Agenda: 09-2018DVM-67**

**Discussion:** None

**Motion:** Dr. Gorman

**Second:** Dr. Sandoval

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

No public comment given.

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

**A. October 24, 2019 & December 10, 2018 Board meeting minutes**

**Discussion:** None

**Motion:** Dr. Gorman made a motion to approve the draft minutes for both meetings.

**Second:** Dr. Sandoval

**Passed:** Unanimous, with no changes to the minutes.

**REGULAR AGENDA**

**4. 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. 06-2018DVM-33; Michelle Lin, LVT (LVT330): Letter of Reprimand or Board decision for administrative hearing**

**Discussion:** Item not presented, no agreement reached with licensee prior to meeting.

**Motion:** Dr. Pelsue moved to approve to go to hearing if a settlement is not reached.

**Second:** Mr. Hengels

**Passed:** Unanimous; Ms. Schalles abstained.

**B. 06-2018DVM-35; Christina Hof, LVT (LVT942): Letter of Reprimand or Board decision for administrative hearing**

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

**Motion:** Dr. Gorman moved to accept the Letter of Reprimand.

**Second:** Dr. Pelsue

**Passed:** Unanimous; Ms. Schalles abstained.

**C. 06-2018DVM-41; Brandon Dever, DVM (2672): Letter of Reprimand or Board decision for administrative hearing**

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

**Motion:** Ms. Schalles moved to accept the Letter of Reprimand.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Sandoval abstained, and Dr. O'Dea recused himself.

**D. 07-2018DVM-56; Bob Baker, DVM (0629): Letter of Reprimand or Board decision for administrative hearing**

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

**Motion:** Dr. O'Dea moved to accept the Letter of Reprimand.

**Second:** Dr. Gorman

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

**E. 05-2018DVM-30; Ukachi Ugorgi, DVM (2501): Letter of Reprimand or Board decision for administrative hearing**

*Item not presented.*

**F. 07-2018DVM-55 (re-presented for reconsideration; previously present October 18, 2018)**

**Discussion:** After re-presentation and discussion of the complaint assessment with the review panel, the Board reversed their previous decision and dismissed the complaint due to the fact there was not sufficient evidence to believe that the licensee committed an act which constitutes a cause for disciplinary action.

**Motion:** Dr. Pelsue moved to set aside the previous determination and dismiss the complaint.

**Second:** Dr. O'Dea

**Passed:** Unanimous; Mr. Hengels abstained.

No public comment given.

**G. 12-2017DVM-69; 12-2017FAC-70; 06-2018DVM-39; 06-2018DVM-40; 06-2018DVM-41; 06-2018DVM-42; 06-2018DVM-43**

**Discussion:** After presentation and discussion of the complaint assessment with the review panel, the Board elected disciplinary action be initiated against the licensees and facility (**12-2017DVM-69, 06-2018DVM-42, and 06-2017FAC-70**) and dismiss the complaint against the (**06-2018DVM-43**) due to the fact that there was not sufficient evidence to believe the licensee had committed an act which constitutes cause for disciplinary action. The complaints against licensees (**06-2018DVM-39, 06-2018DVM-40, 06-2018DVM-41**) were dismissed with a Letter of Concern.

**12-2017DVM-69**

**Motion:** Dr. Gorman moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to move forward with disciplinary action.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

**12-2017FAC-70**

**Motion:** Dr. Gorman moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to move forward with disciplinary action.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

**06-2018DVM-39**

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

**Second:** Dr. Phillips

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

**06-2018DVM-40**

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

**Second:** Ms. Schalles

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

**06-2018DVM-41**

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

**Second:** Dr. Phillips

**Passed:** 1- aye; 5- nay, **motion failed**; Dr. O’Dea and Mr. Hengels abstained.

**2<sup>nd</sup> Motion:** Dr. Phillips moved to dismiss the complaint against licensee

**Second:** Dr. Pelsue

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

**06-2018DVM-42**

**Motion:** Ms. Schalles moved to have staff and Mr. Ling initiate action against the licensee due to there being sufficient evidence to move forward with disciplinary action.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

**06-2018DVM-43**

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

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. O’Dea and Mr. Hengels abstained.

No public comment was made.

**H. 07-2018FAC-53; 07-2018DVM-54**

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

**Motion:** Dr. Sandoval moved to dismiss the complaints against both the licensee and facility.

**Second:** Dr. O’Dea

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

No public comment was made.

**I. 04-2018DVM-19; 12-2018FAC-82**

**Discussion:** After discussion of the complaint assessment with the review panel, the Board dismissed the complaint against the licensee and facility with a Letter of Concern.

**Motion:** Ms. Schalles moved to dismiss the complaint against licensee (**04-2018DVM-19**) with a the Letter of Concern.

**Second:** Dr. Pelsue

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

**Motion:** Dr. Pelsue moved to dismiss the complaint against licensee (**12-2018FAC-82**) with a the Letter of Concern.

**Second:** Dr. Gorman

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

No public comment was made.

**J. 08-2018DVM-62; 08-2018DVM-63**

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

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

**Second:** Dr. Pelsue

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

No public comment was made.

**K. 08-2018DVM-64**

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

**Motion:** Dr. O’Dea moved to dismiss the complaint.

**Second:** Dr. Gorman

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

No public comment was made.

**L. 08-2018DVM-65**

**Discussion:** Item not presented.

**M. 08-2018DVM-64**

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

**Motion:** Dr. O’Dea moved to dismiss the case.

**Second:** Dr. Gorman

**Passed:** Unanimous; Dr. Sandoval abstained and Dr. Pelsue recused himself.

No public comment was made.

**N. 09-2018DVM-68**

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

**Motion:** Dr. Pelsue moved to dismiss the case.

**Second:** Dr. Sandoval

**Passed:** Unanimous; Dr. O’Dea abstained.

Public comment was given.

**5. Requests for License/Reinstatement/Review of Past or Present Disciplinary Action for Possible Action**

**A. Jzaneane Stilwell, approval of request for VTIT registration extension.**

**Discussion:** The Board reviewed all documentation presented. Ms. Stillwell was not present.

**Motion:** Ms. Schalles moved to deny Ms. Stilwell’s request for extension, but she may continue to take the VTNE one more time.

**Second:** Dr. Sandoval

**Passed:** Unanimous.

**B. Caitlin Dalton, approval of education for VTIT/LVT application.**

**Discussion:** The Board reviewed all documentation presented. Ms. Dalton was present.

**Motion:** Dr. O’Dea moved to grant Ms. Dalton’s education as sufficient for VTIT registration, VTNE, and LVT licensure.

**Second:** Dr. Sandoval

**Passed:** 7- aye, Schalles nay.

**C. Carrie Lambert, DVM, request for reinstatement of DVM license. (Closed session)**

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

**Second:** Ms. Schalles

**Passed:** Unanimous.

**Motion:** Dr. Pelsue moved to come out of closed session.

**Second:** Dr. Gorman

**Passed:** Unanimous.

**Discussion:** The Board reviewed all documentation presented. Dr. Lambert was present. And a recommendation was made to reinstate Dr. Lamberts Nevada DVM license with certain stipulation.

**Motion:** Dr. Pelsue moved to reinstate Dr. Lambert's license to practice with stipulations.

**Second:** Dr. Gorman

**Passed:** 7- aye, Ms. Schalles- nay.

**6. Discussion and Determination for Possible Action**

**A. Future regulation changes regarding temporary licensure, definition of 'intern', and Telemedicine**

Ms. Pedigo presented a possible set of administrative code changes allowing for temporary licensure and recommended a workshop after getting input the NVMA at WVC. The Board agreed.

After discussion by Board a change in designation were recommended from 'intern' to 'extern' or 'preceptorship' to better describe current educational status. More research being done as to what designation will be used for graduates waiting to test.

Ms. Pedigo introduced information on Telemedicine and recommended considering regs regarding temporary licensure.

**B. The use of CBD during boarding in a veterinary hospital at the owner's request**

Ms. Pedigo presented question based on inquiry from practicing DVM's. Regarding CBD administration during Boarding.

**C. Staff procedures during an officially declared state of emergency**

Ms. Pedigo and Mr. Ling presented information pertaining to declared state of emergency, asking for the Boards input and advice regarding ongoing policies.



**D. Hearing protocols for use hearing officer, committee, or full Board in the event a hearing for disciplinary action is necessary.**

Discussion by the Board ended in a decision to perform disciplinary hearings by committee for the next calendar hearings and return to the Board with the facts of findings and conclusions of law.

**Motion:** Ms. Schalles made a motion to move forward with a 3-person committee for the upcoming hearing.

**Second:** Pelsue

**Passed:** Unanimous.

**E. Fiscal year 2018 financial audit.**

Ms. Pedigo presented the final financial audit for 2018.

**Motion:** Ms. Schalles moved to accept the 2018 audit.

**Second:** Dr. Pelsue

**Passed:** Unanimous.

**F. Review the Board's sexual harassment and discrimination policy, per Executive Order 2019-1**

**Discussion:** Ms. Pedigo presented Governor Sisolak's amended sexual harassment policy for the Board to adopt. Mr. Ling to perform necessary training for Board members and staff.

**Motion:** Dr. Gorman motioned to adopt the updated sexual harassment policy.

**Second:** Dr. Phillips

**Passed:** Unanimous.

**7. Staff Reports for Possible Action**

**A. Financial Report**

Ms. Pedigo presented the financial report which consists of the Board's current quarterly financial revenues and expenses compared to the fiscal year's budget.

**Motion:** Dr. Pelsue moved to approve the administrative report as presented.

**Second:** Dr. Sandoval

**Passed:** Unanimous

**B. Administrative Report**

Ms. Johnson gave the administrative report to the Board.

**C. Hospital Inspection Report**

Ms. Johnson gave the hospital inspection report to the Board.

**D. Legislative Update**

Ms. Laxalt presented the legislative update to the Board and Dr. Sandoval volunteered as the new legislative committee.

**Motion:** Ms. Schalles moved to appoint Dr. Sandoval as legislative committee.

**Second:** Mr. Hengels

**Passed:** Unanimous

**E. Legal Report**

No report given.

**8. Agenda items for next meeting**

1. Levels for discipline, varying for non-negligence vs. incompetence, when posted for the public.

**9. Public Comment:**

No public comment given.

**10. Adjournment for Possible Action**

**Motion:** Dr. Gorman moved to adjourn the meeting at 5:20 p.m.

**Second:** Dr. Sandoval

**Passed:** Unanimous